United City of Yorkville
651 Prairie Pointe Drive
Yorkville, Illinois 60560
Telephone: 630-553-4350
www.yorkville.il.us

AGENDA
CITY COUNCIL MEETING
Tuesday, September 26, 2023
7:00 p.m.
City Hall Council Chambers
651 Prairie Pointe Drive, Yorkville, IL

Call to Order:

Pledge of Allegiance:

Roll Call by Clerk:

WARD I	WARD II	WARD III	WARD IV
Ken Koch	Arden Joe Plocher	Chris Funkhouser	Seaver Tarulis
Dan Transier	Craig Soling	Matt Marek	Rusty Corneils

Establishment of Quorum:

Amendments to Agenda:

Presentations:

Public Hearings:

Citizen Comments on Agenda Items:

Consent Agenda:

1. Minutes of the Regular City Council – September 12, 2023
2. Bill Payments for Approval
   $ 1,034,352.26 (vendors)
   $ 388,949.87 (payroll period ending 09/15/23)
   $ 1,423,302.13 (total)
3. ADM 2023-31 Treasurer's Reports for June – August 2023

Mayor's Report:

1. CC 2023-58 2023 Tax Levy Estimate – Preliminary
2. CC 2023-59 WIFIA Loan Application – Engineering Agreement

Public Works Committee Report:

1. PW 2023-73 Road to Better Roads 2023 Update
2. PW 2023-74 East Van Emmon STP – Design Engineering Agreement
3. PW 2023-75 Water Audits and Non-Revenue Reduction – Design Engineering Agreement
4. PW 2023-76 2023 Sanitary Sewer Lining – Contract Award

Public Works Committee Report (cont'd):

5. PW 2023-77 Riverwalk Route 47 Crossing – Preliminary Engineering Agreement
6. PW 2023-78 Dump Truck Price Increase

Economic Development Committee Report:

Public Safety Committee Report:

Administration Committee Report:

1. ADM 2023-37 Employee Manual Update – Uniforms

Park Board:

Planning and Zoning Commission:

1. PZC 2023-09 & EDC 2023-36 Ordinance Authorizing the Adoption of the New Unified Development Ordinance Within the Yorkville City Code
2. PZC 2023-10 Ordinance Amending the Zoning Ordinance Identify, Define and Regulate Energy Industrial Uses (Green Door Nexus)
3. PZC 2023-14 & EDC 2023-37 Kendall Co. Petition 23-28 (1.5 Mile Review)

City Council Report:

City Clerk's Report:

Community and Liaison Report:

Staff Report:

Mayor's Report (cont'd):

3. PZC 2023-09 & EDC 2023-36 Unified Development Ordinance – Presentation
4. CC 2021-04 City Buildings Updates
5. CC 2021-38 Water Study Update

Additional Business:

Citizen Comments:

Executive Session:

Adjournment:

COMMITTEES, MEMBERS AND RESPONSIBILITIES

ADMINISTRATION: October 18, 2023 – 6:00 p.m. – East Conference Room #337

Committee		Departments	Liaisons
Chairman:	Alderman Marek	Finance	Library
Vice-Chairman:	Alderman Plocher	Administration	
Committee:	Alderman Koch		
Committee:	Alderman Corneils		

ECONOMIC DEVELOPMENT: October 3, 2023 – 6:00 p.m. – East Conference Room #337

Committee		Departments	Liaisons
Chairman:	Alderman Plocher	Community Development	Planning & Zoning Commission
Vice-Chairman:	Alderman Funkhouser	Building Safety & Zoning	Kendall Co. Plan Commission
Committee:	Alderman Transier		
Committee:	Alderman Tarulis		

PUBLIC SAFETY: November 2, 2023 – 6:00 p.m. – East Conference Room #337

Committee		Departments	Liaisons
Chairman:	Alderman Transier	Police	School District
Vice-Chairman:	Alderman Tarulis		
Committee:	Alderman Soling		
Committee:	Alderman Funkhouser		

PUBLIC WORKS: October 17, 2023 – 6:00 p.m. – East Conference Room #337

Committee		Departments	Liaisons
Chairman:	Alderman Koch	Public Works	Park Board
Vice-Chairman:	Alderman Soling	Engineering	YBSD
Committee:	Alderman Marek	Parks and Recreation	
Committee:	Alderman Corneils		

UNITED CITY OF YORKVILLE
WORKSHEET
CITY COUNCIL
Tuesday, September 26, 2023
7:00 PM
CITY COUNCIL CHAMBERS

AMENDMENTS TO AGENDA:

CITIZEN COMMENTS ON AGENDA ITEMS:

CONSENT AGENDA:

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1. Minutes of the Regular City Council – September 12, 2023
   - ☐ Approved: **Y** _____ **N** _____ □ Subject to _____
   - ☐ Removed _____
   - ☐ Notes _____

     _____

     _____

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2. Bill Payments for Approval
   - ☐ Approved _____
     - ☐ As presented
     - ☐ As amended
   - ☐ Notes _____

_____

_____

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3. ADM 2023-31 Treasurer's Report for June – August 2023
   - ☐ Approved: **Y** _____ **N** _____ □ Subject to _____
   - ☐ Removed _____
   - ☐ Notes _____

_____

_____

MAYOR'S REPORT:

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1. CC 2023-58 2023 Tax Levy Estimate – Preliminary
   - ☐ Approved: **Y** _____ **N** _____ □ Subject to _____
   - ☐ Removed _____
   - ☐ Notes _____

_____

_____

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2. CC 2023-59 WIFIA Loan Application – Engineering Agreement
   - ☐ Approved: **Y** _____ **N** _____ □ Subject to _____
   - ☐ Removed _____
   - ☐ Notes _____

PUBLIC WORKS COMMITTEE REPORT:

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1. PW 2023-73 Road to Better Roads 2023 Update
   - ☐ Approved: **Y** _____ **N** _____ □ Subject to _____
   - ☐ Removed _____
   - ☐ Notes _____

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2. PW 2023-74 East Van Emmon STP – Design Engineering Agreement
   - ☐ Approved: **Y** _____ **N** _____ □ Subject to _____
   - ☐ Removed _____
   - ☐ Notes _____

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3. PW 2023-75 Water Audits and Non-Revenue Reduction – Design Engineering Agreement
   - ☐ Approved: **Y** _____ **N** _____ □ Subject to _____
   - ☐ Removed _____
   - ☐ Notes _____

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4. PW 2023-76 2023 Sanitary Sewer Lining – Contract Award
   - ☐ Approved: **Y** _____ **N** _____ □ Subject to _____
   - ☐ Removed _____
   - ☐ Notes _____

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5. PW 2023-77 Riverwalk Route 47 Crossing – Preliminary Engineering Agreement
   - ☐ Approved: **Y** _____ **N** _____ □ Subject to _____
   - ☐ Removed _____
   - ☐ Notes _____

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6. PW 2023-78 Dump Truck Price Increase
   - ☐ Approved: **Y** _____ **N** _____ □ Subject to _____
   - ☐ Removed _____
   - ☐ Notes _____

ADMINISTRATION COMMITTEE REPORT:

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1. ADM 2023-37 Employee Manual Update – Uniforms
   - ☐ Approved: **Y** _____ **N** _____ □ Subject to _____
   - ☐ Removed _____
   - ☐ Notes _____

PLANNING AND ZONING COMMISSION:

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1. PZC 2023-09 & EDC 2023-36 Ordinance Authorizing the Adoption of the New Unified Development Ordinance Within the Yorkville City Code
   - ☐ Approved: **Y** _____ **N** _____ □ Subject to _____
   - ☐ Removed _____
   - ☐ Notes _____

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2. PZC 2023-10 Ordinance Amending the Zoning Ordinance Identify, Define and Regulate Energy Industrial Uses (Green Door Nexus)
   - ☐ Approved: **Y** _____ **N** _____ □ Subject to _____
   - ☐ Removed _____
   - ☐ Notes _____

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3. PZC 2023-14 & EDC 2023-37 Kendall Co. Petition 23-28 (1.5 Mile Review)
   - ☐ Approved: **Y** _____ **N** _____ □ Subject to _____
   - ☐ Removed _____
   - ☐ Notes _____

MAYOR'S REPORT (CONT'D):

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3. PZC 2023-09 & EDC 2023-36 Unified Development Ordinance – Presentation
   - ☐ Approved: **Y** _____ **N** _____ □ Subject to _____
   - ☐ Removed _____
   - ☐ Notes _____

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4. CC 2021-04 City Building Updates
   - ☐ Approved: **Y** _____ **N** _____ □ Subject to _____
   - ☐ Removed _____
   - ☐ Notes _____

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5. CC 2021-38 Water Study Update
   - ☐ Approved: **Y** _____ **N** _____ □ Subject to _____
   - ☐ Removed _____
   - ☐ Notes _____

ADDITIONAL BUSINESS:

CITIZEN COMMENTS:

Reviewed By:	
Legal	☐
Finance	☐
Engineer	☐
City Administrator	☐
Community Development	☐
Purchasing	☐
Police	☐
Public Works	☐
Parks and Recreation	☐

Agenda Item Number

Consent Agenda #1

Tracking Number

Agenda Item Summary Memo

Title: Minutes of the Regular City Council – September 12, 2023

Meeting and Date: City Council – September 26, 2023

Synopsis: Approval of Minutes

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Jori Behland (Name) Administration (Department)

Agenda Item Notes:

Have a question or comment about this agenda item?
Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/320/City-Council

DRAFT

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, HELD IN THE CITY COUNCIL CHAMBERS, 651 PRAIRIE POINTE ROAD ON TUESDAY, SEPTEMBER 12, 2023

Mayor Purcell called the meeting to order at 7:03 p.m. and led the Council in the Pledge of Allegiance.

ROLL CALL

City Clerk Behland called the roll.

Ward I	Koch	Present
	Transier	Present
Ward II	Plocher	Present
	Soling	Present
Ward III	Funkhouser	Present
	Marek	Present
Ward IV	Tarulis	Absent
	Corneils	Present

Staff in attendance at City Hall: City Clerk Behland, City Administrator Olson, Chief of Police Jensen, Attorney Orr, Public Works Director Dhuse, Finance Director Fredrickson, Parks and Recreation Director Evans, Assistant City Administrator Willrett, and EEI Engineer Sanderson.

Staff in attendance electronically: Community Development Director Barksdale-Noble

Members of the public were able to attend this meeting in person as well as being able to access the meeting remotely via Zoom which allowed for video, audio, and telephonic participation.

A meeting notice was posted on the City's website on the agenda, minutes, and packets webpage with instructions regarding remote meeting access and a link was included for the public to participate in the meeting remotely: https://us02web.zoom.us/j/81067485791?pwd=OFh5Y3hPemV6azZmYlNCRHdiSmFMQT09. The Zoom meeting ID was 810 6748 5791.

QUORUM

A quorum was established**.**

AMENDMENTS TO THE AGENDA

None.

PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS ON AGENDA ITEMS

None.

CONSENT AGENDA

1. Minutes of the Regular City Council – August 22, 2023
2. Bill Payments for Approval

   $ 1,666,422.29 (vendors)
   $ 185,827.04 (wire payments)
   $ 388,973.37 (payroll period ending 08/18/23)
   $ 354,460.94 (payroll period ending 09/01/23)
   $ 2,595,683.64 (total)

Mayor Purcell entertained a motion to approve the consent agenda. So moved by Alderman Soling; seconded by Alderman Koch.

Motion approved by a roll call vote. Ayes-7 Nays-0
Koch-aye, Plocher-aye, Funkhouser-aye, Transier-aye,
Soling-aye, Marek-aye, Corneils-aye

REPORTS

MAYOR'S REPORT

Friends of the Fox River "It's Our Fox River Day" Proclamation
(CC 2023-54)

Mayor Purcell proclaimed the third Saturday of September, this year, and every year thereafter, as "It's Our Fox River Day" in the United City of Yorkville (*see attached*).

Constitution Week Proclamation
(CC 2023-55)

Mayor Purcell proclaimed September 17 - 23, 2023, as Constitution Week in the United City of Yorkville (*see attached).*

City Hall Landscaping Proposal
(CC 2023-56)

Mayor Purcell entertained a motion for a City Hall landscaping contract with Max's Greener Places, Inc. in an amount not to exceed $4,000 for landscape design and an amount not to exceed $20,000 for native plants. So moved by Alderman Marek; seconded by Alderman Soling.

Alderman Funkhouser has some concerns about the plant selection. He believes some plants and trees are not conducive to some areas, especially near the parking lot. He would like to discuss the plan and where items are laid out. Director of Public Works Dhuse shared that the placement and species are ok to change.

Motion approved by a roll call vote. Ayes-7 Nays-0
Plocher-aye, Funkhouser-aye, Transier-aye, Soling-aye,
Marek-aye, Corneils-aye, Koch-aye

PUBLIC WORKS COMMITTEE REPORT

No report.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

Ordinance 2023-29 **Amending the Yorkville City Code, Title 10, Chapter 19, Section 10-19-9 (Solar Farm Building Permit Fee)**
(EDC 2023-38)

Alderman Plocher made a motion to approve an Ordinance Amending the Yorkville City Code, Title 10, Chapter 19, Section 10-19-9 (Solar Farm Building Permit Fee) and authorize the Mayor and City Clerk to execute; seconded by Alderman Funkhouser.

Motion approved by a roll call vote. Ayes-7 Nays-0
Funkhouser-aye, Transier-aye, Soling-aye, Marek-aye,
Corneils-aye, Koch-aye, Plocher-aye

PUBLIC SAFETY COMMITTEE REPORT

No report.

ADMINISTRATION COMMITTEE REPORT

No report.

PARK BOARD

Parks and Recreation Director Evans reported on the following upcoming events in the area:

Saluting with Smoke BBQ Festival and Fundraiser

Mission Zero Hundred Hours is hosting their Saluting with Smoke BBQ Festival and Fundraiser at Raging Waves Water Park on September 15-17, 2023. This event includes live bands, carnival rides, BBQ competitions, food trucks, and more.

Yorkville Storywalk

The Yorkville Educational Foundation, Y115, and the Yorkville Public Library are hosting their annual free family event at the Yorkville Storywalk on September 20, 2023, from 4:30 p.m. to 6:30 p.m. The Yorkville Storywalk is at YJWC Heartland Park (1267 Taus Circle).

Scarecrow Walk

The Scarecrow Walk 2023 takes place at Riverfront Park East End (131 East Hydraulic Avenue) from September 29th – October 31st. The deadline to submit a scarecrow into the walk is Monday, September 25th.

Yorktoberfest

The Kiwanis Yorktoberfest is Friday, September 29th, and Saturday, September 30th, at Riverfront Park East. Live music, craft beer, and family-friendly performances and activities will be there.

PLANNING AND ZONING COMMISSION

No report.

CITY COUNCIL REPORT

No report.

CITY CLERK'S REPORT

No report.

COMMUNITY & LIAISON REPORT

Aurora Area Convention & Visitors Bureau

Alderman Funkhouser reported the state has appointed the Deputy Director of Tourism. They are doing a tour around the state and will stop by the AACVB on September 27th for a meet and greet. He also thanked Raging Waves Waterpark for hosting the AACVB and holding a behind-the-scenes tour.

STAFF REPORT

No report.

MAYOR'S REPORT (cont'd)

Bristol Ridge Solar Farms – Update and Discussion
(CC 2023-57)

Scott Osborn, Director of Project Development with TurningPoint Energy, shared he was at the meeting to review any questions the Council might have on the proposed Bristol Ridge Solar Farms project. Tonight, the Council voted on approving the building permit fees for solar at $7 per panel. Each Bristol Ridge project will have around 15,000 panels, which will be approximately $100,000 in permit fees per project. Mr. Osborn then reviewed the informational memo passed out as a supplemental packet to the council. He went over the drainage problems and visibility concerns. Mayor Purcell asked Engineer Sanderson about drainage and how our ordinances handle water runoff from developed sites. Engineer Sanderson said any new developments in the community must follow the city's current stormwater ordinance and will have to go through that permit process. Mayor Purcell asked Community Development Director Barksdale Noble to explain the project's decommissioning and bonding aspects. The decommissioned cost is the reasonable cost and expense to remove all structures from the properties and restore them to their original usage. The petitioner calculates the amount and timeline to remove the structures at today's cost and then adds a 3% inflation rate. The project is also bonded at 120% to cover the City if they must restore the parcels to their original usage and remove all structures. This would be two bonds for around $600k each.

Alderman Koch asked for clarification on the tax revenue numbers. Mr. Osborn stated that $34,775 is the expected tax revenue for the City, and $430,000 would go to the Yorkville School District over 20 years. Alderman Koch asked if there would be a benefit to the residents. Mr. Osborn stated this is a community solar program under ComEd, which local customers can sign up for and receive discounts. Alderman Koch also asked about the community engagement and investment mentioned in the memo. Mr. Osborn shared that the company owner would like to give away so much money per year to the community as they usually invest in every community where they have projects. They are willing to commit to $40,000 in donations ($20,000 per project).

Alderman Funkhouser also asked Mr. Osborn to clarify if the tax revenue numbers were doubled figures. Mr. Osborn explained that the amounts were for each project. The $34,775 in tax revenue to the city is for one project. The other project will average the same amount. The Yorkville School District should receive approximately $860,000 over 20 years ($430,000 for each project). Alderman Funkhouser shared his concern about wanting to keep this property available for potential residential use or an age-restricted facility due to the potential tax revenue. Alderman Funkhouser also asked if there were any plans for the large setback area. Mr. Osborn said he would like to see it as farmland, but it may not be useful due to the location and size. Another option is to have it planted in native plants and seeds. It will then have to be mowed and maintained. Alderman Funkhouser also stated that if there was a reason they were only going to move forward with one of the properties, is to leave the north property for residential use and put the solar farm on the south parcel.

City Buildings Update
(CC 2021-04)

No Update.

Water Study Update
(CC 2021-38)

No Update.

ADDITIONAL BUSINESS

None.

CITIZEN COMMENTS

Molly Krempski, a Yorkville resident, shared with the Council that the Library Board was sworn in at their meeting yesterday and stated it was nice to witness. She then read through parts of the Constitution of the State of Illinois book that was passed out to the elected officials. Mrs. Krempski then commented on the proposed yard sign regulations, mainly the restrictions on yard signs on private property. She stated the Council does not have the authority to regulate private properties, only public property.

Kenneth Knapp, a Yorkville resident, shared he is in the Bristol Bay subdivision and moved here two years ago. He wants to know where his tax revenue is going with the new development. Mr. Knapp is still paying the SSA for the next thirteen years. He is also concerned with the rental units not paying into the tax system.

EXECUTIVE SESSION

None.

ADJOURNMENT

Mayor Purcell entertained a motion to adjourn the City Council meeting. So moved by Alderman Plocher; seconded by Alderman Koch.

Motion unanimously approved by a viva voce vote.

Meeting adjourned at 8:12 p.m.

Minutes submitted by:

Jori Behland,
City Clerk, City of Yorkville, Illinois

UNITED CITY OF YORKVILLE

"It's Our Fox River Day" Proclamation

WHEREAS, The Fox River was central to the lives of native Americans inhabiting the Fox River Valley in Wisconsin and Illinois for millennia, providing an abundance of food and water to wildlife and those native populations, and;

WHEREAS, The Fox River was the central to the lives of early settlers of the Fox River Valley, providing a source of water and power to mill the grains to feed those settlers, saw the lumber to shelter those settlers, and drive the early machinery which formed the commercial and industrial base that gave first growth to our community, and;

WHEREAS, The Fox River, once a fine fishery and source of public water, became burdened with the uncontrolled discharge of industrial, commercial and municipal wastes, with the resulting pollution threatening the health and welfare of all populations of the Fox River, including human and wildlife, and;

WHEREAS, sustained and increasingly diligent and effective efforts have been made over the past century to reduce and eliminate pollution and changes to our river's natural shorelines, and;

WHEREAS, The Fox River has been largely freed from its burden of pollution and once again has become a safe source of recreation and reliable public water supply, with its fish and wildlife population in clear recovery;

WHEREAS, the United City of Yorkville recognizes the historic, present and future value of this unique and precious natural resource to our community, and all other communities within and beyond the Fox River Valley,

NOW, THEREFORE, I, John Purcell, Mayor of the United City of Yorkville, do hereby proclaim the third Saturday of September, this year and every year thereafter, as "It's Our Fox River Day" in the United City of Yorkville and encourage all residents to support the Friends of the Fox River by participating in celebrating, protecting, and restoring the health of the Fox River.

Dated this 12th day of September, 2023, A.D.

John Purcell, Mayor

UNITED CITY OF YORKVILLE
SEAL
KENDALL CO. ILL.

UNITED CITY OF YORKVILLE

Proclamation

WHEREAS, the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS, September 17, 2023, marks the two hundred thirty-fifth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW, THEREFORE, I, John Purcell, by virtue of the authority vested in me as Mayor of the United City of Yorkville, do hereby proclaim the week of September 17 through 23 as **CONSTITUTION WEEK** and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

Dated this 12th day of September, 2023.

UNITED CITY OF YORKVILLE Corporate SEAL KENDALL CO., ILL.

John Purcell, Mayor

Reviewed By:	
Legal	☐
Finance	■
Engineer	☐
City Administrator	☐
Community Development	☐
Purchasing	☐
Police	☐
Public Works	☐
Parks and Recreation	☐

Agenda Item Number

Consent Agenda #2

Tracking Number

Agenda Item Summary Memo

Title: Bills for Payment

Meeting and Date: City Council – September 26, 2023

Synopsis:

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Amy Simmons (Name) Finance (Department)

Agenda Item Notes:

Have a question or comment about this agenda item?
Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/320/City-Council

UNITED CITY OF YORKVILLE
MANUAL CHECK REGISTER

CHECK #	VENDOR # / INVOICE #	INVOICE DATE	ITEM #	DESCRIPTION	CHECK DATE	ACCOUNT #	ITEM AMT	
131223	KCR	KENDALL COUNTY RECORDER'S			09/13/23			
	147738	09/13/23	01	RELEASE 2 UTILITY LIENS		51-510-54-00-5448	152.00	
			02	RELEASE 2 WEED LIENS		25-215-54-00-5448	152.00	
						INVOICE TOTAL:	304.00 *	
						CHECK TOTAL:		304.00
						TOTAL AMOUNT PAID:		304.00

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

CHECK #	VENDOR # / INVOICE #	INVOICE DATE	ITEM #	DESCRIPTION	CHECK DATE	ACCOUNT #	ITEM AMT
900138	FNBO FIRST NATIONAL BANK OMAHA				09/25/23		
	092523-A.HERNANDEZ	08/31/23	01	FIRST PLACE#342712-1-AUGER		79-790-56-00-5640	157.32
			02	O'MALLEY#20896-FABRICATE BIN		79-790-54-00-5495	324.75
			03	BRACKETS		** COMMENT **	
			04	MENARDS#080423-GATED TIEDOWN		79-790-56-00-5620	31.99
			05	MENARDS#080723-GATE LATCH,RODS		79-790-56-00-5640	26.48
			06	MENARDS#080823-DRIVE BITS		79-790-56-00-5640	38.59
			07	MENARDS#080923-LEVELS		79-790-56-00-5630	150.94
			08	NAPA#346992-FUSES		79-790-56-00-5640	8.58
			09	GROUND EFFECTS-DIRT		25-225-60-00-6010	192.00
						INVOICE TOTAL:	930.65 *
	092523-A.SIMMONS	08/31/23	01	KENDALL PRINTING-ENVELOPES		01-120-56-00-5610	303.40
			02	COMCAST-07/20-08/19 INTERNET		01-110-54-00-5440	46.25
			03	AT 651 PRAIRIE POINTE		** COMMENT **	
			04	COMCAST-07/20-08/19 INTERNET		01-220-54-00-5440	41.11
			05	AT 651 PRAIRIE POINTE		** COMMENT **	
			06	COMCAST-07/20-08/19 INTERNET		01-120-54-00-5440	20.55
			07	AT 651 PRAIRIE POINTE		** COMMENT **	
			08	COMCAST-07/20-08/19 INTERNET		79-790-54-00-5440	41.11
			09	AT 651 PRAIRIE POINTE		** COMMENT **	
			10	COMCAST-07/20-08/19 INTERNET		01-210-54-00-5440	205.54
			11	AT 651 PRAIRIE POINTE		** COMMENT **	
			12	COMCAST-07/20-08/19 INTERNET		79-795-54-00-5440	41.11
			13	AT 651 PRAIRIE POINTE		** COMMENT **	
			14	VERIZON-7/2-8/1 IN CAR UNITS		01-210-54-00-5440	730.67
						INVOICE TOTAL:	1,429.74 *
	092523-B.OLSON	08/31/23	01	UNITED AIRLINES-ICMA		01-110-54-00-5415	390.80
			02	CONFERENCE TRANSPORTATION		** COMMENT **	
			03	AMAZON-MONITOR STANDS		01-110-56-00-5610	56.57
			04	ZOOM-8/23-9/22USER FEES		01-110-54-00-5462	213.96
						INVOICE TOTAL:	661.33 *
	092523-B.VALLES	08/31/23	01	ATLAS-HYDRO FLUID		01-410-56-00-5628	175.58
			02	FIRST PLACE-STAKES		01-410-56-00-5620	148.00
			03	MENARDS#081423-SOCKETS,		01-410-56-00-5630	28.46
			04	BLADES, BUG SPRAY		** COMMENT **	
			05	MENARDS#081823-LOPPER, BUG		01-410-56-00-5630	59.89
			06	SPRAY		** COMMENT **	
			07	MENARDS#081623-HARDBOARDS		01-410-56-00-5620	45.96
			08	MENARDS#082323-BANDANNA, WIRE		01-410-56-00-5620	7.48
			09	BRUSH		** COMMENT **	
			10	MENARDS#082423-CLEANERS		01-410-56-00-5620	18.96
			11	MENARDS#082523-BAG STRAINERS		01-410-56-00-5620	5.98
			12	MENARDS#080723-HARDBOARDS		01-410-56-00-5620	22.98

CHECK #	VENDOR # / INVOICE #	INVOICE DATE	ITEM #	DESCRIPTION	CHECK DATE	ACCOUNT #	ITEM AMT
900138	FNBO FIRST NATIONAL BANK OMAHA				09/25/23		
	092523-B.VALLES	08/31/23	13	NAPA#346383-OIL DRY		01-410-56-00-5628	139.90
			14	NAPA#346470-OIL DRY		01-410-56-00-5628	139.90
						INVOICE TOTAL:	793.09 *
	092523-B.WOLF	08/31/23	01	MENARDS#072723-CONCRETE MIX		79-790-56-00-5620	234.88
			02	MENARDS#080823-MARKING PAINT		79-790-56-00-5646	47.40
			03	HOME DEPO-MARKING PAINT		79-790-56-00-5646	69.86
						INVOICE TOTAL:	352.14 *
	092523-D.BROWN	08/31/23	01	GRAINGER-PIPE WRENCH		51-510-56-00-5630	86.98
			02	MENARDS#081823-BLEACH, BUNGEE		51-510-56-00-5620	73.01
			03	PLIERS		** COMMENT **	
			04	MENARDS#072723-LASER STYLUS		51-510-56-00-5620	-8.99
			05	RETURN CREDIT		** COMMENT **	
			06	MENARDS#081023-BLEACH,		51-510-56-00-5620	46.65
			07	SCREWDRIVERS, MAGNETIC CLIPS,		** COMMENT **	
			08	PAINT BUCKET		** COMMENT **	
			09	AMAZON-RADON DETECTOR		51-510-56-00-5638	178.17
						INVOICE TOTAL:	375.82 *
	092523-D.HENNE	08/31/23	01	INTERNATIONAL PUBLIC		01-410-54-00-5412	180.00
			02	SAFETY-CERTIFICATION RENEWAL		** COMMENT **	
						INVOICE TOTAL:	180.00 *
	092523-D.SMITH	08/31/23	01	MENARDS#072723-CONCRETE MIX		79-790-56-00-5640	234.88
			02	RURAL KING-FENCING GATES		79-790-56-00-5640	57.14
			03	MENARDS#080223-SCREWS, DRILL		79-790-56-00-5640	58.30
			04	BIT, GATE LATCH, STRAP HINGE		** COMMENT **	
			05	MENARDS#080323-CABINETS		25-225-60-00-6010	897.95
			06	MENARDS#080323-CABINETS		25-225-60-00-6010	897.95
			07	MENARDS#080923-BOARDS, AWNING		25-225-60-00-6010	443.19
			08	MENARDS#081023-TOGGLES,WASHERS		25-225-60-00-6010	32.51
			09	MENARDS#081023-CABINETS,SCREWS		25-225-60-00-6010	124.48
			10	GROUND EFFECTS-DIRT,GRASS SEED		25-225-60-00-6010	565.95
			11	MENARDS#082323-WIRE, HEAT		79-790-56-00-5640	44.45
			12	SHRINK KIT, AUTO TESTER, TEST		** COMMENT **	
			13	LIGHT		** COMMENT **	
			14	MENARDS#082423-RETURNED		25-225-60-00-6010	-182.99
			15	CABINET CREDIT		** COMMENT **	
						INVOICE TOTAL:	3,173.81 *
	092523-E.DHUSE	08/31/23	01	AMAZON-CAR CHARGER, CABLE		01-410-56-00-5620	46.11
			02	AMAZON-PHONE CHARGING CABLES		51-510-56-00-5620	15.98
			03	AMERICAN AIRLINES-PUBLIC WORKS		51-510-54-00-5415	127.28
			04	EXPO TRANSPORTATION		** COMMENT **	
						INVOICE TOTAL:	189.37 *

UNITED CITY OF YORKVILLE
MANUAL CHECK REGISTER

CHECK #	VENDOR # / INVOICE #	INVOICE DATE	ITEM #	DESCRIPTION	CHECK DATE	ACCOUNT #	ITEM AMT
900138	FNBO FIRST NATIONAL BANK OMAHA				09/25/23		
	092523-E.SCHREIBER	08/31/23	01	AMAZON-PRESCHOOL STARTUP		79-795-56-00-5606	130.40
			02	SUPPLIES		** COMMENT **	
			03	AMAZON-WALL DECALS		79-795-56-00-5606	16.40
			04	POPSHELF-BABY CONTEST PRIZES		79-795-56-00-5602	59.00
			05	DOLLAR TREE-SPONGES, BLEACH,		79-795-56-00-5606	5.00
			06	BASKETS		** COMMENT **	
			07	TARGET-BABY CONTEST SUPPLIES		79-795-56-00-5602	19.17
			08	TARGET-BRIGHTROOM		79-795-56-00-5606	24.00
			09	AMAZON-ROOM DECOR, CABINET		79-795-56-00-5606	92.68
			10	LOCKS, FLOOR DOTS		** COMMENT **	
			11	AMAZON-PRESCHOOL STARTUP		79-795-56-00-5606	133.76
			12	SUPPLIES		** COMMENT **	
			13	AMAZON-PRESCHOOL SNACKS		79-795-56-00-5606	58.81
			14	WOODYS ORCHARD-GROUP		79-795-56-00-5606	210.08
			15	FIELDTRIP TICKETS		** COMMENT **	
			16	AMAZON-CONSTRUCTION PAPER,		79-795-56-00-5606	34.09
			17	FIDGET TOYS		** COMMENT **	
			18	STEVENS-PRESCHOOL STAFF SHIRTS		79-795-56-00-5606	144.00
			19	AMAZON-DECALS		79-795-56-00-5606	19.98
			20	AMAZON-TOILET PAPER, SPOONS,		79-795-56-00-5606	77.55
			21	MASKING TAPE, STICKERS		** COMMENT **	
			22	AMAZON-PAPER BAGS		79-795-56-00-5606	16.69
						INVOICE TOTAL:	1,041.61 *
	092523-E.WILLRETT	08/31/23	01	CDW-G-DELL COMPUTER		01-640-54-00-5450	1,119.93
			02	CDW-G-DELL COMPUTER		01-640-54-00-5450	1,709.48
			03	AMAZON-2 KEYBOARDS		01-640-54-00-5450	202.76
			04	AMAZON-10 ETHERNET CABLES		01-640-54-00-5450	77.00
						INVOICE TOTAL:	3,109.17 *
	092523-G.JOHNSON	08/31/23	01	MENARDS#080323-PVC PIPE,BOLTS		51-510-56-00-5620	69.10
			02	MENARDS#072823-GASKET BOX		51-510-56-00-5628	79.92
			03	HOME DEPO-NUTS, SCREWS		51-510-56-00-5620	15.58
			04	HOME DEPO-BOLTS		51-510-56-00-5620	0.89
			05	AMAZON-VEHICLE EMERGENCY		51-510-56-00-5628	69.27
			06	LIGHTS		** COMMENT **	
			07	AMAZON-TIE DOWN ANCHORS		51-510-56-00-5628	35.62
						INVOICE TOTAL:	270.38 *
	092523-G.KLEEFISCH	08/31/23	01	NAPA#346080-WHEEL NUTS		79-790-56-00-5640	4.68
			02	MENARDS#080723-COVER, TIMER		79-790-56-00-5640	22.34
						INVOICE TOTAL:	27.02 *
	092523-G.NELSON	08/31/23	01	MENARDS#072723-WATER		01-220-56-00-5620	25.96
			02	AMAZON-FILE FOLDERS, PENS		01-220-56-00-5610	72.84

UNITED CITY OF YORKVILLE
MANUAL CHECK REGISTER

CHECK #	VENDOR # / INVOICE #	INVOICE DATE	ITEM #	DESCRIPTION	CHECK DATE	ACCOUNT #	ITEM AMT
900138	FNBO FIRST NATIONAL BANK OMAHA				09/25/23		
	092523-G.NELSON	08/31/23	03	AMAZON-HANGING FILES		01-220-56-00-5610	283.60
			04	WAREHOUSE-COPY PAPER,TISSUE		01-220-56-00-5610	206.97
			05	AMAZON-PENS		01-220-56-00-5610	26.69
			06	AMAZON-PAPER PLATES		01-220-56-00-5620	28.76
						INVOICE TOTAL:	644.82 *
	092523-G.STEFFENS	08/31/23	01	ACE-KEYS		52-520-56-00-5620	5.98
			02	MENARDS#072723-BLEACH CLEANERS		52-520-56-00-5620	110.18
			03	EXHAUST FLUID		** COMMENT **	
			04	TARGET-THERMOMETER,		52-520-56-00-5620	56.58
			05	HIGHLIGHTERS, BINDERS, SHEET		** COMMENT **	
			06	PROTECTORS		** COMMENT **	
			07	GRAINGER-UTILITY DOME MARKER		52-520-56-00-5640	704.00
			08	METRO INDUSTRIES#050973-FUSES		52-520-56-00-5613	418.50
						INVOICE TOTAL:	1,295.24 *
	092523-J.ANDERSEN	08/31/23	01	FLATSOS-TIRE REPAIR		79-790-54-00-5495	35.00
						INVOICE TOTAL:	35.00 *
	092523-J.BEHLAND	08/31/23	01	UPS-SHIPPING FOR WATER BONDS		51-510-54-00-5452	130.64
			02	TRIBUNE-GREEN DOOR TEXT		90-191-00-00-0011	143.29
			03	AMENDMENT PUBLIC NOTICE		** COMMENT **	
			04	TRIBUNE-WATER BONDS NOTICE OF		51-510-54-00-5426	375.76
			05	INTENT		** COMMENT **	
			06	TRIBUNE-WATER BOND ORIDINANCE		51-510-54-00-5426	1,293.78
			07	TRIBIUNE-WATER BOND PUBLIC		51-510-54-00-5426	181.47
			08	HEARING		** COMMENT **	
			09	TRIBUNE-MY BRISTOL DREAM		90-206-00-00-0011	162.72
			10	EVENTS PH NOTICE		** COMMENT **	
			11	TRIBUNE-TRINITY CHURCH SIGN		01-220-54-00-5462	242.86
			12	VARIANCE		** COMMENT **	
			13	AMAZON-FILE CART, FOLDERS		01-110-56-00-5610	69.24
						INVOICE TOTAL:	2,599.76 *
	092523-J.DYON	08/31/23	01	AMAZON-KEYBOARD		01-120-56-00-5610	8.15
			02	AMAZON-KEYBOARD		51-510-56-00-5620	12.29
			03	AMAZON-KEYBOARD		52-520-56-00-5610	3.55
			04	AMAZON-STORAGE CLIPBOARD		51-510-56-00-5620	22.49
			05	AMAZON-RETURNED KEYBOARD		51-510-56-00-5620	-11.27
			06	AMAZON-RETURNED KEYBOARD		52-520-56-00-5620	-3.25
			07	AMAZON-RETURNED KEYBOARD		01-120-56-00-5610	-7.47
						INVOICE TOTAL:	24.49 *
	092523-J.GALAUNER	08/31/23	01	BSN#922314493-SOCCER JERSEYS		79-795-56-00-5606	1,604.50
			02	BSN#922297897-BASEBALL COACHES		79-795-56-00-5606	3,355.00

UNITED CITY OF YORKVILLE
MANUAL CHECK REGISTER

CHECK #	VENDOR # / INVOICE #	INVOICE DATE	ITEM #	DESCRIPTION	CHECK DATE	ACCOUNT #	ITEM AMT
900138	FNBO FIRST NATIONAL BANK OMAHA				09/25/23		
	092523-J.GALAUNER	08/31/23	03	STTIRE		** COMMENT **	
			04	QUICK SCORES-SOFTBALL LEAGUE		79-795-56-00-5606	420.00
			05	QUICK SCORES		** COMMENT **	
			06	BSN#922469951-BASEBALL JERSEYS		79-795-56-00-5606	1,179.50
			07	BSN#922449922-BASEBALL JERSEYS		79-795-56-00-5606	1,161.25
			08	BSN#922449923-BASEBALL JERSEYS		79-795-56-00-5606	2,158.25
			09	BSN#922449924-BASEBALL JERSEYS		79-795-56-00-5606	1,355.75
			10	BSN#922420550-SOCCER COACHES		79-795-56-00-5606	1,236.00
			11	SHIRTS		** COMMENT **	
						INVOICE TOTAL:	12,470.25 *
	092523-J.JACKSON	08/31/23	01	MENARDS#080323-ELECTRICAL TAPE		52-520-56-00-5620	24.48
			02	MENARDS#082423-MULCH		52-520-56-00-5628	3.33
			03	MENARDS#080423-BAD STRAINER		52-520-56-00-5620	11.96
			04	MENARDS#-EXHAUST FLUID		52-520-56-00-5695	131.94
			05	HOME DEPO-HAMMER DRILL		52-520-56-00-5630	379.00
			06	WALGREENS-POISON IVY CREAM		51-510-56-00-5620	10.00
						INVOICE TOTAL:	560.71 *
	092523-J.JENSEN	08/31/23	01	ILACP-SAFE-T ACT TRAILER		01-210-54-00-5412	20.00
			02	TRAINING REGISTRATION		** COMMENT **	
			03	AMAZON-STANDING DESK		01-210-56-00-5620	229.76
						INVOICE TOTAL:	249.76 *
	092523-J.NAVARO	08/31/23	01	MENARDS#081023-EXIT LIGHTS		24-216-56-00-5656	194.97
			02	ACE#573395-KEYS		24-216-56-00-5656	25.52
			03	ORKIN-BUG TREATMENTS		24-216-54-00-5446	650.00
			05	ILLCO-CLOSET MODULE		24-216-56-00-5656	376.00
			06	AMAZON-BINDER TAB DIVIDERS		24-216-56-00-5656	22.25
			07	SECURITY BUILDERS-KEYS		24-216-56-00-5656	42.53
			08	GJOVIKS#433324-OIL CHANGE		01-410-54-00-5490	54.12
			09	AMAZON-RESTROOM SIGNS		24-216-56-00-5656	55.73
						INVOICE TOTAL:	1,421.12 *
	092523-J.SLEEZER	08/31/23	01	HOME DEPO-GRINDER		01-410-56-00-5630	348.00
			02	MENARDS#080423-UTILITY MATS		01-410-56-00-5620	17.96
			03	MENARDS#080423-HAND TRUCK		01-410-56-00-5630	89.99
						INVOICE TOTAL:	455.95 *
	092523-J.WEISS	08/31/23	01	DOLLAR TREE-AUG 2023 PROGRAM		82-000-24-00-2480	37.50
			02	SUPPLIES		** COMMENT **	
						INVOICE TOTAL:	37.50 *
	092523-J.WHEELER	08/31/23	01	DOLLAR TREE-ORNAMENTS		79-795-56-00-5606	3.75
						INVOICE TOTAL:	3.75 *

CHECK #	VENDOR # / INVOICE #	INVOICE DATE	ITEM #	DESCRIPTION	CHECK DATE	ACCOUNT #	ITEM AMT
900138	FNBO FIRST NATIONAL BANK OMAHA				09/25/23		
	092523-K.BALOG	08/31/23	01	AMAZON-DVD-R BLANK DISCS		01-210-56-00-5610	47.14
			02	SHREDIT-JUN 2023 ONSITE		01-210-54-00-5462	243.80
			03	SHREDDING		** COMMENT **	
			04	COMCAST-08/15-09/14 INTERNET		01-640-54-00-5449	2,018.40
			05	AMAZON-STANDING DESK		01-210-56-00-5610	128.69
			06	ACCURINT-JUL 2023 SEARCHES		01-210-54-00-5462	200.00
			07	SHREDIT-AUG 2023 ONSITE		01-210-54-00-5462	241.77
			08	SHREDDING		** COMMENT **	
						INVOICE TOTAL:	2,879.80 *
	092523-K.BARKSDALE	08/31/23	01	ADOBE-MONTHLY CREATIVE CLOUD		01-220-54-00-5462	54.99
			02	AMAZON-FOLDING EASEL		01-220-56-00-5620	80.97
						INVOICE TOTAL:	135.96 *
	092523-K.GREGORY	08/31/23	01	LITTLE CAESARS-PIZZA FOR		79-795-56-00-5606	162.10
			02	NATIONAL NIGHT OUT EVENT		** COMMENT **	
						INVOICE TOTAL:	162.10 *
	092523-K.JONES	08/31/23	01	IML-2023 CONFERNCE		01-110-54-00-5412	310.00
			02	REGISTRATION-OLSON		** COMMENT **	
			03	AMAZON-KLEENEX, STAPLES,		01-110-56-00-5610	79.37
			04	WIPES, TAPE DISPENSER,		** COMMENT **	
			05	PAPERCLIP HOLDER		** COMMENT **	
			06	YORK POST-STAMPS		01-120-56-00-5610	150.03
			07	AMAZON-HAND SANITIZER		01-110-56-00-5610	29.99
			08	AMAZON-CATALOG ENVELOPES,PAPER		01-110-56-00-5610	160.97
			09	AMAZON-FILE POCKETS		01-110-56-00-5610	27.96
						INVOICE TOTAL:	758.32 *
	092523-M,CISIJA	08/25/23	01	KENDALL PRINT-2 NAMEPLATES		01-110-56-00-5610	43.80
			02	AMAZON-MEETING ROOM CLOCKS		01-110-56-00-5610	270.63
			03	BATTERIES		** COMMENT **	
			04	AMAZON-PAPER CLIPS, POST ITS,		01-110-56-00-5610	83.74
			05	KLEENEX		** COMMENT **	
						INVOICE TOTAL:	398.17 *
	092523-M.CARYLE	08/31/23	01	JEWEL-WATER,GATORADE		01-210-56-00-5650	36.18
			02	MARSEILLES TRAINING CENTER		01-210-54-00-5412	398.57
			03	RANGE FEES		** COMMENT **	
			04	CASEYS-ICE		01-210-56-00-5650	6.05
			05	SOUTHWEST AIRLINES-SAN DIEGO		01-210-54-00-5415	40.00
			06	CONFERENCE TRANSPORTATION		** COMMENT **	
			07	GJOVIKS#431292-REPLACE BATTERY		01-210-54-00-5495	202.13
			08	GJOVIKS#431920-OIL CHANGE		01-210-54-00-5495	68.93
			09	GJOVIKS#431922-OIL CHANGE		01-210-54-00-5495	47.93

UNITED CITY OF YORKVILLE
MANUAL CHECK REGISTER

CHECK #	VENDOR # / INVOICE #	INVOICE DATE	ITEM #	DESCRIPTION	CHECK DATE	ACCOUNT #	ITEM AMT
900138	FNBO FIRST NATIONAL BANK OMAHA				09/25/23		
	092523-M.CARYLE	08/31/23	10	GJOVIKS#431828-REPLACED		01-210-54-00-5495	424.57
			11	TIRES, INSTALLED NEW ACTUATOR		** COMMENT **	
			12	GJOVIKS#432031-ALIGNMENT,		01-210-54-00-5495	278.22
			13	REPLACE GAS ENGINE FILTER		** COMMENT **	
			14	GJOVIKS#432229-OIL CHANGE		01-210-54-00-5495	45.65
			15	GJOVIKS#431830-REPLACE HUB		01-210-54-00-5495	1,670.63
			16	BEARINGS, REPAIR HVAC BLOWER		** COMMENT **	
			17	MOTOR, REPLACE ENGINE MOUNT		** COMMENT **	
			18	IACP-SAFE-T ACT TRAILER		01-210-54-00-5412	20.00
			19	TRAINING		** COMMENT **	
						INVOICE TOTAL:	3,238.86 *
	092523-M.DONOVAN	08/31/23	01	TARGET-BUNS		79-795-56-00-5607	7.52
			02	AMAZON-SOCCER JERSEY		79-795-56-00-5600	26.98
			03	TARGET-BUNS		79-795-56-00-5607	21.07
						INVOICE TOTAL:	55.57 *
	092523-M.MCGREGORY	08/31/23	01	AMAZON-STORAGE CLIPBOARD		51-510-56-00-5620	28.98
						INVOICE TOTAL:	28.98 *
	092523-M.SENG	08/31/23	01	MENARDS#082323-TOTES		01-410-56-00-5620	22.45
			02	MENARDS#080223-COUPLING, ELBOW		01-410-56-00-5640	19.63
			03	ADAPTERS		** COMMENT **	
			04	ILLINOIS PUBLIC SAFETY		01-410-54-00-5412	180.00
			05	INSTITUTE-CERTIFICATION		** COMMENT **	
			06	RENEWAL		** COMMENT **	
			07	GJOVIKS#84886-WEATHER FLAPS,		01-410-56-00-5628	106.04
			08	SPORD PLATE		** COMMENT **	
						INVOICE TOTAL:	328.12 *
	092523-P.MCMAHON	08/31/23	01	NEST-MONTHLY SUBSCRIPTION		01-210-54-00-5460	6.00
			02	TARGET-GATORADE		01-210-56-00-5620	9.16
			03	TARGET-GATORADE		01-210-56-00-5620	11.45
			04	BROWNELLS-AR-15 BOLT CATCH		01-210-56-00-5620	99.89
			05	STREICHERS#S1533827-VESTS		01-210-56-00-5690	4,480.00
			06	MENARDS#080723-BATTERIES		01-210-56-00-5620	46.95
			07	WASH HOUSE-EMBROIDERY		01-210-56-00-5600	22.88
			08	AMAZON-SILICONE WORK GLOVES		01-210-56-00-5600	1,230.33
			09	AMAZON-SILICONE WORK GLOVES		01-210-56-00-5600	257.87
			10	TARGET-WATER, GATORADE		01-210-56-00-5620	27.54
			11	NEST-MONTHLY SUBSCRIPTION		01-210-54-00-5460	6.00
						INVOICE TOTAL:	6,198.07 *
	092523-P.RATOS	08/31/23	01	AMAZON-SAFETY STANDARDS BOOK		01-220-56-00-5620	87.95
			02	FLATSOS#28689-4 TIRES		01-220-54-00-5490	647.44

UNITED CITY OF YORKVILLE
MANUAL CHECK REGISTER

CHECK #	VENDOR # / INVOICE #	INVOICE DATE	ITEM #	DESCRIPTION	CHECK DATE	ACCOUNT #	ITEM AMT
900138	FNBO FIRST NATIONAL BANK OMAHA				09/25/23		
	092523-P.RATOS	08/31/23	03	ICC-ANNUAL CONFERENCE		01-220-54-00-5412	650.00
			04	REGISTRATION-CREADEUR		** COMMENT **	
			05	RED WING-2 PAIRS OF SAFETY		01-220-56-00-5620	584.96
			06	BOOTS		** COMMENT **	
						INVOICE TOTAL:	1,970.35 *
	092523-P.SCODRO	08/31/23	01	AMAZON-PHONE CAR CHARGER		51-510-56-00-5664	49.49
						INVOICE TOTAL:	49.49 *
	092523-R.FREDRICKSON	08/31/23	01	COMCAST-07/13-08/12 INTERNET		51-510-54-00-5440	116.85
			02	AT 610 TOWER PLANT		** COMMENT **	
			03	COMCAST-07/15-08/14 INTERNET		79-795-54-00-5440	200.80
			04	AT 102 E VAN EMMON		** COMMENT **	
			05	GFOA-PENSION OVERVIEW		01-120-54-00-5412	85.00
			06	GFOA-BOND ISSUANCE TRAINING		01-120-54-00-5412	315.00
			07	GFOA-UNDERSTANDING		01-120-54-00-5412	315.00
			08	COMPENSATION & PAYROLL		** COMMENT **	
			09	GFOA-GOV'T ACCOUNTING		01-120-54-00-5412	490.00
			10	INTENSIVE SERIES		** COMMENT **	
			11	NEWTEK-08/11-09/11 WEB HOSTING		01-640-54-00-5450	17.21
			12	COMCAST-07/29-08/28 INTERNET,		79-790-54-00-5440	252.41
			13	VOICE & CABLE AT 185 WOLF ST		** COMMENT **	
			14	COMCAST-07/30-08/29 INTERNET		52-520-54-00-5440	31.58
			15	AT 610 TOWER LN		** COMMENT **	
			16	COMCAST-07/30-08/29 INTERNET		01-410-54-00-5440	126.32
			17	AT 610 TOWER LN		** COMMENT **	
			18	COMCAST-07/30-08/29 INTERNET		51-510-54-00-5440	78.95
			19	AT 610 TOWER LN		** COMMENT **	
						INVOICE TOTAL:	2,029.12 *
	092523-R.HORNER	08/31/23	01	AMAZON-LEVER ACTION BARREL		79-790-56-00-5630	53.19
			02	PUMP		** COMMENT **	
			03	AMAZON-RETURNED ECOPENCILS		79-790-56-00-5620	-59.96
			04	MENARDS#073123-CLEVIS PIN,		79-790-56-00-5620	99.49
			05	CUTTING WHEEL		** COMMENT **	
			06	MENARDS#073123-RETURNED		79-790-56-00-5620	-75.60
			07	CUTTING WHEELS		** COMMENT **	
			08	MENARDS#080123-CAR CLEANING		79-790-56-00-5640	272.60
			09	SUPLIES, CONCRETE MIX		** COMMENT **	
			10	AMAZON-TRASH CAN, ECOPENCILS		79-790-56-00-5630	119.94
			11	AMAZON-PVC TUBING		79-795-56-00-5602	158.60
			12	MENARDS#080323-HOSE ADAPTER,		79-795-56-00-5602	134.41
			13	GARDEN HOSE, BLOW OFF DUSTER,		** COMMENT **	
			14	MADNIFIER LAMP		** COMMENT **	
			15	MENARDS#080823-NAILS		25-225-60-00-6010	69.59

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900138	FNBO FIRST NATIONAL BANK OMAHA				09/25/23		
	092523-R.HORNER	08/31/23	16	MENARDS#081723-HOSE ADAPTERS		79-795-56-00-5602	89.37
			17	PLAYGROUND GUARDIAN-ANNUAL		79-790-54-00-5495	2,000.00
			18	SOFTWARE SUBSCRIPTION		** COMMENT **	
			19	MENARDS#082523-CABLE TIES,		79-795-56-00-5602	656.22
			20	ADAPTORA, VINYL TAP, TOGGLE		** COMMENT **	
			21	SWITCHES, BUG LED, CORDS		** COMMENT **	
			22	RURAL KING-BRASS TEES		79-795-56-00-5602	55.72
						INVOICE TOTAL:	3,573.57 *
	092523-R.MIKOLASEK	08/31/23	01	LOGO FACTORY-NIKE LONG SLEEVE,		01-210-56-00-5600	106.00
			02	POLO		** COMMENT **	
			03	AMAZON-CROSSWALK WARNING		01-210-56-00-5620	15.97
			04	AMAZON-REFLECTIVE VESTS		01-210-56-00-5620	18.35
			05	AMAZON-PORTABLE HARD DRIVES		01-210-56-00-5620	197.95
			06	MENARDS#082223-BATTERIES		01-210-56-00-5620	3.89
			07	POWER DMS-POWER DMS STANDARDS		01-210-54-00-5462	6,304.24
			08	FOR LEAP RENEWAL		** COMMENT **	
			09	AMAZON-REFLECTIVE VESTS		01-210-56-00-5620	15.97
						INVOICE TOTAL:	6,662.37 *
	092523-R.WOOLSEY	08/31/23	01	ARAMARK#6100172893-MATS		51-510-54-00-5485	70.73
			02	ARAMARK#6100175551-MATS		01-410-54-00-5485	70.73
			03	AMPERAGE#1421261-STRUT		24-216-56-00-5656	175.10
			04	STRAPS, PIPE PIER SUPPORTS		** COMMENT **	
			05	ARNESON#228265-JUN 2023 DIESEL		01-410-56-00-5695	122.95
			06	ARNESON#228265-JUN 2023 DIESEL		51-510-56-00-5695	122.96
			07	ARNESON#228265-JUN 2023 DIESEL		52-520-56-00-5695	122.96
			08	ARNESON#228266-JUN 2023 GAS		01-410-56-00-5695	204.70
			09	ARNESON#228266-JUN 2023 GAS		51-510-56-00-5695	204.70
			10	ARNESON#228266-JUN 2023 GAS		52-520-56-00-5695	204.70
			11	ARNESON#229986-JUL 2023 GAS		01-410-56-00-5695	278.65
			12	ARNESON#229986-JUL 2023 GAS		51-510-56-00-5695	278.64
			13	ARNESON#229986-JUL 2023 GAS		52-520-56-00-5695	278.65
			14	KENDALL PRINT-BUSINESS CARDS		01-110-56-00-5610	60.05
			15	ARAMARK#6100183633-MATS		52-520-54-00-5485	70.73
			16	ARNESON#228350-JUL 2023 DIESEL		01-410-56-00-5695	125.13
			17	ARNESON#228350-JUL 2023 DIESEL		51-510-56-00-5695	125.13
			18	ARNESON#228350-JUL 2023 DIESEL		52-520-56-00-5695	125.13
			19	AMPERAGE#1426052-LAMPS		23-230-56-00-5642	207.90
			20	AMPERAGE#1425606-BALLAST KIT,		23-230-56-00-5642	133.99
			21	LAMPS		** COMMENT **	
			22	AMPERAGE#1425970-LAMPS		23-230-56-00-5642	89.10
			23	AMPERAGE#1425931-LAMPS		23-230-56-00-5642	29.70
			24	ARNESON#228351-JUL 2023 GAS		01-410-56-00-5695	225.69
			25	ARNESON#228351-JUL 2023 GAS		51-510-56-00-5695	225.69

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900138	FNBO FIRST NATIONAL BANK OMAHA				09/25/23		
	092523-R.WOOLSEY	08/31/23	26	ARNESON#228351-JUL 2023 GAS		52-520-56-00-5695	225.69
			27	AQUAFIX-VITASTIM GREASE		52-520-56-00-5613	1,100.40
			28	MINER#345371-AUG 2023 MANAGED		01-410-54-00-5462	366.85
			29	SERVICES RADIO		** COMMENT **	
			30	MINER#345371-AUG 2023 MANAGED		51-510-54-00-5462	430.65
			31	SERVICES RADIO		** COMMENT **	
			32	MINER#345371-AUG 2023 MANAGED		52-520-54-00-5462	287.10
			33	SERVICES RADIO		** COMMENT **	
			34	MINER#345371-AUG 2023 MANAGED		79-790-54-00-5462	510.40
			35	SERVICES RADIO		** COMMENT **	
			36	AMPERAGE#1432572-BALLAST,LAMPS		24-216-56-00-5656	334.24
			37	ARNESON#231208-JUL 2023 DIESEL		01-410-56-00-5695	59.06
			38	ARNESON#231208-JUL 2023 DIESEL		51-510-56-00-5695	59.07
			39	ARNESON#231208-JUL 2023 DIESEL		52-520-56-00-5695	59.07
			40	ARNESON#231207-JUL 2023 GAS		01-410-56-00-5695	297.56
			41	ARNESON#231207-JUL 2023 GAS		51-510-56-00-5695	297.55
			42	ARNESON#231207-JUL 2023 GAS		52-520-56-00-5695	297.56
			43	CINTAS-JUL-SEPT 2023		51-510-54-00-5445	283.15
			44	MONITORING FOR 610 TOWER		** COMMENT **	
			45	CINTAS-JUL-SEPT 2023		51-510-54-00-5445	283.15
			46	MONITORING FOR 2224 TREMONT		** COMMENT **	
			47	CINTAS-JUL-SEPT 2023		51-510-54-00-5445	283.15
			48	MONITORING FOR 3299 LEHMAN		** COMMENT **	
			49	WATER PRODUCTS#0317129-MANHOLE		51-510-56-00-5640	990.00
			50	UNIFIRST-FIRST AID SUPPLIES		52-520-56-00-5620	42.63
			51	GJOVIKS#431498-REPLACE		01-410-54-00-5490	415.92
			52	STEERING STABILIZER		** COMMENT **	
			53	TARGET-ARTIFICIAL PLANTS		01-110-56-00-5610	76.13
			54	WELDSTAR-CYLINDER RENTAL		01-410-54-00-5485	76.80
			55	AMPERAGE#1430370-PHOTO CONTROL		23-230-56-00-5642	179.64
			56	AMPERAGE#1430503-LAMPS		23-230-56-00-5642	59.40
			57	ARAMARK#6100178284-MATS		51-510-54-00-5485	70.73
			58	ARNESON#231276-JUL 2023 DIESEL		01-410-56-00-5695	132.10
			59	ARNESON#231276-JUL 2023 DIESEL		51-510-56-00-5695	132.10
			60	ARNESON#231276-JUL 2023 DIESEL		52-520-56-00-5695	132.10
			61	ARNESON#231275-JUL 2023 GAS		01-410-56-00-5695	314.48
			62	ARNESON#231275-JUL 2023 GAS		51-510-56-00-5695	314.48
			63	ARNESON#231275-JUL 2023 GAS		52-520-56-00-5695	314.47
			64	ARAMARK#6100186408-MATS		01-410-54-00-5485	70.73
			65	ARNESON#231343-AUG 2023 DIESEL		01-410-56-00-5695	198.51
			66	ARNESON#231343-AUG 2023 DIESEL		51-510-56-00-5695	198.51
			67	ARNESON#231343-AUG 2023 DIESEL		52-520-56-00-5695	198.51
			68	AMPERAGE#1434499-FUSE		23-230-56-00-5642	754.05
			69	HOLDERS, INSULATING BOOTS,		** COMMENT **	
			70	LAMPS, FUSES		** COMMENT **	

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900138	FNBO FIRST NATIONAL BANK OMAHA				09/25/23		
	092523-R.WOOLSEY	08/31/23	71	ARNESON#231342-AUG 2023 GAS		01-410-56-00-5695	309.85
			72	ARNESON#231342-AUG 2023 GAS		51-510-56-00-5695	309.85
			73	ARNESON#231342-AUG 2023 GAS		52-520-56-00-5695	309.86
						INVOICE TOTAL:	14,329.21 *
	092523-S.AUGUSTINE	08/31/23	01	AMAZON-FILE FOLDERS		82-820-56-00-5610	62.96
			02	AMAZON-DISH DRYING RACK		82-820-56-00-5621	17.99
			03	QUILL-TONER		82-820-56-00-5610	422.66
			04	TRIBUNE-SUBSCRIPTION RENEWALS		82-820-54-00-5460	532.34
			05	AMAZON PRIME MONTHLY FEE		82-820-54-00-5460	14.99
			06	AMPERAGE#1425835-LAMPS		82-820-56-00-5621	11.70
			07	THERMOSYSTEMS-AIR COOLER		82-820-54-00-5495	1,610.00
			08	CHILLER REPAIR		** COMMENT **	
			09	SMITHEREEN-AUG 2023 PEST		82-820-54-00-5462	87.00
			10	CONTROL		** COMMENT **	
			11	QUILL-COPY PAPER		82-820-56-00-5621	229.92
						INVOICE TOTAL:	2,989.56 *
	092523-S.IWANSKI	08/31/23	01	YORK POST-POSTAGE		82-820-54-00-5452	12.58
						INVOICE TOTAL:	12.58 *
	092523-S.REDMON	08/31/23	01	AMAZON-NINJA TURTLE PRIZES		79-795-56-00-5606	89.45
			02	AT&T-7/24-8/23 INTERNET FOR		79-795-54-00-5440	104.70
			03	TOWN SQAURE PARK SIGN		** COMMENT **	
			04	SMITHEREEN-JUL 2023 PEST		79-790-54-00-5495	97.00
			05	CONTROL @ 185 WOLF		** COMMENT **	
			06	SMITHEREEN-JUL 2023 PEST		79-790-54-00-5495	55.00
			07	CONTROL @ BEECHER FIELD		** COMMENT **	
			08	GOLD MEDAL-BEECHER CONCESSION		79-795-56-00-5607	1,264.48
			09	SUPPLIES		** COMMENT **	
			10	GOLD MEDAL-BRIDGE CONCESSION		79-795-56-00-5607	344.08
			11	SUPPLIES		** COMMENT **	
			12	AMPERAGE#1426186-GLOBES		79-790-56-00-5640	529.54
			13	AMPERAGE#1426186-GLOBES		79-790-56-00-5640	432.68
			14	PLUG & PAY-JUL 2023 FEES		79-795-54-00-5462	30.00
			15	NATIONAL ENTERTAINMENT-FILLED		79-795-56-00-5606	945.00
			16	EGGS FOR HALLOWEEN EGG HUNT		** COMMENT **	
			17	RUNCO-STAPLER, SCISSORS,		79-795-56-00-5610	90.31
			18	MARKERS, DUCK TAPE		** COMMENT **	
			19	ARNESON#231397-AUG 2023 DIESEL		79-790-56-00-5695	246.04
			20	ARNESON#231396-AUG 2023 GAS		79-790-56-00-5695	759.61
			21	ARNESON#228352-JUL 2023 GAS		79-790-56-00-5695	1,381.09
			22	ARNESON#231344-AUG 2023 GAS		79-790-56-00-5695	818.57
			23	ARNESON#231345-AUG 2023 DIESEL		79-790-56-00-5695	502.63
			24	ARNESON#229987-JUL 2023 GAS		79-790-56-00-5695	295.60

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900138	FNBO FIRST NATIONAL BANK OMAHA				09/25/23		
	092523-S.REDMON	08/31/23	25	ARNESON#231277-JUL 2023 GAS		79-790-56-00-5695	915.69
			26	ARNESON#231210-JUL 2023 DIESEL		79-790-56-00-5695	229.14
			27	ARNESON#228353-JUL 2023 DIESEL		79-790-56-00-5695	211.04
			28	AMAZON-STICKERS		79-795-56-00-5602	28.97
			29	JACKSON HIRSH-LAMINATING FILM		79-795-56-00-5606	67.00
			30	JACKSON HIRSH-LAMINATING FILM		79-795-56-00-5610	102.85
			31	MENARDS#082223-WASTEBASKET,FAN		79-795-56-00-5606	169.98
			32	AMAZON-GAS CAN		79-795-56-00-5640	60.39
			33	RUNCO-TISSUE, PAPER TOWEL		79-795-56-00-5606	101.73
			34	AMAZON-TWO WAY RADIO BATTERIES		79-795-56-00-5602	95.17
			35	CAROUSEL SOUND-CAR SHOW DJ		79-795-56-00-5602	200.00
			36	AMAZON-BEACH BALLS		79-795-56-00-5602	21.44
			37	AMAZON-CASH DRAWERS		79-795-56-00-5602	96.94
			38	AMAZON-STICKERS, VELCRO,		79-795-56-00-5602	206.77
			39	BOTTLE OPENERS, COCKTAIL		** COMMENT **	
			40	SHAKER BAR SETS		** COMMENT **	
			41	ARNESON#664197-DURAMAX DRUM		79-790-56-00-5695	599.99
						INVOICE TOTAL:	11,092.88 *
	092523-S.REMUS	08/31/23	01	FAIRYTALE ENTERTAINMENT-2023		79-795-56-00-5602	3,450.00
			02	HTD MUSIC AND MINGLE		** COMMENT **	
			03	CHARACTERS		** COMMENT **	
						INVOICE TOTAL:	3,450.00 *
	092523-S.SENDRA	08/31/23	01	MENARDS#081123-PAINTING		79-795-56-00-5606	24.54
			02	SUPPLIES		** COMMENT **	
						INVOICE TOTAL:	24.54 *
	092523-S.SLEEZER	08/31/23	01	FIRST PLACE-STAKES		25-225-60-00-6010	74.00
			02	RUSSO-WAND ASSEMBLY KIT		79-790-56-00-5630	19.99
			03	RUSSO-BACKPACK SPRAYER, WAND		79-790-56-00-5630	93.98
			04	ASSEMBLY KIT		** COMMENT **	
			05	RUSSO-V BELTS		79-790-56-00-5640	342.97
			06	RUSSO-ROUND UP, WAND ASSEMBLY		79-790-56-00-5640	1,108.74
			07	KITS		** COMMENT **	
			08	CARROLL-STAKES		25-225-60-00-6010	95.00
			09	MENARDS#080823-FORMING STAKES		25-225-60-00-6010	517.50
			10	INTERNATIONAL PLASTICS-		79-790-56-00-5640	1,221.63
			11	CONTRACTOR BAGS		** COMMENT **	
			12	HOME DEPO-HAMMER DRILL,		79-790-56-00-5630	457.00
			13	BATTERIES, CHARGER		** COMMENT **	
			14	RUSSO-RAPTOR BELT		79-790-56-00-5640	141.54
			15	RUSSO-DISCHARGE FOOT		79-790-56-00-5640	538.01
			16	RUSSO-V BELTS		79-790-56-00-5640	39.99
			17	MENARDS#081823-PVC PIPE		25-225-60-00-6010	61.56

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900138	FNBO FIRST NATIONAL BANK OMAHA				09/25/23		
	092523-S.SLEEZER	08/31/23	18	CARROLL-STAKES		25-225-60-00-6010	100.00
			19	RUSSO-TRIMMER HEAD		01-410-56-00-5620	89.97
						INVOICE TOTAL:	4,901.88 *
	092523-T.HOULE	08/31/23	01	BALLARD-T-RAX, MOWER BLADE		79-790-56-00-5640	779.95
			02	MENARDS#081623-REBAR STAKES		25-225-60-00-6010	41.88
			03	NAPA#347429-BATTERY		79-790-56-00-5640	140.45
			04	ACE-ROPE		79-795-56-00-5602	265.35
			05	QUICK ATTACHMENTS-AUGER BIT		79-790-56-00-5630	601.00
						INVOICE TOTAL:	1,828.63 *
	092523-T.MILSCHEWSKI	08/31/23	01	MENARDS#080423-SILICONE		24-216-56-00-5656	6.99
			02	MENARDS#080323-SCREWS		24-216-56-00-5656	2.56
			03	MENARDS#080923-ROCKER SWITCH		24-216-56-00-5656	2.48
			04	MENARDS#080723-BULBS		24-216-56-00-5656	15.99
			05	MENARDS#081423-COMPOUND, WALL		24-216-56-00-5656	48.93
			06	PATCH, FUSES		** COMMENT **	
			07	MENARDS#080923-PAINT,PRIMER		24-216-56-00-5656	30.95
			08	MENARDS#081723-SALT,BOLTS		24-216-56-00-5656	44.50
			09	MENARDS#082523-TOILET TANK		24-216-56-00-5656	5.49
			10	LEVER		** COMMENT **	
			11	HOME DEPO-TUBE CUTTER, WALL		24-216-56-00-5656	87.48
			12	TUBE, WASHERS, NUTS		** COMMENT **	
			13	MENARDS#082523-BATTERIES,		24-216-56-00-5656	81.97
			14	EMERGENCY LIGHTS		** COMMENT **	
			15	HOME DEPO-ROUND UP, TRIMMER		24-216-56-00-5656	79.91
			16	LINE		** COMMENT **	
			17	HOME DEPO-MATS, KEYPAD		24-216-56-00-5656	202.95
			18	HOME DEPO-THREADLOCKER,		24-216-56-00-5656	27.56
			19	DOORSTOP		** COMMENT **	
						INVOICE TOTAL:	637.76 *
	092523-T.SCOTT	08/31/23	01	MENARDS#082123-BOARD		25-225-60-00-6010	14.19
			02	MENARDS#082223-BLADES, LINE		79-790-56-00-5630	36.95
			03	CHALK REEL		** COMMENT **	
			04	MCCANN-LOCKABLE HANDLE		79-790-56-00-5640	102.02
						INVOICE TOTAL:	153.16 *
						CHECK TOTAL:	100,221.53
						TOTAL AMOUNT PAID:	100,221.53

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #		INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT	
539270	AACVB	AURORA AREA CONVENTION							
	08/23-SUNSET		09/13/23	01	AUG 2023 SUNSET HOTEL TAX	01-640-54-00-5481		18.00	
						INVOICE TOTAL:		18.00	*
						CHECK TOTAL:		18.00	
539271	ADVDROOF	ADVANCED ROOFING INC.							
	1961		07/22/23	01	201 HYDRAULIC ROOF REPAIR	24-216-54-00-5446		1,547.82	
						INVOICE TOTAL:		1,547.82	*
						CHECK TOTAL:		1,547.82	
539272	ALTORFER	ALTORFER INDUSTRIES, INC							
	PO630014005		08/25/23	01	COMPLETED 2 HR LOAD BANK	51-510-54-00-5445		10,861.92	
						INVOICE TOTAL:		10,861.92	*
						CHECK TOTAL:		10,861.92	
D003119	ANTPLACE	ANTHONY PLACE YORKVILLE LP							
	OCT 2023		09/01/23	01	CITY OF YORKVILLE HOUSING	01-640-54-00-5427		946.00	
				02	ASSISTANCE PROGRAM RENT	** COMMENT **			
				03	REIMBURSEMENT FOR THE MONTH OF	** COMMENT **			
				04	OCT 2023	** COMMENT **			
						INVOICE TOTAL:		946.00	*
						DIRECT DEPOSIT TOTAL:		946.00	
539273	ATT	AT&T							
	605536805-0823		08/25/23	01	08/25-09/24 RIVERSIDE PK	79-795-54-00-5440		121.61	
						INVOICE TOTAL:		121.61	*
						CHECK TOTAL:		121.61	

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #		INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT
539274	AUTOSP	AUTOMOTIVE SPECIALTIES, INC.						
	25868		08/15/23	01	INSTALLED NEW STEERING COLUMN	79-790-54-00-5495		726.33
						INVOICE TOTAL:		726.33 *
						CHECK TOTAL:		726.33
539275	BFCONSTR	B&F CONSTRUCTION CODE SERVICES						
	18154		09/08/23	01	AUGUST 2023 INSPECTIONS	01-220-54-00-5459		14,160.00
						INVOICE TOTAL:		14,160.00 *
						CHECK TOTAL:		14,160.00
539276	BUILDERS	BUILDERS PAVING LLC						
	125026		08/24/23	01	HMA PRIVATE SURFACE	25-225-60-00-6010		4,496.04
						INVOICE TOTAL:		4,496.04 *
	125104		08/25/23	01	HMA PRIVATE SURFACE	25-225-60-00-6010		4,847.94
						INVOICE TOTAL:		4,847.94 *
						CHECK TOTAL:		9,343.98
539277	BUILDERS	BUILDERS PAVING LLC						
	2300802		09/01/23	01	ENGINEERS ESTIMATE 2 AND	23-230-60-00-6071		24,787.34
				02	FINAL BASELINE ROAD	** COMMENT **		
				03	IMPROVEMENTS	** COMMENT **		
						INVOICE TOTAL:		24,787.34 *
						CHECK TOTAL:		24,787.34
539278	CAMBRIA	CAMBRIA SALES COMPANY INC.						
	43528		08/14/23	01	PAPER TOWEL	79-790-56-00-5620		108.54
						INVOICE TOTAL:		108.54 *

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #		INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT	
539278	CAMBRIA	CAMBRIA SALES COMPANY INC.							
	43551		09/05/23	01	PAPER TOWEL	52-520-56-00-5620		108.54	
						INVOICE TOTAL:		108.54	*
	43555		09/11/23	01	PAPER TOWEL	79-790-56-00-5620		108.54	
						INVOICE TOTAL:		108.54	*
						CHECK TOTAL:		325.62	
539279	CENTRALL	CENTRAL LIMESTONE COMPANY, INC							
	34829		08/28/23	01	GRAVEL	51-510-56-00-5640		277.96	
						INVOICE TOTAL:		277.96	*
						CHECK TOTAL:		277.96	
539280	CIVICPLS	CIVIC PLUS							
	272067		08/29/23	01	MUNICODE ELECTRONIC UPDATE	01-110-54-00-5451		518.06	
						INVOICE TOTAL:		518.06	*
						CHECK TOTAL:		518.06	
539281	COMED	COMMONWEALTH EDISON							
	0091033126-0823		08/28/23	01	07/28-08/28 RT34 & AUTUMN CRK	23-230-54-00-5482		191.18	
						INVOICE TOTAL:		191.18	*
	1647065335-0823		08/28/23	01	07/28-08/28 SARAVANOS PUMP	52-520-54-00-5488		40.94	
						INVOICE TOTAL:		40.94	*
						CHECK TOTAL:		232.12	
539282	COREMAIN	CORE & MAIN LP							
	S923723		08/21/23	01	81 510M METERS	51-510-56-00-5664		11,745.00	
						INVOICE TOTAL:		11,745.00	*

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #		INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT	
539282	COREMAIN	CORE & MAIN LP							
	T421027		08/21/23	01	5 510M METERS. 96 100CF METERS	51-510-56-00-5664		14,357.00	
						INVOICE TOTAL:		14,357.00	*
	T426928		08/21/23	01	COIL SEAL WIRE	51-510-56-00-5664		108.31	
						INVOICE TOTAL:		108.31	*
	T447738		08/23/23	01	METER WIRE	51-510-56-00-5664		128.97	
						INVOICE TOTAL:		128.97	*
	T459376		08/31/23	01	50 BACKFLOW METERS & COUPLING	51-510-56-00-5664		6,217.85	
						INVOICE TOTAL:		6,217.85	*
						CHECK TOTAL:			32,557.13
539283	COXLAND	COX LANDSCAPING LLC							
	192226		09/01/23	01	FOX HILL AUG 2023 MOWING	11-111-54-00-5495		1,322.50	
						INVOICE TOTAL:		1,322.50	*
	192227		09/01/23	01	SUNFLOWER AUG 2023 MOWING	12-112-54-00-5495		1,250.00	
						INVOICE TOTAL:		1,250.00	*
						CHECK TOTAL:			2,572.50
539284	DCONST	D. CONSTRUCTION, INC.							
	230034.2		09/06/23	01	ENGINEERS PAYMENT ESTIMATE 2	15-155-60-00-6025		258,547.66	
				02	2023 ROAD PROGRAM	** COMMENT **			
						INVOICE TOTAL:		258,547.66	*
						CHECK TOTAL:			258,547.66
539285	DICKINSD	DONALD W DICKINSON							
	090723		09/07/23	01	UMPIRE	79-795-54-00-5462		120.00	
						INVOICE TOTAL:		120.00	*
						CHECK TOTAL:			120.00

01-110	**ADMINISTRATION**	**01-112**	**SUNFLOWER ESTATES**	**25-225**	**PARK & REC CAPITAL**	**82-820**	**LIBRARY OPERATIONS**
01-120	**FINANCE**	**15-155**	**MOTOR FUEL TAX**	**42-420**	**DEBT SERVICE**	**84-840**	**LIBRARAY CAPITAL**
01-210	**POLICE**	**23-216**	**MUNICIPAL BUILDING**	**51-510**	**WATER OPERATIONS**	**87-870**	**COUNTRYSIDE TIF**
01-220	**COMMUNITY DEVELOPMENT**	**23-230**	**CITY-WIDE CAPITAL**	**52-520**	**SEWER OPERATIONS**	**88-880**	**DOWNTOWN TIF**
01-410	**STREETS OPERATION**	**24-216**	**BUILDING & GROUNDS**	**72-720**	**LAND CASH**	**89-890**	**DOWNTOWN TIF II**
01-640	**ADMINISTRATIVE SERVICES**	**25-205**	**POLICE CAPITAL**	**79-790**	**PARKS DEPARTMENT**	**90-XXX**	**DEVELOPER ESCROW**
01-111	**FOX HILL SSA**	**25-215**	**PUBLIC WORKS CAPITAL**	**79-795**	**RECREATION DEPARTMENT**	**950-XXX**	**ESCROW DEPOSIT**

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #	INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT	
539286	DIRENRGY DIRECT ENERGY BUSINESS							
	1704706-232440052491	09/01/23	01	07/31-08/28 RT34 & BEECHER	23-230-54-00-5482		67.41	
					INVOICE TOTAL:		67.41	*
	1704708-232410052460	08/29/23	01	07/27-08/24 1850 MARKETVIEW	23-230-54-00-5482		55.75	
					INVOICE TOTAL:		55.75	*
	1704709-232410052459	08/29/23	01	07/27-08/24 7 COUNTRYSIDE PKWY	23-230-54-00-5482		112.57	
					INVOICE TOTAL:		112.57	*
	1704710-232400052452	08/28/23	01	07/26-08/23 VAN EMMON LOT	23-230-54-00-5482		14.29	
					INVOICE TOTAL:		14.29	*
	1704714-232410052460	08/29/23	01	07/27-08/24 MCHUGH RD	23-230-54-00-5482		80.28	
					INVOICE TOTAL:		80.28	*
	1704716-232410052459	08/29/23	01	07/27-08/25 1 COUNTRYSIDE PKWY	23-230-54-00-5482		110.92	
					INVOICE TOTAL:		110.92	*
	1704718-232490052511	09/06/23	01	08/03-09/01 RT34 & CANNONBALL	23-230-54-00-5482		18.89	
					INVOICE TOTAL:		18.89	*
	1704719-232490052511	09/06/23	01	07/24-08/22 LEASURE & SUNSET	23-230-54-00-5482		2,268.64	
					INVOICE TOTAL:		2,268.64	*
	1704721-232410052458	08/29/23	01	07/27-08/24 610 TOWER WELLS	51-510-54-00-5480		9,034.15	
					INVOICE TOTAL:		9,034.15	*
	1704722-232480052504	09/05/23	01	07/31-08/23 2921 BRISTOL RDG	51-510-54-00-5480		15,895.47	
					INVOICE TOTAL:		15,895.47	*
	1704723-232400052452	08/28/23	01	07/31-08/23 2224 TREMONT ST	51-510-54-00-5480		5,819.91	
					INVOICE TOTAL:		5,819.91	*
					CHECK TOTAL:		33,478.28	

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #		INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT	
539287	DORNER	DORNER PRODUCTS, INC							
	507196		08/21/23	01	FREEZE PROOF INDICATOR VALVE	51-510-56-00-5638		541.90	
						INVOICE TOTAL:		541.90	*
						CHECK TOTAL:		541.90	
539288	DRHCAMBR	DR HORTON-MIDWEST							
	3726 BISSEL		09/12/23	01	SECURITY GUARANTEE REFUND	01-000-24-00-2415		7,500.00	
						INVOICE TOTAL:		7,500.00	*
	3728 BISSEL		09/12/23	01	SECURITY GUARANTEE REFUND	01-000-24-00-2415		5,000.00	
						INVOICE TOTAL:		5,000.00	*
	3732 BISSEL		09/12/23	01	SECURITY GUARANTEE REFUND	01-000-24-00-2415		5,000.00	
						INVOICE TOTAL:		5,000.00	*
	3734 BISSEL		09/12/23	01	SECURITY GUARANTEE REFUND	01-000-24-00-2415		5,000.00	
						INVOICE TOTAL:		5,000.00	*
	3740 BAILEY		09/12/23	01	SECURITY GUARANTEE REFUND	01-000-24-00-2415		5,000.00	
						INVOICE TOTAL:		5,000.00	*
	3741 BAILEY		09/12/23	01	SECURITY GUARANTEE REFUND	01-000-24-00-2415		5,000.00	
						INVOICE TOTAL:		5,000.00	*
	3745 BAILEY		09/12/23	01	SECURITY GUARANTEE REFUND	01-000-24-00-2415		5,000.00	
						INVOICE TOTAL:		5,000.00	*
	3749 BAILEY		09/12/23	01	SECURITY GUARANTEE REFUND	01-000-24-00-2415		5,000.00	
						INVOICE TOTAL:		5,000.00	*
						CHECK TOTAL:		42,500.00	
539289	ECO	ECO CLEAN MAINTENANCE INC							

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

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539289	ECO	ECO CLEAN MAINTENANCE INC						
	12064	08/28/23	01	AUG 2023 CONCESSION AND 104	79-795-54-00-5488		392.81	
			02	VAN EMMON CLEANING	** COMMENT **			
			03	AUG 2023 REC ADMIN CLEANING	79-795-54-00-5488		138.81	
			04	AUG 2023 WOLF ST CLEANING	79-790-54-00-5488		78.81	
			05	AUG 2023 610 TOWER CLEANING	01-410-54-00-5488		46.27	
			06	AUG 2023 610 TOWER CLEANING	51-510-54-00-5488		46.27	
			07	AUG 2023 610 TOWER CLEANING	52-520-54-00-5488		46.27	
						INVOICE TOTAL:	749.24	*
					CHECK TOTAL:			749.24
539290	EEI	ENGINEERING ENTERPRISES, INC.						
	77962	08/30/23	01	NORTH RT47 IMPROVEMENTS	01-640-54-00-5465		1,185.00	
						INVOICE TOTAL:	1,185.00	*
	77963	08/30/23	01	UTILITY PERMIT REVIEWS	01-640-54-00-5465		1,065.00	
						INVOICE TOTAL:	1,065.00	*
	77964	08/30/23	01	GRANDE RESERVE - AVANTI	01-640-54-00-5465		699.50	
						INVOICE TOTAL:	699.50	*
	77965	08/30/23	01	PRESTWICK	01-640-54-00-5465		1,443.00	
						INVOICE TOTAL:	1,443.00	*
	77966	08/30/23	01	WELL 7 REHAB	51-510-60-00-6022		1,295.00	
						INVOICE TOTAL:	1,295.00	*
	77967	08/30/23	01	GRANDE RESERVE - UNIT 8	01-640-54-00-5465		80.00	
						INVOICE TOTAL:	80.00	*
	77968	08/30/23	01	WINDETT RIDGE UNIT 2	90-048-48-00-0111		8,987.25	
						INVOICE TOTAL:	8,987.25	*
	77969	08/30/23	01	STORM WATER BASIN INSPECTIONS	01-640-54-00-5465		113.50	
						INVOICE TOTAL:	113.50	*

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #	INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT	
539290	EEI ENGINEERING ENTERPRISES, INC.							
	77970	08/30/23	01	GRANDE RESERVE UNIT 3	01-640-54-00-5465		1,779.00	
					INVOICE TOTAL:		1,779.00	*
	77971	08/30/23	01	UNIFIED DEVELOPMENT ORDINANCE	01-640-54-00-5465		1,039.50	
					INVOICE TOTAL:		1,039.50	*
	77972	08/30/23	01	GRANDE RESERVE UNITS 26 & 27	90-147-00-00-0111		929.50	
					INVOICE TOTAL:		929.50	*
	77974	08/30/23	01	GRANDE RESERVE UNIT 7	01-640-54-00-5465		962.50	
					INVOICE TOTAL:		962.50	*
	77975	08/30/23	01	KENDALL MARKETPLACE LOT 52	90-154-00-00-0111		390.00	
			02	PHASE 2 & 3	** COMMENT **			
					INVOICE TOTAL:		390.00	*
	77976	08/30/23	01	GRANDE RESERVE UNIT 20	01-640-54-00-5465		354.00	
					INVOICE TOTAL:		354.00	*
	77977	08/30/23	01	BRIGHT FARMS	90-173-00-00-0111		3,442.50	
					INVOICE TOTAL:		3,442.50	*
	77978	08/30/23	01	KENDALLWOOD ESTATES-RALLY	90-174-00-00-0111		661.50	
					INVOICE TOTAL:		661.50	*
	77979	08/30/23	01	WELL MONITORING DASHBOARDS	01-640-54-00-5465		712.50	
					INVOICE TOTAL:		712.50	*
	77980	08/30/23	01	WESTBURY VILLAGE-RYAN	90-178-00-00-0111		2,862.00	
					INVOICE TOTAL:		2,862.00	*
	77981	08/30/23	01	LOT 8-YORKVILLE BUSINESS	90-176-00-00-0111		132.75	
			02	CENTER	** COMMENT **			
					INVOICE TOTAL:		132.75	*

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #		INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT	
539290	EEI	ENGINEERING ENTERPRISES, INC.							
	77982		08/30/23	01	BRISTOL BAY UNIT 13	90-179-00-00-0111		119.50	
						INVOICE TOTAL:		119.50	*
	77983		08/30/23	01	GREEN DOOR LINCOLN PRAIRIE	90-191-00-00-0111		153.00	
						INVOICE TOTAL:		153.00	*
						CHECK TOTAL:		28,406.50	
539291	EEI	ENGINEERING ENTERPRISES, INC.							
	77984		08/30/23	01	2023 WATER MAIN REPLACEMENT-A	51-510-60-00-6025		42,357.50	
						INVOICE TOTAL:		42,357.50	*
						CHECK TOTAL:		42,357.50	
539292	EEI	ENGINEERING ENTERPRISES, INC.							
	77985		08/30/23	01	CALEDONIA UNIT 3	90-188-00-00-0111		20,244.00	
						INVOICE TOTAL:		20,244.00	*
	77986		08/30/23	01	GENERAL LAKE MICHIGAN/DWC	01-640-54-00-5465		956.00	
				02	COORDINATION	** COMMENT **			
						INVOICE TOTAL:		956.00	*
	77987		08/30/23	01	BRISTOL BAY UNIT 10	90-186-00-00-0111		826.00	
						INVOICE TOTAL:		826.00	*
	77988		08/30/23	01	BRISTOL BAY UNIT 12	90-186-00-00-0111		2,262.00	
						INVOICE TOTAL:		2,262.00	*
	77989		08/30/23	01	GRANDE RESERVE UNIT 4	01-640-54-00-5465		354.00	
						INVOICE TOTAL:		354.00	*
	77990		08/30/23	01	GRANDE RESERVE UNIT 6	01-640-54-00-5465		354.00	
						INVOICE TOTAL:		354.00	*

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #		INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT	
539292	EEI	ENGINEERING ENTERPRISES, INC.							
	77991		08/30/23	01	LAKE MICHIGAN CONNECTION -	51-510-60-00-6011		7,692.69	
				02	PRELIMINARY ENGINEERING	** COMMENT **			
						INVOICE TOTAL:		7,692.69	*
	77992		08/30/23	01	BASELINE ROAD IMPROVEMENTS	23-230-60-00-6071		1,229.00	
						INVOICE TOTAL:		1,229.00	*
						CHECK TOTAL:		33,917.69	
539293	EEI	ENGINEERING ENTERPRISES, INC.							
	77993		08/30/23	01	2023 ROAD PROGRAM	01-640-54-00-5465		36,257.50	
						INVOICE TOTAL:		36,257.50	*
						CHECK TOTAL:		36,257.50	
539294	EEI	ENGINEERING ENTERPRISES, INC.							
	77994		08/30/23	01	RESTORE CHURCH - PARKING LOT	90-121-00-00-0111		339.00	
				02	EXPANSION	** COMMENT **			
						INVOICE TOTAL:		339.00	*
	77995		08/30/23	01	YORKVILLE SOURCE WATER	01-640-54-00-5465		1,125.70	
				02	PROTECTION PLAN	** COMMENT **			
						INVOICE TOTAL:		1,125.70	*
	77996		08/30/23	01	GAWNE LANE IMPROVEMENTS	01-640-54-00-5465		935.50	
						INVOICE TOTAL:		935.50	*
	77997		08/30/23	01	2023 WATER MAIN REPLACEMENT-B	51-510-60-00-6025		4,332.50	
						INVOICE TOTAL:		4,332.50	*
	77998		08/30/23	01	CITY OF YORKVILLE GENERAL	01-640-54-00-5465		1,668.75	
						INVOICE TOTAL:		1,668.75	*

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #		INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT	
539294	EEI	ENGINEERING ENTERPRISES, INC.							
	77999		08/30/23	01	MUNICIPAL ENGINEERING SERVICES	01-640-54-00-5465		1,900.00	
						INVOICE TOTAL:		1,900.00	*
						CHECK TOTAL:		10,301.45	
539295	EEI	ENGINEERING ENTERPRISES, INC.							
	78000		08/30/23	01	2023 SANITARY SEWER LINING	52-520-60-00-6025		2,653.00	
						INVOICE TOTAL:		2,653.00	*
						CHECK TOTAL:		2,653.00	
539296	EEI	ENGINEERING ENTERPRISES, INC.							
	78001		08/30/23	01	YORKVILLE HIGH SCHOOL STADIUM	01-640-54-00-5465		1,710.75	
				02	PROJECT	** COMMENT **			
						INVOICE TOTAL:		1,710.75	*
	78002		08/30/23	01	BRISTOL RIDGE SOLAR 105	90-201-00-00-0111		604.25	
						INVOICE TOTAL:		604.25	*
	78003		08/30/23	01	BRISTOL RIDGE SOLAR 106	90-201-00-00-0111		914.75	
						INVOICE TOTAL:		914.75	*
	78004		08/30/23	01	LAKE MICHIGAN-WIFIA LOI	51-510-60-00-6011		3,717.50	
						INVOICE TOTAL:		3,717.50	*
	78005		08/30/23	01	SCOOTERS COFFEE	90-204-00-00-0111		470.50	
						INVOICE TOTAL:		470.50	*
	78006		08/30/23	01	2024 WATER MAIN REPLACEMENT-A	51-510-60-00-6025		3,441.40	
						INVOICE TOTAL:		3,441.40	*
	78007		08/30/23	01	2024 WATER MAIN REPLACEMENT-B	51-510-60-00-6025		20,213.00	
						INVOICE TOTAL:		20,213.00	*

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #		INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT	
539296	EEI	ENGINEERING ENTERPRISES, INC.							
	78008		08/30/23	01	KENDALL COUNTY BUILDING-FOX ST	01-640-54-00-5465		3,000.00	
						INVOICE TOTAL:		3,000.00	*
	78009		08/30/23	01	WELL #10 AND RAW WATER MAIN	51-510-60-00-6029		2,284.50	
						INVOICE TOTAL:		2,284.50	*
	78010		08/30/23	01	ELDAMAIN WATER MAIN LOOP	51-510-60-00-6022		15,585.50	
						INVOICE TOTAL:		15,585.50	*
						CHECK TOTAL:			51,942.15
539297	EEI	ENGINEERING ENTERPRISES, INC.							
	78011		08/30/23	01	CORNEILS SANITARY SEWER-LP	52-520-60-00-6092		9,145.75	
						INVOICE TOTAL:		9,145.75	*
						CHECK TOTAL:			9,145.75
539298	EEI	ENGINEERING ENTERPRISES, INC.							
	78012		08/30/23	01	SOUTHERN SANITARY SEWER	52-520-60-00-6092		4,866.00	
				02	CONNECTION-LP	** COMMENT **			
						INVOICE TOTAL:		4,866.00	*
						CHECK TOTAL:			4,866.00
539299	EEI	ENGINEERING ENTERPRISES, INC.							
	78013		08/30/23	01	15 CANNONBALL TRAIL-OUTDOOR	90-206-00-00-0111		358.50	
				02	MUSIC VENUE	** COMMENT **			
						INVOICE TOTAL:		358.50	*
	78014		08/30/23	01	COUNTRYSIDE PARK	01-640-54-00-5465		535.00	
						INVOICE TOTAL:		535.00	*

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #		INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT	
539299	EEI	ENGINEERING ENTERPRISES, INC.							
	78015		08/30/23	01	102 W FOX ST-CORNER LIQUOR	90-207-00-00-0111		137.00	
						INVOICE TOTAL:		137.00	*
	78016		08/30/23	01	QUIK TRIP STATION & STORE	90-208-00-00-0111		1,674.00	
						INVOICE TOTAL:		1,674.00	*
	78017		08/30/23	01	DWC TRANSMISSION MAIN	51-510-60-00-6011		119.50	
						INVOICE TOTAL:		119.50	*
	78018		08/30/23	01	GERBER COLLISION & GLASS	90-214-00-00-0111		1,112.00	
						INVOICE TOTAL:		1,112.00	*
						CHECK TOTAL:			3,936.00
539300	FIRSTNET	AT&T MOBILITY							
	287313454005X0903202		08/25/23	01	07/26-08/25 MOBILE DEVICES	01-220-54-00-5440		42.09	
				02	07/26-08/25 MOBILE DEVICES	01-110-54-00-5440		126.27	
				03	07/26-08/25 MOBILE DEVICES	01-210-54-00-5440		908.43	
				04	07/26-08/25 MOBILE DEVICES	79-795-54-00-5440		42.09	
						INVOICE TOTAL:		1,118.88	*
						CHECK TOTAL:			1,118.88
539301	FIRSTNET	AT&T MOBILITY							
	287313454207X0903202		08/25/23	01	07/26-08/25 MOBILE DEVICES	01-220-54-00-5440		252.54	
				02	07/26-08/25 MOBILE DEVICES	79-790-54-00-5440		36.24	
				03	07/26-08/25 MOBILE DEVICES	79-795-54-00-5440		156.66	
				04	07/26-08/25 MOBILE DEVICES	51-510-54-00-5440		234.99	
				05	07/26-08/25 MOBILE DEVICES	52-520-54-00-5440		72.48	
						INVOICE TOTAL:		752.91	*
						CHECK TOTAL:			752.91

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #	INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT
539302	FURNITUR FURNITURE MEDIC						
	R4-00083583	08/29/23	01	DESK TOP REPAIR	24-216-54-00-5446		358.00
					INVOICE TOTAL:		358.00 *
					CHECK TOTAL:		358.00
539303	GARDKOCH GARDINER KOCH & WEISBERG						
	15798	09/10/23	01	KIMBALL HILL I MATTERS	01-640-54-00-5461		1,241.80
					INVOICE TOTAL:		1,241.80 *
	15799	09/10/23	01	GENERAL CITY LEGAL MATTERS	01-640-54-00-5461		44.00
					INVOICE TOTAL:		44.00 *
					CHECK TOTAL:		1,285.80
539304	GROOT GROOT INC						
	11186862T102	09/01/23	01	AUG 2023 REFUSE SERVICE	01-540-54-00-5442		139,744.61
			02	AUG 2023 SENIOR REFUSE SERVICE	01-540-54-00-5441		3,934.16
					INVOICE TOTAL:		143,678.77 *
					CHECK TOTAL:		143,678.77
539305	HARRIS HARRIS COMPUTER SYSTEMS						
	MSIXT0000394	08/29/23	01	MYGOVHUB BILLING-AUG 2023	01-120-54-00-5462		98.43
			02	MYGOVHUB BILLING-AUG 2023	51-510-54-00-5462		148.55
			03	MYGOVHUB BILLING-AUG 2023	52-520-54-00-5462		42.87
					INVOICE TOTAL:		289.85 *
					CHECK TOTAL:		289.85
539306	HEARTBEV HEARTLAND BEVERAGE LLC						
	186586	09/06/23	01	2023 HOMETOWN DAYS CRAFT BEER	79-795-56-00-5602		820.00
					INVOICE TOTAL:		820.00 *
					CHECK TOTAL:		820.00

01-110	**ADMINISTRATION**	**01-112**	**SUNFLOWER ESTATES**	**25-225**	**PARK & REC CAPITAL**	**82-820**	**LIBRARY OPERATIONS**
01-120	**FINANCE**	**15-155**	**MOTOR FUEL TAX**	**42-420**	**DEBT SERVICE**	**84-840**	**LIBRARAY CAPITAL**
01-210	**POLICE**	**23-216**	**MUNICIPAL BUILDING**	**51-510**	**WATER OPERATIONS**	**87-870**	**COUNTRYSIDE TIF**
01-220	**COMMUNITY DEVELOPMENT**	**23-230**	**CITY-WIDE CAPITAL**	**52-520**	**SEWER OPERATIONS**	**88-880**	**DOWNTOWN TIF**
01-410	**STREETS OPERATION**	**24-216**	**BUILDING & GROUNDS**	**72-720**	**LAND CASH**	**89-890**	**DOWNTOWN TIF II**
01-640	**ADMINISTRATIVE SERVICES**	**25-205**	**POLICE CAPITAL**	**79-790**	**PARKS DEPARTMENT**	**90-XXX**	**DEVELOPER ESCROW**
01-111	**FOX HILL SSA**	**25-215**	**PUBLIC WORKS CAPITAL**	**79-795**	**RECREATION DEPARTMENT**	**950-XXX**	**ESCROW DEPOSIT**

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #		INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT	
539307	HOMETREE	HOMER TREE CARE, INC							
	53800		08/29/23	01	CRANE ASSISTED TREE REMOVAL	01-410-54-00-5458		4,000.00	
						INVOICE TOTAL:		4,000.00	*
						CHECK TOTAL:		4,000.00	
539308	ILLCO	ILLCO, INC.							
	1419168		08/14/23	01	BATTERY	24-216-56-00-5656		69.85	
						INVOICE TOTAL:		69.85	*
						CHECK TOTAL:		69.85	
539309	IMPERIAL	IMPERIAL SERVICE SYSTEMS, INC							
	163815		08/08/23	01	PRESCHOOL OFFICE CLEANING-AUG	79-795-54-00-5488		1,192.00	
				02	2023	** COMMENT **			
						INVOICE TOTAL:		1,192.00	*
	163834		08/08/23	01	AUG 2023 OFFICE CLEANING	01-110-54-00-5488		953.95	
				02	AUG 2023 OFFICE CLEANING	01-120-54-00-5488		953.94	
				03	AUG 2023 OFFICE CLEANING	01-210-54-00-5488		2,739.86	
				04	AUG 2023 OFFICE CLEANING	79-795-54-00-5488		821.18	
				05	AUG 2023 OFFICE CLEANING	01-220-54-00-5488		525.07	
						INVOICE TOTAL:		5,994.00	*
						CHECK TOTAL:		7,186.00	
539310	IMPERINV	IMPERIAL INVESTMENTS							
	JULY 2023-REBATE		09/06/23	01	JUL 2023 BUSINESS DIST REBATE	01-000-24-00-2488		3,286.85	
						INVOICE TOTAL:		3,286.85	*
						CHECK TOTAL:		3,286.85	
539311	INTERDEV	INTERDEV, LLC							

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #		INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT
539311	INTERDEV	INTERDEV, LLC						
	CW1040590		08/31/23	01	SEPT 2023 TIMED ACTIVE STORAGE	01-640-54-00-5450		270.00
						INVOICE TOTAL:		270.00 *
	MSP-1040539		08/31/23	01	AUG 2023 REMOTE AND ONSITE IT	01-640-54-00-5450		18,298.00
				02	MONTHLY BILLING	** COMMENT **		
						INVOICE TOTAL:		18,298.00 *
	SEC-1040522		08/31/23	01	AUG 2023 BILLING FOR DUO AND	01-640-54-00-5450		1,203.69
				02	SENTINELONE	** COMMENT **		
						INVOICE TOTAL:		1,203.69 *
						CHECK TOTAL:		19,771.69
539312	KCHHS	KENDALL COUNTY HEALTH						
	LAWAP REFUND		09/07/23	01	LIWAP REFUND FOR UB ACCOUNT	01-000-13-00-1371		817.24
				02	0102160410-09	** COMMENT **		
						INVOICE TOTAL:		817.24 *
						CHECK TOTAL:		817.24
539313	KENCOM	KENCOM PUBLIC SAFETY DISPATCH						
	553		09/01/23	01	JUN-AUG 2023 IP FLEXIBLE	01-210-54-00-5440		115.56
				02	REACH MONTHLY FEES	** COMMENT **		
						INVOICE TOTAL:		115.56 *
						CHECK TOTAL:		115.56
539314	KENDCROS	KENDALL CROSSING, LLC						
	BD REBATE 07/23		09/06/23	01	JUL 2023 BUSINESS DIST REBATE	01-000-24-00-2487		6,119.55
						INVOICE TOTAL:		6,119.55 *
						CHECK TOTAL:		6,119.55

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #		INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT	
539315	LRS	LRS, LLC							
	PS555608		08/24/23	01	08/04-08/24 PROT O LET UPKEEP	79-795-56-00-5620		69.00	
				02	AT CIRCLE CENTER ** COMMENT **				
						INVOICE TOTAL:		69.00	*
						CHECK TOTAL:		69.00	
539316	MIDWSALT	MIDWEST SALT							
	P469348		08/21/23	01	BULK ROCK SALT	51-510-56-00-5638		3,289.42	
						INVOICE TOTAL:		3,289.42	*
	P469358		08/22/23	01	BULK ROCK SALT	51-510-56-00-5638		3,252.65	
						INVOICE TOTAL:		3,252.65	*
	P469535		09/05/23	01	BULK ROCK SALT	51-510-56-00-5638		3,392.47	
						INVOICE TOTAL:		3,392.47	*
	P469568		09/07/23	01	BULK ROCK SALT	51-510-56-00-5638		3,388.01	
						INVOICE TOTAL:		3,388.01	*
						CHECK TOTAL:		13,322.55	
539317	MOHRR	RANDY MOHR							
	091023		09/10/23	01	REFEREE	79-795-54-00-5462		105.00	
						INVOICE TOTAL:		105.00	*
						CHECK TOTAL:		105.00	
539318	NARVICK	NARVICK BROS. LUMBER CO, INC							
	87086		08/10/23	01	400 PSI AE	25-225-60-00-6010		1,476.00	
						INVOICE TOTAL:		1,476.00	*
	87178		08/15/23	01	3000 AE	25-225-60-00-6010		1,404.00	
						INVOICE TOTAL:		1,404.00	*

01-110	**ADMINISTRATION**	**01-112**	**SUNFLOWER ESTATES**	**25-225**	**PARK & REC CAPITAL**	**82-820**	**LIBRARY OPERATIONS**
01-120	**FINANCE**	**15-155**	**MOTOR FUEL TAX**	**42-420**	**DEBT SERVICE**	**84-840**	**LIBRARAY CAPITAL**
01-210	**POLICE**	**23-216**	**MUNICIPAL BUILDING**	**51-510**	**WATER OPERATIONS**	**87-870**	**COUNTRYSIDE TIF**
01-220	**COMMUNITY DEVELOPMENT**	**23-230**	**CITY-WIDE CAPITAL**	**52-520**	**SEWER OPERATIONS**	**88-880**	**DOWNTOWN TIF**
01-410	**STREETS OPERATION**	**24-216**	**BUILDING & GROUNDS**	**72-720**	**LAND CASH**	**89-890**	**DOWNTOWN TIF II**
01-640	**ADMINISTRATIVE SERVICES**	**25-205**	**POLICE CAPITAL**	**79-790**	**PARKS DEPARTMENT**	**90-XXX**	**DEVELOPER ESCROW**
01-111	**FOX HILL SSA**	**25-215**	**PUBLIC WORKS CAPITAL**	**79-795**	**RECREATION DEPARTMENT**	**950-XXX**	**ESCROW DEPOSIT**

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #	INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT	
539318	NARVICK NARVICK BROS. LUMBER CO, INC							
	87208	08/16/23	01	4000 PSI AE	25-225-60-00-6010		1,156.00	
					INVOICE TOTAL:		1,156.00	*
	87263	08/18/23	01	3000 AE	25-225-60-00-6010		1,404.00	
					INVOICE TOTAL:		1,404.00	*
	87328	08/22/23	01	3000 AE	25-225-60-00-6010		744.00	
					INVOICE TOTAL:		744.00	*
					CHECK TOTAL:		6,184.00	
539319	NEOPOST QUADIENT FINANCE USA, INC							
	090623-CITY	09/06/23	01	POSTAGE MACHINE REFILL	01-000-14-00-1410		300.00	
					INVOICE TOTAL:		300.00	*
					CHECK TOTAL:		300.00	
539320	NICOR NICOR GAS							
	00-41-22-8748 4-0823	08/31/23	01	08/02-08/31 1107 PRAIRIE LN	01-110-54-00-5480		102.15	
					INVOICE TOTAL:		102.15	*
	12-43-53-5625 3-0823	09/01/23	01	08/03-09/01 609 N BRIDGE ST	01-110-54-00-5480		28.71	
					INVOICE TOTAL:		28.71	*
	15-64-61-3532 5-0823	08/31/23	01	08/02-08/31 1991 CANNONBALL TR	01-110-54-00-5480		52.65	
					INVOICE TOTAL:		52.65	*
	20-52-56-2042 1-0823	08/29/23	01	07/31-08/29 420 FAIRHAVEN DR	01-110-54-00-5480		165.62	
					INVOICE TOTAL:		165.62	*
	23-45-91-4862 5-0823	09/01/23	01	08/03-09/01 101 BRUELL ST	01-110-54-00-5480		175.69	
					INVOICE TOTAL:		175.69	*

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #	INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT
539320	NICOR NICOR GAS						
	37-35-53-1941 1-0823	09/07/23	01	08/08-09/07 185 WOLF ST	01-110-54-00-5480		49.65
					INVOICE TOTAL:		49.65 *
	40-52-64-8356 1-0823	09/05/23	01	08/04-09/05 102 E VAN EMMON	01-110-54-00-5480		169.57
					INVOICE TOTAL:		169.57 *
	46-69-47-6727 1-0823	09/07/23	01	08/08-09/07 1975 N BRIDGE	01-110-54-00-5480		164.32
					INVOICE TOTAL:		164.32 *
	61-60-41-1000 9-0823	09/05/23	01	08/03-09/01 610 TOWER	01-110-54-00-5480		71.89
					INVOICE TOTAL:		71.89 *
	66-70-44-6942 9-0823	09/07/23	01	08/08-09/07 1908 RAINTREE	01-110-54-00-5480		169.95
					INVOICE TOTAL:		169.95 *
	80-56-05-1157 0-0823	09/07/23	01	08/08-09/07 2512 ROSEMONT	01-110-54-00-5480		52.13
					INVOICE TOTAL:		52.13 *
	83-80-00-1000 7-0823	09/05/23	01	08/03-09/01 610 TOWER UNIT B	01-110-54-00-5480		58.95
					INVOICE TOTAL:		58.95 *
					CHECK TOTAL:		1,261.28
539321	NUTOYS NUTOYS LEISURE PRODUCTS						
	54598	08/03/23	01	10 LITTER RECEPTACLES, SLASH	25-225-60-00-6010		13,449.00
			02	SEAT BELTS	** COMMENT **		
					INVOICE TOTAL:		13,449.00 *
					CHECK TOTAL:		13,449.00
539322	PHYSICIA PHYSICIANS IMMEDIATE CARE						
	38553	09/05/23	01	DRUG SCREENING	01-210-54-00-5462		47.00

01-110	**ADMINISTRATION**	**01-112**	**SUNFLOWER ESTATES**	**25-225**	**PARK & REC CAPITAL**	**82-820**	**LIBRARY OPERATIONS**
01-120	**FINANCE**	**15-155**	**MOTOR FUEL TAX**	**42-420**	**DEBT SERVICE**	**84-840**	**LIBRARAY CAPITAL**
01-210	**POLICE**	**23-216**	**MUNICIPAL BUILDING**	**51-510**	**WATER OPERATIONS**	**87-870**	**COUNTRYSIDE TIF**
01-220	**COMMUNITY DEVELOPMENT**	**23-230**	**CITY-WIDE CAPITAL**	**52-520**	**SEWER OPERATIONS**	**88-880**	**DOWNTOWN TIF**
01-410	**STREETS OPERATION**	**24-216**	**BUILDING & GROUNDS**	**72-720**	**LAND CASH**	**89-890**	**DOWNTOWN TIF II**
01-640	**ADMINISTRATIVE SERVICES**	**25-205**	**POLICE CAPITAL**	**79-790**	**PARKS DEPARTMENT**	**90-XXX**	**DEVELOPER ESCROW**
01-111	**FOX HILL SSA**	**25-215**	**PUBLIC WORKS CAPITAL**	**79-795**	**RECREATION DEPARTMENT**	**950-XXX**	**ESCROW DEPOSIT**

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

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539322	PHYSICIA	PHYSICIANS IMMEDIATE CARE							
	38553		09/05/23	02	DRUG SCREENING	79-795-54-00-5462		167.00	
				03	DRUG SCREENING	82-820-54-00-5462		55.00	
						INVOICE TOTAL:		269.00	*
						CHECK TOTAL:		269.00	
539323	PIZZO	PIZZO AND ASSOCIATES, LTD							
	339-6		09/01/23	01	PRAIRIE POINTE STEWARDSHIP	24-216-54-00-5446		732.19	
						INVOICE TOTAL:		732.19	*
						CHECK TOTAL:		732.19	
539324	PLAYIL	PLAY ILLINOIS LLC							
	1648		07/06/23	01	COMET	79-790-56-00-5640		2,771.00	
						INVOICE TOTAL:		2,771.00	*
						CHECK TOTAL:		2,771.00	
539325	PRINTSRC	LAMBERT PRINT SOURCE, LLC							
	3612		08/30/23	01	2023 CAR SHOW TSHIRTS	79-795-56-00-5602		920.00	
						INVOICE TOTAL:		920.00	*
	3613		08/30/23	01	2023 HOMETOWN DAYS ACTIVITY	79-795-56-00-5602		265.50	
				02	SIGNS	** COMMENT **			
				03	PRESCHOOL SIGNS	79-795-56-00-5606		150.00	
						INVOICE TOTAL:		415.50	*
						CHECK TOTAL:		1,335.50	
539326	R0000474	NEIL BORNEMAN							
	91123		09/11/23	01	REFUND OF LIBRARY AND CITY	01-640-54-00-5491		1,501.33	

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

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539326	R0000474	NEIL BORNEMAN						
	91123		09/11/23	02	PORTION OF TAXES PER ORDINANCE	** COMMENT **		
				03	2006-105	** COMMENT **		
						INVOICE TOTAL:		1,501.33 *
						CHECK TOTAL:		1,501.33
539327	R0002594	TC'S BBQ COMPANY						
	2023 HTD		09/11/23	01	2023 HOMETOWN DAYS STAFF MEALS	79-795-56-00-5602		165.00
						INVOICE TOTAL:		165.00 *
						CHECK TOTAL:		165.00
539328	R0002595	AL TROTSKY						
	090823-RFND		09/08/23	01	REFUND OVERPAYMENT ON FINAL	01-000-13-00-1371		260.77
				02	BILL FOR ACCT#0104122800-00	** COMMENT **		
						INVOICE TOTAL:		260.77 *
						CHECK TOTAL:		260.77
539329	RIETZR	ROBERT L. RIETZ JR.						
	090723		09/07/23	01	UMPIRE	79-795-54-00-5462		160.00
						INVOICE TOTAL:		160.00 *
						CHECK TOTAL:		160.00
539330	ROMANI	ISRAEL ROMAN						
	090923		09/09/23	01	REFEREE	79-795-54-00-5462		250.00
						INVOICE TOTAL:		250.00 *
						CHECK TOTAL:		250.00

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

CHECK #	VENDOR # / INVOICE #		INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT	
539331	SEALMAST	SEAL MASTER							
	101163		08/21/23	01	THERMAL SEALER, POWER BROOM,	01-410-56-00-5640		1,570.21	
				02	HANDLE, REPLACEMENT ROOFING	** COMMENT **			
				03	BRUSH	** COMMENT **			
						INVOICE TOTAL:		1,570.21	*
	101265		08/22/23	01	POWER BRUSH STRIP, THERMAL	01-410-56-00-5640		865.99	
				02	SEALER	** COMMENT **			
						INVOICE TOTAL:		865.99	*
	101279		08/22/23	01	THERMAL SEALER	01-410-56-00-5640		1,611.60	
						INVOICE TOTAL:		1,611.60	*
	101382		08/24/23	01	THERMAL SEALER	01-410-56-00-5640		897.60	
						INVOICE TOTAL:		897.60	*
						CHECK TOTAL:			4,945.40
539332	SHI	SHI INTERNATIONAL CORP							
	B17317645		08/31/23	01	ADOBE AND TEAMS LICENSING	01-640-54-00-5450		8,148.00	
						INVOICE TOTAL:		8,148.00	*
						CHECK TOTAL:			8,148.00
D003120	SLEEZERJ	JOHN SLEEZER							
	AMAZON-REIMB		08/16/23	01	PUMA SHOES	01-410-56-00-5600		116.82	
						INVOICE TOTAL:		116.82	*
						DIRECT DEPOSIT TOTAL:			116.82
539333	SPRTFLD	SPORTSFIELDS, INC.							
	23571		08/21/23	01	BASEBALL INFIELD MIX	79-790-56-00-5646		1,223.92	
						INVOICE TOTAL:		1,223.92	*
						CHECK TOTAL:			1,223.92

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

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539334	SUBURLAB	SUBURBAN LABORATORIES INC.						
	217514		08/31/23	01	WATER SAMPLES	51-510-54-00-5429		1,437.80
						INVOICE TOTAL:		1,437.80 *
						CHECK TOTAL:		1,437.80
539335	TRCONTPR	TRAFFIC CONTROL & PROTECTION						
	116019		08/30/23	01	TELSPAR POSTS & ANCHORS	23-230-56-00-5619		1,898.75
						INVOICE TOTAL:		1,898.75 *
	116020		08/30/23	01	TELSPAR POSTS	23-230-56-00-5619		862.50
						INVOICE TOTAL:		862.50 *
						CHECK TOTAL:		2,761.25
539336	TRINITYC	UNITED METHODIST MEN						
	2023 HTD		09/11/23	01	2023 HOMETOWN DAYS STAFF MEALS	79-795-56-00-5602		55.00
						INVOICE TOTAL:		55.00 *
						CHECK TOTAL:		55.00
539337	WALDEB	BRYAN WALDE						
	090923		09/09/23	01	REFEREE	79-795-54-00-5462		200.00
						INVOICE TOTAL:		200.00 *
						CHECK TOTAL:		200.00
539338	WALDENS	WALDEN'S LOCK SERVICE						
	23353		08/07/23	01	1 LOCK, 6 KEYS	24-216-54-00-5446		162.12
						INVOICE TOTAL:		162.12 *
						CHECK TOTAL:		162.12

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 09/26/2023

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539339	WASONG	GERALD WASON							
	090723		09/07/23	01	UMPIRE	79-795-54-00-5462		120.00	
						INVOICE TOTAL:		120.00	*
						CHECK TOTAL:			120.00
539340	WATERSER	WATER SERVICES CO.							
	35584		05/15/23	01	BENCH TEST WATER METES 1"	24-216-54-00-5446		40.00	
						INVOICE TOTAL:		40.00	*
						CHECK TOTAL:			40.00
539341	WATERSYS	WATER SOLUTIONS UNLIMITED, INC							
	116713		08/29/23	01	CHLORINE	51-510-56-00-5638		2,047.00	
						INVOICE TOTAL:		2,047.00	*
						CHECK TOTAL:			2,047.00
D003121	YBSD	YORKVILLE BRISTOL							
	2023.017		09/06/23	01	SEPT 2023 LANDFILL EXPENSE	51-510-54-00-5445		22,045.84	
						INVOICE TOTAL:		22,045.84	*
									22,045.84

TOTAL CHECKS PAID:	910,718.07
TOTAL DIRECT DEPOSITS PAID:	23,108.66
TOTAL AMOUNT PAID:	933,826.73

01-110	ADMINISTRATION	01-112	SUNFLOWER ESTATES	25-225	PARK & REC CAPITAL	82-820	LIBRARY OPERATIONS
01-120	FINANCE	15-155	MOTOR FUEL TAX	42-420	DEBT SERVICE	84-840	LIBRARAY CAPITAL
01-210	POLICE	23-216	MUNICIPAL BUILDING	51-510	WATER OPERATIONS	87-870	COUNTRYSIDE TIF
01-220	COMMUNITY DEVELOPMENT	23-230	CITY-WIDE CAPITAL	52-520	SEWER OPERATIONS	88-880	DOWNTOWN TIF
01-410	STREETS OPERATION	24-216	BUILDING & GROUNDS	72-720	LAND CASH	89-890	DOWNTOWN TIF II
01-640	ADMINISTRATIVE SERVICES	25-205	POLICE CAPITAL	79-790	PARKS DEPARTMENT	90-XXX	DEVELOPER ESCROW
01-111	FOX HILL SSA	25-215	PUBLIC WORKS CAPITAL	79-795	RECREATION DEPARTMENT	950-XXX	ESCROW DEPOSIT

UNITED CITY OF YORKVILLE
PAYROLL SUMMARY
September 15, 2023

	REGULAR	OVERTIME	TOTAL	IMRF	FICA	TOTALS
MAYOR & LIQ. COM.	$ 1,583.34	$ -	$ 1,583.34	$ -	$ 121.13	$ 1,704.47
ALDERMAN	6,066.64	-	6,066.64	-	464.16	6,530.80
ADMINISTRATION	18,718.42	-	18,718.42	1,227.93	1,383.80	21,330.15
FINANCE	13,709.93	-	13,709.93	899.37	1,012.53	15,621.83
POLICE	136,030.80	10,487.24	146,518.04	519.43	10,877.56	157,915.03
COMMUNITY DEV.	25,748.64	-	25,748.64	1,689.11	1,892.08	29,329.83
STREETS	23,641.46	267.55	23,909.01	1,568.44	1,771.38	27,248.83
BUILDING & GROUNDS	5,854.30	-	5,854.30	384.05	439.35	6,677.70
WATER	21,031.28	701.22	21,732.50	1,425.65	1,588.56	24,746.71
SEWER	10,879.08	-	10,879.08	713.66	797.85	12,390.59
PARKS	31,862.94	551.25	32,414.19	1,939.83	2,401.49	36,755.51
RECREATION	26,715.36	-	26,715.36	1,353.84	1,996.89	30,066.09
LIBRARY	16,674.53	-	16,674.53	720.42	1,237.38	18,632.33
TOTALS	$ 338,516.72	$ 12,007.26	$ 350,523.98	$ 12,441.73	$ 25,984.16	$ 388,949.87

TOTAL PAYROLL **$ 388,949.87**

UNITED CITY OF YORKVILLE

BILL LIST SUMMARY

Tuesday, September 26, 2023

ACCOUNTS PAYABLE		**DATE**		
Clerk's Check #131223 Kendall County Recorder *(Page 1)*		09/13/2023	$	304.00
City MasterCard Bill Register *(Pages 2 - 14)*		09/25/2023		100,221.53
City Check Register (*Pages 15 - 38)*		09/05/2023		933,826.73
	SUB-TOTAL:		**$**	**1,034,352.26**
PAYROLL				
Bi - Weekly *(Page 39)*		09/15/2023	$	388,949.87
	SUB-TOTAL:		**$**	**388,949.87**
	TOTAL DISBURSEMENTS:		**$**	**1,423,302.13**

Reviewed By:	
Legal	☐
Finance	■
Engineer	☐
City Administrator	■
Community Development	☐
Purchasing	☐
Police	☐
Public Works	☐
Parks and Recreation	☐

Agenda Item Number

Consent Agenda #3

Tracking Number

ADM 2023-31

Agenda Item Summary Memo

Title: Treasurer's Reports for June – August 2023

Meeting and Date: City Council – September 26, 2023

Synopsis:

Council Action Previously Taken:

Date of Action: ADM – 9/20/23 Action Taken: Moved forward to CC consent agenda.

Item Number: ADM 2023-31

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Rob Fredrickson (Name) Finance (Department)

Agenda Item Notes:

Have a question or comment about this agenda item?
Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/320/City-Council

UNITED CITY OF YORKVILLE

TREASURER'S REPORT - for the month ended June 30, 2023

Cash Basis

	June Revenues	YTD Revenues	Revenue Budget	% of Budget	June Expenses	YTD Expenses	Expense Budget	% of Budget
General Fund								
01 - General	$ 3,425,520	$ 5,304,838	$ 23,017,965	23%	$ 1,979,690	$ 3,442,345	$ 23,017,965	15%
Special Revenue Funds								
15 - Motor Fuel Tax	203,067	280,540	999,400	28%	-	-	1,240,000	0%
79 - Parks and Recreation	313,974	695,327	3,370,030	21%	284,970	533,131	3,409,293	16%
87 - Countryside TIF	42,678	83,157	228,000	36%	1,360	46,572	227,436	20%
88 - Downtown TIF	59,237	70,709	122,000	58%	2,677	5,355	81,857	7%
89 - Downtown TIF II	56,776	70,997	146,000	49%	77	77	11,000	1%
11 - Fox Hill SSA	11,181	12,430	24,000	52%	2,103	2,103	60,640	3%
12 - Sunflower SSA	9,556	10,134	21,000	48%	1,890	1,890	18,640	10%
Capital Project Funds								
25 - Vehicle & Equipment	157,636	309,092	1,811,277	17%	103,093	171,061	2,678,788	6%
23 - City-Wide Capital	244,118	321,024	3,073,795	10%	33,699	96,636	4,396,994	2%
24 - Buildings & Grounds	780,755	845,889	33,174,623	3%	136,337	151,603	4,617,909	3%
Enterprise Funds								
* 51 - Water	1,120,025	1,273,288	16,264,301	8%	395,509	629,950	15,373,998	4%
* 52 - Sewer	428,332	619,258	3,036,752	20%	66,593	114,958	2,845,033	4%
Library Funds								
82 - Library Operations	794,667	942,965	1,866,778	51%	99,246	172,012	1,909,000	9%
84 - Library Capital	18,044	33,566	50,150	67%	-	-	114,500	0%
Total Funds	**$ 7,665,566**	**$ 10,873,216**	**$ 87,206,071**	**12%**	**$ 3,107,243**	**$ 5,367,692**	**$ 60,003,053**	**9%**

* Fund Balance Equivalency

As Treasurer of the United City of Yorkville, I hereby attest, to the best of my knowledge, that the information contained in this Treasurer's Report is accurate as of the date detailed herein. Further information is available in the Finance Department.

Rob Fredrickson, Finance Director/Treasurer

UNITED CITY OF YORKVILLE

TREASURER'S REPORT - for the month ended July 31, 2023

Cash Basis

	July Revenues	YTD Revenues	Revenue Budget	% of Budget	July Expenses	YTD Expenses	Expense Budget	% of Budget
General Fund								
01 - General	$ 1,573,433	$ 6,901,524	$ 23,017,965	30%	$ 1,651,752	$ 5,093,324	$ 23,017,965	22%
Special Revenue Funds								
15 - Motor Fuel Tax	82,853	363,393	999,400	36%	-	-	1,240,000	0%
79 - Parks and Recreation	309,328	1,004,668	3,370,030	30%	285,189	818,854	3,409,293	24%
87 - Countryside TIF	28,956	112,113	228,000	49%	1,360	47,932	227,436	21%
88 - Downtown TIF	574	71,284	122,000	58%	2,677	8,032	81,857	10%
89 - Downtown TIF II	16,813	87,810	146,000	60%	-	77	11,000	1%
11 - Fox Hill SSA	265	12,695	24,000	53%	1,838	3,941	60,640	6%
12 - Sunflower SSA	270	10,405	21,000	50%	3,015	4,905	18,640	26%
Capital Project Funds								
25 - Vehicle & Equipment	165,131	477,046	1,811,277	26%	215,594	386,655	2,678,788	14%
23 - City-Wide Capital	95,045	408,548	3,073,795	13%	494,735	591,371	4,396,994	13%
24 - Buildings & Grounds	84,520	942,303	33,174,623	3%	44,948	196,551	4,617,909	4%
Enterprise Funds								
* 51 - Water	209,941	1,502,265	16,264,301	9%	1,499,488	2,129,439	15,373,998	14%
* 52 - Sewer	188,720	821,267	3,036,752	27%	68,057	183,018	2,845,033	6%
Library Funds								
82 - Library Operations	67,315	1,010,280	1,866,778	54%	67,177	239,189	1,909,000	13%
84 - Library Capital	22,022	55,587	50,150	111%	-	-	114,500	0%
Total Funds	**$ 2,845,186**	**$ 13,781,188**	**$ 87,206,071**	**16%**	**$ 4,335,830**	**$ 9,703,287**	**$ 60,003,053**	**16%**

* Fund Balance Equivalency

As Treasurer of the United City of Yorkville, I hereby attest, to the best of my knowledge, that the information contained in this Treasurer's Report is accurate as of the date detailed herein. Further information is available in the Finance Department.

Rob Fredrickson, Finance Director/Treasurer

UNITED CITY OF YORKVILLE

TREASURER'S REPORT - for the month ended August 31, 2023

Cash Basis

	Beginning Fund Balance (Unaudited)	August Revenues	YTD Revenues	Revenue Budget	% of Budget	August Expenses	YTD Expenses	Expense Budget	% of Budget	Projected Ending Fund Balance
General Fund										
01 - General	$ 10,996,607	$ 2,176,866	$ 9,078,390	$ 23,017,965	39%	$ 1,627,656	$ 6,720,980	$ 23,017,965	29%	$ 13,354,017
Special Revenue Funds										
15 - Motor Fuel Tax	319,840	79,374	442,767	999,400	44%	-	-	1,240,000	0%	762,607
79 - Parks and Recreation	261,118	260,027	1,264,695	3,370,030	38%	305,869	1,124,723	3,409,293	33%	401,090
87 - Countryside TIF	(1,175,044)	47,668	159,781	228,000	70%	1,485	49,417	227,436	22%	(1,064,680)
88 - Downtown TIF	(1,614,928)	9,052	80,336	122,000	66%	2,677	10,710	81,857	13%	(1,545,302)
89 - Downtown TIF II	87,577	6,609	94,418	146,000	65%	1,808	1,885	11,000	17%	180,110
11 - Fox Hill SSA	37,034	1,640	14,335	24,000	60%	1,058	4,999	60,640	8%	46,371
12 - Sunflower SSA	11,786	1,178	11,583	21,000	55%	1,000	5,905	18,640	32%	17,464
Capital Project Funds										
25 - Vehicle & Equipment	1,432,503	149,792	626,839	1,811,277	35%	19,912	406,568	2,678,788	15%	1,652,774
23 - City-Wide Capital	4,785,053	202,711	611,259	3,073,795	20%	52,213	643,584	4,396,994	15%	4,752,728
24 - Buildings & Grounds	1,865,907	52,821	995,124	33,174,623	3%	124,310	320,861	4,617,909	7%	2,540,170
Enterprise Funds										
* 51 - Water	3,955,973	11,261,775	1,276,440	16,264,301	8%	1,072,304	3,201,744	15,373,998	21%	2,030,669
* 52 - Sewer	2,515,993	430,672	1,251,939	3,036,752	41%	85,206	268,224	2,845,033	9%	3,499,708
Library Funds										
82 - Library Operations	793,959	98,298	1,108,578	1,866,778	59%	90,529	329,718	1,909,000	17%	1,572,819
84 - Library Capital	251,559	9,025	64,613	50,150	129%	-	-	114,500	0%	316,172
Total Funds	**$ 24,524,937**	**$ 14,787,508**	**$ 17,081,097**	**$ 87,206,071**	**20%**	**$ 3,386,029**	**$ 13,089,315**	**$ 60,003,053**	**22%**	**$ 28,516,718**

* Fund Balance Equivalency

As Treasurer of the United City of Yorkville, I hereby attest, to the best of my knowledge, that the information contained in this Treasurer's Report is accurate as of the date detailed herein. Further information is available in the Finance Department.

Rob Fredrickson, Finance Director/Treasurer

Reviewed By:	
Legal	☐
Finance	■
Engineer	☐
City Administrator	■
Community Development	☐
Purchasing	☐
Police	☐
Public Works	☐
Parks and Recreation	☐

Agenda Item Number

Mayor's Report #1

Tracking Number

CC 2023-58

Agenda Item Summary Memo

Title: Preliminary Tax Levy Estimate

Meeting and Date: City Council – September 26, 2023

Synopsis: Please see attached memo.

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: None

Council Action Requested: Informational

Submitted by: Rob Fredrickson (Name) Finance (Department)

Agenda Item Notes:

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Memorandum

To: Administration Committee
From: Rob Fredrickson, Finance Director
Date: September 13, 2023
Subject: 2023 Preliminary Tax Levy Estimate

Summary

A preliminary review of the 2023 tax levy estimate, for the purpose of publishing a public notice for an upcoming public hearing.

Background

Each year, the first step of the tax levy process involves adopting a tax levy estimate for the purposes of holding a public hearing (if required). The estimated tax levy for the City and Library operations (capped taxes or PTELL) is $5,073,005, as shown on Exhibit A. The City's levy request totals $3,880,669 and includes increment generated from new construction only. The Library operations levy is set at the max rate of $0.15 per $100 of EAV; however, due to the property tax extension limitation law (PTELL), staff would expect the actual Library tax levy to be lower.

2017 Tax Levy (FY 19) thru 2022 Tax Levy (FY 24 - current fiscal year)

Pursuant to PTELL, two factors determine how much the City, as a non-home rule municipality, can increase its levy by each year: 1.) the equalized assessed valuation (EAV) of new construction and 2.) the year-over-year change in inflation (as measured by the Consumer Price Index or CPI). Beginning with the 2017 levy process, the City Council began to ease back into its past practice of marginally increasing the levy each year by new construction only, thus foregoing the annual inflationary increment. This practice was continued last year (2022 levy - currently being collected in FY 24) as the City Council decided to increase the levy by estimated new construction ($177,747) only; and forfeit the inflationary increment of $177,756. As a result, most residents over the last six levy cycles should have seen the City portion of their property tax bill stay relatively the same or even decrease slightly in some years, assuming that the change in EAV of their homes was less than the overall increase in EAV for all taxable property in the City.

2023 Tax Levy (FY 25 – next fiscal year)

For this year's levy, new construction EAV is currently estimated by Kendall County at $26,204,611, which would generate additional property tax proceeds of $133,617 for the City. As shown on Exhibit D, after two consecutive years of low inflation (levy years 2015-2016), CPI returned to more of a historical norm in 2017 of 2.1%. After holding right around 2.0% in levy years 2018 through 2020, CPI fell to 1.4% in 2021, before skyrocketing to 7.0% and 6.5% (capped at 5% - lessor of 5% or CPI) in 2022 and 2023; ostensibly the result of pent-up consumer demand stemming from the pandemic, the ongoing war in Ukraine and ubiquitous increases in the general price levels (i.e., inflation) throughout the economy. The inflationary portion of the levy equates to a projected increment of $186,659, for an estimated grand total of $320,276 in additional property taxes that could be levied by the City under PTELL.

Based on the information presented above, it is the recommendation of staff that the City increase its levy only by the amount of incremental property taxes generated from new construction, which is currently estimated at $133,617 (as shown on Exhibit C), for a total levy of $3,866,788. While this will result in the City not levying approximately $186,659 (CPI portion) under PTELL (which means this amount will be forgone in subsequent levy years), staff believes that this is a balanced approach as it allows the City to marginally expand its tax base with minimal impact on homeowners. Depending on how the City Council decides to levy, either including incremental property taxes from both CPI and new construction (Exhibit B) or new construction only (Exhibit C), will result in the City's portion of the levy either increasing by approximately 8.5% (Exhibit B) or 3.5% (Exhibit C).

For the upcoming 2023 levy year, the City's contribution to the Yorkville Police Pension Fund is currently being determined by the City's actuary, MWM Consulting Group. For the time being, a placeholder of $1.4 million is being used; however, the actual contribution amount may be higher or lower due to several factors including:

- A shrinking amortization period (i.e., as we get closer to the year 2040, there is less time to spread out the remaining costs associated with the unfunded liability).
- Normal costs continue to increase, as each year of additional service by current employees generates additional pension benefits.
- Changes in actuarial assumptions pertaining to mortality, disability, salary increases, retirement and termination rates.

After an unprecedented rate of return in FY 2021 of +28.0%, the Fund yielded a negative 4.9% (the Fund benchmark is +7.0%) in FY 2022– as a result of equity market volatility and a low interest rate environment. The FY 2023 rate of return is currently estimated to be below the 7% benchmark; however, due to the long-term nature of funding requirements for pension funds, it remains to be seen how much of an impact this lower than expected rate of return will have on the City's funding requirement for the 2023 levy. The City's current contribution estimate of $1.4 million will be updated in late September/early October, once the current year's actuarial valuation is completed.

Looking back at the last seven levy cycles, you may recall that a reoccurring policy question has been whether the City and Library levies should be combined or levied separately. In an effort to "level the playing field" by applying the same rules of property tax growth (lesser of CPI or 5%, plus new construction) to both entities, the City Council has chosen to levy the two entities separately since in 2016. Last year the 2022 Library Operations tax rate was capped at $0.130 per $100 of EAV, resulting in a property tax extension of $905,786 (excludes revenue recapture) for library operations. This was an increase of $86,005 (10.5%) over the 2021 levy extended amount of $819,781 (excludes revenue recapture). For the 2023 levy staff recommends that Council continue with the practice of levying separately for the City and the Library, which is currently estimated to yield property taxes for library operations in the amount of $983,517. This amount includes both CPI ($45,289) and new construction ($32,441) increments. Based on current EAV figures the library operations tax rate is estimated to be at $0.124 per $100 of EAV (max amount is $0.15 per $100 EAV) for the 2023 levy year, which is an increase of 8.6% ($77,731) over the 2022 extension. The levy amount for the Library is expected to be formally approved by the Board at their upcoming October 9th meeting.

In addition, the fiscal year 2024 (2022 levy) certifications from the Kendall County Clerk are attached as Exhibit E. The first page contains all City (non-Library) taxes, and the second page contains Library taxes (operations and debt service for the 2006 & 2013 Refunding bonds). As noted last year, the 2022 levy includes revenue recapture amounts, pursuant to State Statue (P.A. 102-0519); which requires the County to adjust the City's and Library's extension amounts in order to recapture prior year property tax amounts lost to Property Tax Appeal Board (PTAB) reductions, Circuit Court orders in assessment cases

and error certificates resulting from assessment mistakes. These revenue recapture amounts are itemized in Exhibit E for both the City and Library, in the amounts of $4,170 and $2,016, respectively. As in past levy years, all City debt service amounts are expected to be fully abated for the 2023 levy year. Materials regarding the City's bond abatements will be presented at a future committee meeting, before being presented to the City Council for approval in either November or December.

Homeowner Impact

The property tax bill lists the City and the Library as two distinct itemized charges. Assuming the City levies for the new construction increment only (Exhibit C), the City's (capped and uncapped) estimated levy extension is projected to increase by 3.5% for the 2023 levy year (payable in 2024). The Library (capped and uncapped) levy is projected to be 4.1% higher (Exhibit B) than the 2022 levy year extension (payable currently in 2023).

Overall EAV for the City is currently estimated at $794.9 million, which is a $99.8 million (14.4%) increase over the prior year's amount of $695.0 million. Approximately 26% of this increase is attributable to new construction, which is currently estimated at $26.2 million. When adjusting for new construction, EAV of existing property is projected to increase by ~10.6%; however, this inflationary increase in EAV should be assuaged by a similar reduction in the City's estimated property tax rate which is currently expected to decline by 9.5%, from $0.54 per $100 of EAV to $0.49 per $100 of EAV.

Based on the information presented above, the amount that each property owner pays to the City and the Library **should** be approximately the same as the prior year's tax bill, assuming that their individual property's EAV increases at a rate similar to overall EAV, adjusted for new construction.

Recommendation

The preliminary staff recommendations for aggregate levy amounts are below.

City Tax Levy

	2022 Levy Extension	2023 Maximum Levy (Estimate)	2023 Levy Recommended Amount
City Levy (Capped)	$3,733,172	$4,053,447	$3,880,669
City Bonds/Revenue Recapture(Uncapped)	$4,170	N / A	N / A
Totals	**$3,737,342**	**$4,053,447**	**$3,880,669**

Library Tax Levy

	2022 Levy Extension	2023 Maximum Levy (Estimate)	2023 Levy Recommended Amount
Library Operations (Capped)	$905,786	$1,192,336	$1,192,336
Library Bonds/Revenue Recapture(Uncapped)	$868,810	$864,000	$864,000
Totals	**$1,774,596**	**$2,056,336**	**$2,056,336**

In regards to the setting of a tax levy estimate, staff recommends the approval of Exhibit A, which shows the City's levy increasing by an augmented new construction only amount and sets the Library's levy at their ceiling rate of $0.15 per $100 of EAV, for the purposes of setting a maximum levy amount for the public hearing. In order to capture every dollar possible generated from the new construction increment, staff has increased the County's current new construction EAV estimate ($26,204,611) by approximately 10% ($28,825,072); which would increase projected new construction incremental property tax amounts by $13,881, from $133,617 to $147,498. Since the estimated amount of new construction is likely to be updated by the County between now and December, this would allow Council maximum flexibility to adjust the levy accordingly to ensure that the entire new construction component of the levy could be utilized, if desired. As a reminder, the tax levy estimate sets the maximum amount that the City and Library could levy, with the understanding that Council and the Library Board reserve the right to levy less than that amount should they desire to do so.

Exhibit B is an estimate of how much the City could levy under PTELL (includes increases for both new construction & CPI) for a total of $316,105 in additional property tax proceeds. Exhibit C shows the new construction increment only, for both the City ($129,446) and Library ($27,632); hence foregoing the CPI increments of $186,659 (City) and $45,289 (Library), respectively, in subsequent levy years.

Furthermore, staff recommends that the City instruct the County Clerk to levy separately once again for the City and the Library, so that both entities are held to the same rules when it comes to growth. A tentative timeline for the 2023 tax levy process is presented below:

- September 20th (Administration Committee) - Preliminary Tax Levy Estimate - informational
- September 26th (City Council) - Preliminary Tax Levy Estimate - informational
- October 10th & 24th (City Council) - Tax Levy Estimate review and approval
    - Tax Levy Estimate must be adopted 20 days prior to City Council approval of levy
- November 14th (City Council) – Tax Levy Public Hearing
    - Public Hearing Notice will be published on November 3rd
    - Per State Statute, the Public Hearing Notice must be published in a local paper between 14 and 7 days prior to the public hearing date
- November 28th or December 12th (City Council) - Approval of the Tax Levy Ordinance
    - Must be filed with Kendall County before the last Tuesday in December (December 26th)

Exhibit A

2023 Tax Levy - Public Hearing

*** (Based on new construction EAV estimate of $28,825,072) ****

(Limiting Rate Applied to City)

	2021 Rate Setting EAV	% Change over Prior Yr EAV		2022 Rate Setting EAV	% Change over Prior Yr EAV		2023 Estimated EAV	% Change over Prior Yr EAV	$ Change
Farm	$ 3,524,082	4.88%	Farm	$ 3,936,704	11.71%	Farm	$ 4,163,860	5.77%	$ 227,156
Residential	524,668,429	8.40%	Residential	594,475,190	13.30%	Residential	687,742,410	15.69%	93,267,220
Commercial	79,815,145	0.21%	Commercial	80,620,321	1.01%	Commercial	86,335,951	7.09%	5,715,630
Industrial	15,512,284	-0.48%	Industrial	15,925,318	2.66%	Industrial	16,557,914	3.97%	632,596
State Railroad	77,628	2.33%	State Railroad	90,328	16.36%	State Railroad	90,328	0.00%	-
Total	**$ 623,597,568**	**7.02%**	**Total**	**$ 695,047,861**	**11.46%**	**Total**	**$ 794,890,463**	**14.36%**	**$ 99,842,602**

	2021 Rate	2021 Levy Request	2021 Levy Extension	2022 Rate	2022 Levy Request	2022 Levy Extension	2023 Rate	2023 Levy Request	% Change over Prior Yr Ext.	$ Change over Prior Yr Ext.
Corporate	0.15791	$ 984,681	$ 984,723	0.14168	$ 984,723	$ 984,744	0.12388	$ 984,744	0.00%	$ 0
Bonds & Interest	0.00000	-	-	0.00000	-	-	0.00000	-	-	-
IMRF Pension	0.00000	-	-	0.00000	-	-	0.00000	-	-	-
Police Protection	0.15963	995,406	995,449	0.16249	1,129,316	1,129,383	0.15800	1,255,925	11.20%	126,542
Police Pension	0.21405	1,334,771	1,334,811	0.19839	1,378,837	1,378,905	0.17612	1,400,000	1.53%	21,095
Audit	0.00482	30,000	30,057	0.00432	30,000	30,026	0.00377	30,000	-0.09%	(26)
Liability Insurance	0.00642	40,000	40,035	0.00576	40,000	40,035	0.00503	40,000	-0.09%	(35)
Social Security	0.02406	150,000	150,038	0.02159	150,000	150,061	0.01887	150,000	-0.04%	(61)
School Crossing Guard	0.00321	20,000	20,017	0.00288	20,000	20,017	0.00252	20,000	-0.09%	(17)
Unemployment Insurance	0.00000	-	-	0.00000	-	-	0.00000	-	0.00%	-
Revenue Recapture	0.00090	-	5,612	0.00060	-	4,170	0.00000	-	-	(4,170)
Subtotal City	**0.57100**	**$ 3,554,858**	**$ 3,560,742**	**0.53771**	**$ 3,732,876**	**$ 3,737,342**	**0.48820**	**$ 3,880,669**	**3.84%**	**143,327**
Library Operations	0.13146	$ 934,994	$ 819,781	0.13032	$ 1,041,921	$ 905,786	0.15000	$ 1,192,336	31.64%	$ 286,549
Library Bonds & Interest	0.13588	847,313	847,344	0.12471	866,750	866,794	0.10869	864,000	-0.32%	(2,794)
Revenue Recapture	0.00043	-	2,681	0.00029	-	2,016	0.00000	-	-	(2,016)
Subtotal Library	**0.26777**	**$ 1,782,307**	**$ 1,669,807**	**0.25532**	**$ 1,908,671**	**$ 1,774,596**	**0.25869**	**$ 2,056,336**	**15.88%**	**281,739**
Total City (PTELL & Non-PTELL)	**0.83877**	**$ 5,337,165**	**$ 5,230,549**	**0.79303**	**$ 5,641,547**	**$ 5,511,938**	**0.74690**	**$ 5,937,005**	**7.71%**	**$ 425,067**
less Bonds & Interest / Rev Recapture	0.13721	847,313	855,638	0.12560	866,750	872,980	0.10869	864,000	-1.03%	(8,980)
P-TELL Totals	**0.70156**	**$ 4,489,852**	**$ 4,374,911**	**0.66743**	**$ 4,774,797**	**$ 4,638,958**	**0.63820**	**$ 5,073,005**	**9.36%**	**$ 434,047**

Exhibit A - continued

2023 Tax Levy - Public Hearing

(Limiting Rate Applied to City)

	2021 Requested	2021 Extended		2022 Requested	2022 Extended		2023 Levy Request	% Change over Prior Yr Ext.	$ Change over Prior Yr Ext.
City	$ 2,220,087	$ 2,225,932	City	$ 2,354,039	$ 2,358,436	City	$ 2,480,669	5.18%	$ 122,233
Library	934,994	822,463	Library	1,041,921	907,802	Library	1,192,336	31.34%	284,534
Police Pension	1,334,771	1,334,811	Police Pension	1,378,837	1,378,905	Police Pension	1,400,000	1.53%	21,095
City Debt Service	-	-	City Debt Service	-	-	City Debt Service	-	-	-
Library Debt Service	847,313	847,344	Library Debt Service	866,750	866,794	Library Debt Service	864,000	-0.32%	(2,794)
Total	**$ 5,337,165**	**$ 5,230,549**	**Total**	**$ 5,641,547**	**$ 5,511,938**	**Total**	**$ 5,937,005**	**7.71%**	**$ 425,067**
less B&I / Rev Recapture	847,313	855,638	less B&I / Rev Recapture	866,750	872,980	less B&I / Rev Recapture	864,000	-1.03%	(8,980)
PTELL Subtotal	**$ 4,489,852**	**$ 4,374,911**	**PTELL Subtotal**	**$ 4,774,797**	**$ 4,638,958**	**PTELL Subtotal**	**$ 5,073,005**	**9.36%**	**$ 434,047**
City (excluding D/S & Rev Rec)	*$ 3,554,858*	*$ 3,555,130*	*City (excluding D/S & Rev Rec)*	*$ 3,732,876*	*$ 3,733,172*	*City (excluding D/S & Rev Rec)*	*$ 3,880,669*	***3.95%***	*$ 147,497*
Lib (excluding D/S & Rev Rec)	*934,994*	*819,781*	*Lib (excluding D/S & Rev Rec)*	*1,041,921*	*905,786*	*Lib (excluding D/S & Rev Rec)*	*1,192,336*	***31.64%***	*286,549*

Exhibit B

2023 Tax Levy - Estimated CPI and New Construction Increments

*** (Based on original new construction EAV estimate of $26,204,611 as of August 11, 2023) ****

(Limiting Rate Applied to City & Library)

	2021 Rate Setting EAV	% Change over Prior Yr EAV		2022 Rate Setting EAV	% Change over Prior Yr EAV		2023 Estimated EAV	% Change over Prior Yr EAV	$ Change
Farm	$ 3,524,082	4.88%	Farm	$ 3,936,704	11.71%	Farm	$ 4,163,860	5.77%	$ 227,156
Residential	524,668,429	8.40%	Residential	594,475,190	13.30%	Residential	687,742,410	15.69%	93,267,220
Commercial	79,815,145	0.21%	Commercial	80,620,321	1.01%	Commercial	86,335,951	7.09%	5,715,630
Industrial	15,512,284	-0.48%	Industrial	15,925,318	2.66%	Industrial	16,557,914	3.97%	632,596
State Railroad	77,628	2.33%	State Railroad	90,328	16.36%	State Railroad	90,328	0.00%	-
Total	**$ 623,597,568**	**7.02%**	**Total**	**$ 695,047,861**	**11.46%**	**Total**	**$ 794,890,463**	**14.36%**	**$ 99,842,602**

	2021 Rate	2021 Levy Request	2021 Levy Extension	2022 Rate	2022 Levy Request	2022 Levy Extension	2023 Rate	2023 Levy Request	% Change over Prior Yr Ext.	$ Change over Prior Yr Ext.
Corporate	0.15791	$ 984,681	$ 984,723	0.14168	$ 984,723	$ 984,744	0.12388	$ 984,744	0.00%	$ 0
Bonds & Interest	0.00000	-	-	0.00000	-	-	0.00000	-	-	-
IMRF Pension	0.00000	-	-	0.00000	-	-	0.00000	-	-	-
Police Protection	0.15963	995,406	995,449	0.16249	1,129,316	1,129,383	0.17974	1,428,703	26.50%	299,320
Police Pension	0.21405	1,334,771	1,334,811	0.19839	1,378,837	1,378,905	0.17612	1,400,000	1.53%	21,095
Audit	0.00482	30,000	30,057	0.00432	30,000	30,026	0.00377	30,000	-0.09%	(26)
Liability Insurance	0.00642	40,000	40,035	0.00576	40,000	40,035	0.00503	40,000	-0.09%	(35)
Social Security	0.02406	150,000	150,038	0.02159	150,000	150,061	0.01887	150,000	-0.04%	(61)
School Crossing Guard	0.00321	20,000	20,017	0.00288	20,000	20,017	0.00252	20,000	-0.09%	(17)
Unemployment Insurance	0.00000	-	-	0.00000	-	-	0.00000	-	0.00%	-
Revenue Recapture	0.00090	-	5,612	0.00060	-	4,170	0.00000	-	-	(4,170)
Subtotal City	**0.57100**	**$ 3,554,858**	**$ 3,560,742**	**0.53771**	**$ 3,732,876**	**$ 3,737,342**	**0.50994**	**$ 4,053,447**	**8.46%**	**316,105**
Library Operations	0.13146	$ 934,994	$ 819,781	0.13032	$ 1,041,921	$ 905,786	0.12373	$ 983,517	8.58%	$ 77,731
Library Bonds & Interest	0.13588	847,313	847,344	0.12471	866,750	866,794	0.10869	864,000	-0.32%	(2,794)
Revenue Recapture	0.00043	-	2,681	0.00029	-	2,016	0.00000	-	-	(2,016)
Subtotal Library	**0.26777**	**$ 1,782,307**	**$ 1,669,807**	**0.25532**	**$ 1,908,671**	**$ 1,774,596**	**0.23242**	**$ 1,847,517**	**4.11%**	**72,921**
Total City (PTELL & Non-PTELL)	**0.83877**	**$ 5,337,165**	**$ 5,230,549**	**0.79303**	**$ 5,641,547**	**$ 5,511,938**	**0.74236**	**$ 5,900,964**	**7.06%**	**$ 389,026**
less Bonds & Interest / Rev Recapture	0.13721	847,313	855,638	0.12560	866,750	872,980	0.10869	864,000	-1.03%	(8,980)
P-TELL Totals	**0.70156**	**$ 4,489,852**	**$ 4,374,911**	**0.66743**	**$ 4,774,797**	**$ 4,638,958**	**0.63367**	**$ 5,036,964**	**8.58%**	**$ 398,006**

Exhibit B - continued

2023 Tax Levy - Estimated CPI and New Construction Increments

(Limiting Rate Applied to City & Library)

	2021 Requested	2021 Extended		2022 Requested	2022 Extended		2023 Levy Request	% Change over Prior Yr Ext.	$ Change over Prior Yr Ext.
City	$ 2,220,087	$ 2,225,932	City	$ 2,354,039	$ 2,358,436	City	$ 2,653,447	12.51%	$ 295,011
Library	934,994	822,463	Library	1,041,921	907,802	Library	983,517	8.34%	75,715
Police Pension	1,334,771	1,334,811	Police Pension	1,378,837	1,378,905	Police Pension	1,400,000	1.53%	21,095
City Debt Service	-	-	City Debt Service	-	-	City Debt Service	-	-	-
Library Debt Service	847,313	847,344	Library Debt Service	866,750	866,794	Library Debt Service	864,000	-0.32%	(2,794)
Total	**$ 5,337,165**	**$ 5,230,549**	**Total**	**$ 5,641,547**	**$ 5,511,938**	**Total**	**$ 5,900,964**	**7.06%**	**$ 389,026**
less B&I / Rev Recapture	847,313	855,638	less B&I / Rev Recapture	866,750	872,980	less B&I / Rev Recapture	864,000	-1.03%	(8,980)
PTELL Subtotal	**$ 4,489,852**	**$ 4,374,911**	**PTELL Subtotal**	**$ 4,774,797**	**$ 4,638,958**	**PTELL Subtotal**	**$ 5,036,964**	**8.58%**	**$ 398,006**
City (excluding D/S & Rev Rec)	*$ 3,554,858*	*$ 3,555,130*	*City (excluding D/S & Rev Rec)*	*$ 3,732,876*	*$ 3,733,172*	*City (excluding D/S & Rev Rec)*	*$ 4,053,447*	***8.58%***	*$ 320,275*
Lib (excluding D/S & Rev Rec)	*934,994*	*819,781*	*Lib (excluding D/S & Rev Rec)*	*1,041,921*	*905,786*	*Lib (excluding D/S & Rev Rec)*	*983,517*	***8.58%***	*77,731*

Exhibit C

2023 Tax Levy - Estimated New Construction Increment Only

*** (Based on original new construction EAV estimate of $26,204,611 as of August 11, 2023) ****

(Limiting Rate Applied to City & Library)

	2021 Rate Setting EAV	% Change over Prior Yr EAV		2022 Rate Setting EAV	% Change over Prior Yr EAV		2023 Estimated EAV	% Change over Prior Yr EAV	$ Change
Farm	$ 3,524,082	4.88%	Farm	$ 3,936,704	11.71%	Farm	$ 4,163,860	5.77%	$ 227,156
Residential	524,668,429	8.40%	Residential	594,475,190	13.30%	Residential	687,742,410	15.69%	93,267,220
Commercial	79,815,145	0.21%	Commercial	80,620,321	1.01%	Commercial	86,335,951	7.09%	5,715,630
Industrial	15,512,284	-0.48%	Industrial	15,925,318	2.66%	Industrial	16,557,914	3.97%	632,596
State Railroad	77,628	2.33%	State Railroad	90,328	16.36%	State Railroad	90,328	0.00%	-
Total	**$ 623,597,568**	**7.02%**	**Total**	**$ 695,047,861**	**11.46%**	**Total**	**$ 794,890,463**	**14.36%**	**$ 99,842,602**

	2021 Rate	2021 Levy Request	2021 Levy Extension	2022 Rate	2022 Levy Request	2022 Levy Extension	2023 Rate	2023 Levy Request	% Change over Prior Yr Ext.	$ Change over Prior Yr Ext.
Corporate	0.15791	$ 984,681	$ 984,723	0.14168	$ 984,723	$ 984,744	0.12388	$ 984,744	0.00%	$ 0
Bonds & Interest	0.00000	-	-	0.00000	-	-	0.00000	-	-	-
IMRF Pension	0.00000	-	-	0.00000	-	-	0.00000	-	-	-
Police Protection	0.15963	995,406	995,449	0.16249	1,129,316	1,129,383	0.15625	1,242,044	9.98%	112,661
Police Pension	0.21405	1,334,771	1,334,811	0.19839	1,378,837	1,378,905	0.17612	1,400,000	1.53%	21,095
Audit	0.00482	30,000	30,057	0.00432	30,000	30,026	0.00377	30,000	-0.09%	(26)
Liability Insurance	0.00642	40,000	40,035	0.00576	40,000	40,035	0.00503	40,000	-0.09%	(35)
Social Security	0.02406	150,000	150,038	0.02159	150,000	150,061	0.01887	150,000	-0.04%	(61)
School Crossing Guard	0.00321	20,000	20,017	0.00288	20,000	20,017	0.00252	20,000	-0.09%	(17)
Unemployment Insurance	0.00000	-	-	0.00000	-	-	0.00000	-	0.00%	-
Revenue Recapture	0.00090	-	5,612	0.00060	-	4,170	0.00000	-	-	(4,170)
Subtotal City	**0.57100**	**$ 3,554,858**	**$ 3,560,742**	**0.53771**	**$ 3,732,876**	**$ 3,737,342**	**0.48646**	**$ 3,866,788**	**3.46%**	**129,446**
Library Operations	0.13146	$ 934,994	$ 819,781	0.13032	$ 1,041,921	$ 905,786	0.11803	$ 938,228	3.58%	$ 32,442
Library Bonds & Interest	0.13588	847,313	847,344	0.12471	866,750	866,794	0.10869	864,000	-0.32%	(2,794)
Revenue Recapture	0.00043	-	2,681	0.00029	-	2,016	0.00000	-	-	(2,016)
Subtotal Library	**0.26777**	**$ 1,782,307**	**$ 1,669,807**	**0.25532**	**$ 1,908,671**	**$ 1,774,596**	**0.22673**	**$ 1,802,228**	**1.56%**	**27,632**
Total City (PTELL & Non-PTELL)	**0.83877**	**$ 5,337,165**	**$ 5,230,549**	**0.79303**	**$ 5,641,547**	**$ 5,511,938**	**0.71318**	**$ 5,669,016**	**2.85%**	**$ 157,078**
less Bonds & Interest / Rev Recapture	0.13721	847,313	855,638	0.12560	866,750	872,980	0.10869	864,000	-1.03%	(8,980)
P-TELL Totals	**0.70156**	**$ 4,489,852**	**$ 4,374,911**	**0.66743**	**$ 4,774,797**	**$ 4,638,958**	**0.60449**	**$ 4,805,016**	**3.58%**	**$ 166,058**

Exhibit C - continued

2023 Tax Levy - Estimated New Construction Increment Only

(Limiting Rate Applied to City & Library)

	2021 Requested	2021 Extended		2022 Requested	2022 Extended		2023 Levy Request	% Change over Prior Yr Ext.	$ Change over Prior Yr Ext.
City	$ 2,220,087	$ 2,225,932	City	$ 2,354,039	$ 2,358,436	City	$ 2,466,788	4.59%	$ 108,352
Library	934,994	822,463	Library	1,041,921	907,802	Library	938,228	3.35%	30,426
Police Pension	1,334,771	1,334,811	Police Pension	1,378,837	1,378,905	Police Pension	1,400,000	1.53%	21,095
City Debt Service	-	-	City Debt Service	-	-	City Debt Service	-	-	-
Library Debt Service	847,313	847,344	Library Debt Service	866,750	866,794	Library Debt Service	864,000	-0.32%	(2,794)
Total	**$ 5,337,165**	**$ 5,230,549**	**Total**	**$ 5,641,547**	**$ 5,511,938**	**Total**	**$ 5,669,016**	**2.85%**	**$ 157,078**
less B&I / Rev Recapture	847,313	855,638	less B&I / Rev Recapture	866,750	872,980	less B&I / Rev Recapture	864,000	-1.03%	(8,980)
PTELL Subtotal	**$ 4,489,852**	**$ 4,374,911**	**PTELL Subtotal**	**$ 4,774,797**	**$ 4,638,958**	**PTELL Subtotal**	**$ 4,805,016**	**3.58%**	**$ 166,058**
City (excluding D/S & Rev Rec)	*$ 3,554,858*	*$ 3,555,130*	*City (excluding D/S & Rev Rec)*	*$ 3,732,876*	*$ 3,733,172*	*City (excluding D/S & Rev Rec)*	*$ 3,866,788*	***3.58%***	*$ 133,616*
Lib (excluding D/S & Rev Rec)	*934,994*	*819,781*	*Lib (excluding D/S & Rev Rec)*	*1,041,921*	*905,786*	*Lib (excluding D/S & Rev Rec)*	*938,228*	***3.58%***	*32,442*

Illinois Dept. of Revenue
History of CPI's Used for the PTELL
01/12/2023

Exhibit D

Year	December CPI-U	% Change From Previous December	% Use for PTELL	Comments	Levy Year	Years Taxes Paid
1991	137.900	--				
1992	141.900	2.9%	2.9%		1993	1994
1993	145.800	2.7%	2.7%	(5 % for Cook)	1994	1995
1994	149.700	2.7%	2.7%		1995	1996
1995	153.500	2.5%	2.5%		1996	1997
1996	158.960	3.6%	3.6%		1997	1998
1997	161.300	1.5%	1.5%		1998	1999
1998	163.900	1.6%	1.6%		1999	2000
1999	168.300	2.7%	2.7%		2000	2001
2000	174.000	3.4%	3.4%		2001	2002
2001	176.700	1.6%	1.6%		2002	2003
2002	180.900	2.4%	2.4%		2003	2004
2003	184.300	1.9%	1.9%		2004	2005
2004	190.300	3.3%	3.3%		2005	2006
2005	196.800	3.4%	3.4%		2006	2007
2006	201.800	2.5%	2.5%		2007	2008
2007	210.036	4.08%	4.1%		2008	2009
2008	210.228	0.1%	0.1%		2009	2010
2009	215.949	2.7%	2.7%		2010	2011
2010	219.179	1.5%	1.5%		2011	2012
2011	225.672	3.0%	3.0%		2012	2013
2012	229.601	1.7%	1.7%		2013	2014
2013	233.049	1.5%	1.5%		2014	2015
2014	234.812	0.8%	0.8%		2015	2016
2015	236.525	0.7%	0.7%		2016	2017
2016	241.432	2.1%	2.1%		2017	2018
2017	246.524	2.1%	2.1%		2018	2019
2018	251.233	1.9%	1.9%		2019	2020
2019	256.974	2.3%	2.3%		2020	2021
2020	260.474	1.4%	1.4%		2021	2022
2021	278.802	7.0%	5.0%		2022	2023
2022	296.797	6.5%	5.0%		2023	2024

Exhibit E

Tax Year: 2022

Tax Computation Report
Kendall County

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Taxing District VCYV - CITY OF YORKVILLE

Equalization Factor 1.000000

Property Type	Total EAV	Rate Setting EAV
Farm	3,936,704	3,936,704
Residential	595,832,271	594,475,190
Commercial	84,412,769	80,620,321
Industrial	15,926,373	15,925,318
Mineral	0	0
State Railroad	90,328	90,328
Local Railroad	0	0
County Total	**700,198,445**	**695,047,861**
Total + Overlap	**700,198,445**	**695,047,861**

PTELL Values	
Annexation EAV	0
Disconnection EAV	0
Recovered TIF EAV	0
Agg. Ext. Base (2021)	3,555,130
Limiting Rate	0.56514
% of Burden	0.00%
TIF Increment	5,150,584
New Property	34,518,313
New Property (Overlap)	0
Total New Property	**34,518,313**

Road and Bridge Transfer

Road District	Fund	Amount Extended
TTBRRD - BRISTOL ROAD DISTRI	999	$59,019.29
TTKERD - KENDALL ROAD DISTR	999	$62,019.38
Total		**$121,038.67**

Fund/Name	Levy Request	Max. Rate	Calc. Rate	Actual Rate	Non-PTELL Extension	PTELL Factor	Limited Rate	% Burden Rate	Kendall County Total Extension	Percent
** 001 CORPORATE	984,723	0.43750	0.141677	0.14168	$984,743.81	1.00000	0.14168	0.00000	$984,743.81	26.3487
003 BONDS & INTEREST	0	0.00000	0.000000	0.00000	$0.00	1.00000	0.00000	0.00000	$0.00	0.0000
** 014 POLICE PROTECTION	1,129,316	0.60000	0.162480	0.16249	$1,129,383.27	1.00000	0.16249	0.00000	$1,129,383.27	30.2189
** 015 POLICE PENSION	1,378,837	0.00000	0.198380	0.19839	$1,378,905.45	1.00000	0.19839	0.00000	$1,378,905.45	36.8954
** 027 AUDIT	30,000	0.00000	0.004316	0.00432	$30,026.07	1.00000	0.00432	0.00000	$30,026.07	0.8034
** 035 LIABILITY INSURANCE	40,000	0.00000	0.005755	0.00576	$40,034.76	1.00000	0.00576	0.00000	$40,034.76	1.0712
** 047 SOC SEC	150,000	0.00000	0.021581	0.02159	$150,060.83	1.00000	0.02159	0.00000	$150,060.83	4.0152
** 048 SCHOOL CROSS GUARD	20,000	0.02000	0.002878	0.00288	$20,017.38	1.00000	0.00288	0.00000	$20,017.38	0.5356
200 REVENUE RECAPTURE	4,169	0.00000	0.000600	0.00060	$4,170.29	1.00000	0.00060	0.00000	$4,170.29	0.1116
** 999 ROAD & BRIDGE TRANSFE	0	0.00000	0.000000	0.00000	$0.00	1.00000	0.00000	0.00000	$0.00	0.0000
Totals (Capped)	**3,732,876**		**0.537067**	**0.53711**	**$3,733,171.57**		**0.53711**	**0.00000**	**$3,733,171.57**	**99.8884**
Totals (Not Capped)	**4,169**		**0.000600**	**0.00060**	**$4,170.29**		**0.00060**	**0.00000**	**$4,170.29**	**0.1116**
Totals (All)	**3,737,045**		**0.537667**	**0.53771**	**$3,737,341.86**		**0.53771**	**0.00000**	**$3,737,341.86**	**100.0000**

*** Subject to PTELL*

I agree with the above figures

Signature

Taxing District VCYV - CITY OF YORKVILLE

Taxing Body

Title: Finance Director

E-Mail Address: rfredrickson@yorkville.il.us

Phone Number: (630-553-8534)

Fax Number: (630-553-7575)

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JHANNA

Exhibit E - continued

Tax Year: 2022

Tax Computation Report
Kendall County

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Taxing District LYYV - YORKVILLE LIBRARY

Equalization Factor 1.000000

Property Type	Total EAV	Rate Setting EAV
Farm	3,936,704	3,936,704
Residential	595,832,271	594,475,190
Commercial	84,412,769	80,620,321
Industrial	15,926,373	15,925,318
Mineral	0	0
State Railroad	90,328	90,328
Local Railroad	0	0
County Total	**700,198,445**	**695,047,861**
Total + Overlap	**700,198,445**	**695,047,861**

PTELL Values	
Annexation EAV	0
Disconnection EAV	0
Recovered TIF EAV	0
Agg. Ext. Base (2021)	819,781
Limiting Rate	0.13032
% of Burden	0.00%
TIF Increment	5,150,584
New Property	34,518,313
New Property (Overlap)	0
Total New Property	**34,518,313**

Fund/Name	Levy Request	Max. Rate	Calc. Rate	Actual Rate	Non-PTELL Extension	PTELL Factor	Limited Rate	% Burden Rate	Kendall County Total Extension	Percent
003 BONDS & INTEREST	866,750	0.00000	0.124704	0.12471	$866,794.19	1.00000	0.12471	0.00000	$866,794.19	48.8446
** 016 LIBRARY	1,041,921	0.15000	0.149906	0.14991	$1,041,946.25	0.86933	0.13032	0.00000	$905,786.37	51.0418
200 REVENUE RECAPTURE	1,957	0.00000	0.000282	0.00029	$2,015.64	1.00000	0.00029	0.00000	$2,015.64	0.1136
Totals (Capped)	**1,041,921**		**0.149906**	**0.14991**	**$1,041,946.25**		**0.13032**	**0.00000**	**$905,786.37**	**51.0418**
Totals (Not Capped)	**868,707**		**0.124986**	**0.12500**	**$868,809.83**		**0.12500**	**0.00000**	**$868,809.83**	**48.9582**
Totals (All)	**1,910,628**		**0.274892**	**0.27491**	**$1,910,756.08**		**0.25532**	**0.00000**	**$1,774,596.20**	**100.0000**

*** Subject to PTELL*

I agree with the above figures

Signature

Taxing District LYYV - YORKVILLE LIBRARY

Taxing Body

Title: Finance Director

E-Mail Address: rfredrickson@yorkville.il.us

Phone Number: 630-553-8534

Fax Number: 630-553-7575

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JHANNA

Reviewed By:	
Legal	☐
Finance	☐
Engineer	■
City Administrator	■
Community Development	☐
Purchasing	☐
Police	☐
Public Works	☐
Parks and Recreation	☐

Agenda Item Number

Mayor's Report #2

Tracking Number

CC 2023-59

Agenda Item Summary Memo

Title: Lake Michigan – WIFIA Loan Application – Engineering Agreement

Meeting and Date: City Council – September 26, 2023

Synopsis: _____

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Brad Sanderson (Name) Engineering (Department)

Agenda Item Notes:

Have a question or comment about this agenda item?
Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/320/City-Council

Agreement for Professional Services
Lake Michigan – WIFIA Loan Application

This Agreement, made this _____ day of _____ , 2023 by and between the United City of Yorkville, Kendall County, Illinois, a municipal corporation of the State of Illinois (hereinafter referred to as the "CITY") and Engineering Enterprises, Inc. of 52 Wheeler Road, Sugar Grove, Illinois, 60554 (hereinafter referred to as the "ENGINEER").

In consideration of the mutual covenants and agreements contained in this Agreement, the CITY and the ENGINEER agree, covenant and bind themselves as follows:

1. Services: ENGINEER agrees to perform for the CITY the scope of services described in Attachment B.

2. Direction: The City Administrator or his written designee, shall act as the CITY'S representative with respect to the Services to be provided by the ENGINEER under this Agreement and shall transmit instructions and receive information with respect to the Consulting Engineering Services.

3. Compensation: The work items, estimated staff time, and projected fees for each work item are summarized within Attachment C. Based on this computation, the CITY agrees to pay the ENGINEER for providing the Services set forth herein a fixed fee amount of $84,066.

4. Term: The term of this Agreement shall be active through May 31, 2024, unless otherwise extended through written confirmation by both parties. It is anticipated that this work will be complete within eight (8) months of notice to proceed.

5. Payment: Engineer shall invoice the CITY on a monthly basis for Services performed and any costs and expenses incurred during the previous thirty (30) day period. The CITY shall pay the ENGINEER within thirty (30) days of receipt of said invoice.

6. Termination: This Agreement may be terminated upon fourteen (14) days written notice of either party. In the event of termination, the ENGINEER shall prepare a final invoice and be due compensation calculated as described in paragraph 3 for all costs incurred through the date of termination.

7. Documents: All related writings, notes, documents, information, files, etc., created, compiled, prepared and/or obtained by the ENGINEER on behalf of the CITY for the Services provided herein shall be used solely for the intended project.

8. Notices: All notices given pursuant to this Agreement shall be sent Certified Mail, postage prepaid, to the parties at the following addresses:

The CITY:	The ENGINEER:
United City of Yorkville 651 Prairie Pointe Drive Yorkville, IL 60560 Attn: Bart Olson City Administrator	Engineering Enterprises, Inc. 52 Wheeler Road Sugar Grove, IL 60554 Attn: Brad Sanderson, P.E.

9. Waiver: The failure of either party hereto, at any time, to insist upon performance or observation of any term, covenant, agreement or condition contained herein shall not in any manner be constructed as a waiver of any right to enforce any term, covenant, agreement or condition hereto contained.
10. Amendment: No purported oral amendment, change or alteration hereto shall be allowed. Any amendment hereto shall be in writing by the governing body of the CITY and signed by the ENGINEER.

11. Succession: This Agreement shall ensure to the benefit of the parties hereto, their heirs, successors and assigns.

IN WITNESS WHEREOF, we have hereunto signed our names the day and year first above written.

UNITED CITY OF YORKVILLE:	ENGINEERING ENTERPRISES, INC.:
_____ John Purcell Mayor	_____ Brad Sanderson, PE Chief Operating Officer / President
ATTEST:	ATTEST:
_____ Jori Behland City Clerk	_____ Angie Smith Executive Assistant

STANDARD TERMS AND CONDITIONS

Agreement: These Standard Terms and Conditions, together with the Professional Services Agreement, constitute the entire integrated agreement between the OWNER and Engineering Enterprises, Inc. (EEI) (hereinafter "Agreement"), and take precedence over any other provisions between the Parties. These terms may be amended, but only if both parties consent in writing.

Standard of Care: In providing services under this Agreement, the ENGINEER will endeavor to perform in a matter consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under same circumstances in the same locality. ENGINEER makes no other warranties, express or implied, written or oral under this Agreement or otherwise, in connection with ENGINEER'S service.

Construction Engineering and Inspection: The ENGINEER shall not supervise, direct, control, or have authority over any contractor work, nor have authority over or be responsible for the means, methods, techniques sequences, or procedures of construction selected or used by any contractor, or the safety precautions and programs incident thereto, for security or safety of the site, nor for any failure of a contractor to comply with laws and regulations applicable to such contractor's furnishing and performing of its work.

The ENGINEER neither guarantees the performance of any contractor nor assumes responsibility for contractor's failure to furnish and perform the work in accordance with the contract documents.

The ENGINEER is not responsible for the acts or omissions of any contractor, subcontractor, or supplies, or any of their agents or employees or any other person at the site or otherwise furnishing or performing any work.

Shop drawing and submittal review by the ENGINEER shall apply to only the items in the submissions and only for the purpose of assessing if upon installation or incorporation in the project work they are generally consistent with the construction documents. OWNER agrees that the contractor is solely responsible for the submissions and for compliance with the construction documents. OWNER further agrees that the ENGINEER'S review and action in relation to these submissions shall not constitute the provision of means, methods, techniques, sequencing or procedures of construction or extend or safety programs or precautions. The ENGINEER'S consideration of a component does not constitute acceptance of the assembled items.

The ENGINEER'S site observation during construction shall be at the times agreed upon in the Project Scope. Through standard, reasonable means the ENGINEER will become generally familiar with observable completed work. If the ENGINEER observes completed work that is inconsistent with the construction documents, that information shall be communicated to the contractor and OWNER for them to address.

Opinion of Probable Construction Costs: ENGINEER'S opinion of probable construction costs represents ENGINEER'S best and reasonable judgment as a professional engineer. OWNER acknowledges that ENGINEER has no control over construction costs of contractor's methods of determining pricing, or over competitive bidding by contractors, or of market conditions or changes thereto. ENGINEER cannot and does not guarantee that proposals, bids or actual construction costs will not vary from ENGINEER'S opinion of probable construction costs.

Copies of Documents & Electronic Compatibility: Copies of Documents that may be relied upon by OWNER are limited to the printed copies (also known as hard copies) that are signed or sealed by the ENGINEER. Files in electronic media format of text, data, graphics, or of other types that are furnished by ENGINEER to OWNER are only for convenience of OWNER. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk. When transferring documents in electronic media format, ENGINEER makes no representations as to long term compatibility, usability, or readability of documents resulting from the use of software application packages, operating systems, or computer hardware differing from those used by ENGINEER at the beginning of the project.

Changed Conditions: If, during the term of this Agreement, circumstances or conditions that were not originally contemplated by or known to the ENGINEER are revealed, to the extent that they affect the scope of services, compensation, schedule, allocation of risks, or other material terms of this Agreement, the ENGINEER may call for renegotiation of appropriate portions of this Agreement. The ENGINEER shall notify the OWNER of the changed conditions necessitating renegotiation, and the ENGINEER and the OWNER shall promptly and in good faith enter into renegotiation of this Agreement to address the changed conditions. If terms cannot be agreed to, the parties agree that either party has the absolute right to terminate this Agreement, in accordance with the termination provision hereof.

Hazardous Conditions: OWNER represents to ENGINEER that to the best of its knowledge no Hazardous Conditions (environmental or otherwise) exist on the project site. If a Hazardous Condition is encountered or alleged, ENGINEER shall have the obligation to notify OWNER and, to the extent of applicable Laws and Regulations, appropriate governmental officials. It is acknowledged by both parties that ENGINEER's scope of services does not include any services related to a Hazardous Condition. In the event ENGINEER or any other party encounters a Hazardous Condition, ENGINEER may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the project affected thereby until OWNER: (i) retains appropriate specialist consultant(s) or contractor(s) to identify and, as appropriate, abate, remediate, or remove the Hazardous Condition; and (ii) warrants that the project site is in full compliance with applicable Laws and Regulations.

Consequential Damages: Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither the OWNER nor the ENGINEER, their respective officers, directors, partners, employees, contractors, or subcontractors shall be liable to the other or shall make any claim for any incidental, indirect, or consequential damages arising out of or connected in any way to the Project or to this Agreement. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of

profit, loss of business, loss of income, loss of reputation, or any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract, and breach of strict or implied warranty. Both the OWNER and the ENGINEER shall require similar waivers of consequential damages protecting all the entities or persons named herein in all contracts and subcontracts with others involved in this project.

Termination: This Agreement may be terminated for convenience, without cause, upon fourteen (14) days written notice of either party. In the event of termination, the ENGINEER shall prepare a final invoice and be due compensation as set forth in the Professional Services Agreement for all costs incurred through the date of termination.

Either party may terminate this Agreement for cause upon giving the other party not less than seven (7) calendar days' written notice for the following reasons:

(a) Substantial failure by the other party to comply with or perform in accordance with the terms of the Agreement and through no fault of the terminating party;

(b) Assignment of the Agreement or transfer of the project without the prior written consent of the other party;

(c) Suspension of the project or the ENGINEER'S services by the OWNER for a period of greater than ninety (90) calendar days, consecutive or in the aggregate.

(d) Material changes in the conditions under which this Agreement was entered into, the scope of services or the nature of the project, and the failure of the parties to reach agreement on the compensation and schedule adjustments necessitated by such changes.

Payment of Invoices: Invoices are due and payable within 30 days of receipt unless otherwise agreed to in writing.

Third Party Beneficiaries: Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the OWNER or the ENGINEER. The ENGINEER'S services under this Agreement are being performed solely and exclusively for the OWNER'S benefit, and no other party or entity shall have any claim against the ENGINEER because of this Agreement or the performance or nonperformance of services hereunder. The OWNER and ENGINEER agree to require a similar provision in all contracts with contractors, subcontractors, vendors and other entities involved in this Project to carry out the intent of this provision.

Force Majeure: Each Party shall be excused from the performance of its obligations under this Agreement to the extent that such performance is prevented by force majeure (defined below) and the nonperforming party promptly provides notice of such prevention to the other party. Such excuse shall be continued so long as the condition constituting force majeure continues. The party affected by such force majeure also shall notify the other party of the anticipated duration of such force majeure, any actions being taken to avoid or minimize its effect after such occurrence, and shall take reasonable efforts to remove the condition constituting such force majeure. For purposes of this Agreement, "force majeure" shall include conditions beyond the control of the parties, including an act of God, acts of terrorism, voluntary or involuntary compliance with any regulation, law or order of any government, war, acts of war (whether war be declared or not), labor strike or lock-out, civil commotion, epidemic, failure or default of public utilities or common carriers, destruction of production facilities or materials by fire, earthquake, storm or like catastrophe. The payment of invoices due and owing hereunder shall in no event be delayed by the payer because of a force majeure affecting the payer.

Additional Terms or Modification: All prior understandings and agreements between the parties are merged into this Agreement, and this Agreement may not be modified orally or in any manner other than by an Agreement in writing signed by both parties. In the event that any provisions of this Agreement shall be held to be invalid or unenforceable, the remaining provisions shall be valid and binding on the parties.

Assignment: Neither party to this Agreement shall transfer or assign any rights or duties under or interest in this Agreement without the prior written consent of the other party. Subcontracting normally contemplated by the ENGINEER shall not be considered an assignment for purposes of this Agreement.

Waiver: A party's waiver of, or the failure or delay in enforcing any provision of this Agreement shall not constitute a waiver of the provision, nor shall it affect the enforceability of that provision or of the remainder of this Agreement.

Attorney's Fees: In the event of any action or proceeding brought by either party against the other under this Agreement, the prevailing party shall be entitled to recover from the other all costs and expenses including without limitation the reasonable fees of its attorneys in such action or proceeding, including costs of appeal, if any, in such amount as the Court may adjudge reasonable.

Fiduciary Duty: Nothing in this Agreement is intended to create, nor shall it be construed to create, a fiduciary duty owed to either party to the other party. EEI makes no warranty, express or implied, as to its professional services rendered.

Headings: The headings used in this Agreement are inserted only as a matter of convenience only, and in no way define, limit, enlarge, modify, explain or define the text thereof nor affect the construction or interpretation of this Agreement.

Lake Michigan - WIFIA Loan Application
United City of Yorkville, IL
Professional Services Agreement

Attachment B – Scope of Services

Introduction:

The United City of Yorkville (City), along with its Waterlink partners (Villages of Montgomery and Oswego), have selected Lake Michigan as their long-term sustainable water source and intend to connect to the DuPage Water Commission (DWC).

The City has identified the USEPA WIFIA program as a viable option for project financing. The City is planning to submit WIFIA loan application for various projects required to bring Lake Michigan water to their community.

The proposed work items for this project are as follows:

WIFIA LOAN APPLICATION SUPPORT

1.1 Project Administration and Management

1.2 WIFIA Loan Application Development

- Gather and review all available, current, and pertinent project information.
- Review all sections of the WIFIA Application for consistent and comprehensive presentation of the project (or program of projects). The consultant team will provide recommendations to the City on including information to improve sections of the Application and expedite the EPA Due Diligence process.
- Prepare the Programmatic Environmental Assessment Questionnaire.
- Revise the Application according to direction from the City and support the timely submission of the completed Application.
- Deliverable: Completed WIFIA Loan Application.

1.3 Financial Analysis

- Work with City Staff to update the Pro Forma developed for the WIFIA Letter of Interest.
- Includes additional scenario analyses.
- Coordination with the City's Financial Advisor.
- Provide support on related sections of the WIFIA Loan Application.
- Deliverables Include:
  - Pro Forma to support the WIFIA Application projecting:
    - Revenues and associated rate increases
    - Operations and Maintenance Costs
    - Capital Costs
    - Debt Service
    - Key Performance Indicators (debt service coverage, days cash on hand)
    - Fund Balances
    - Escalation
  - Technical memoranda (approximately 5 pages with assumptions workbook). Technical memoranda will include a calendar of funding and financing activities and needs.

1.4 Coordination and Meetings with City, Agencies, Waterlink Partners and Stantec throughout the loan application process.

Stantec Consulting Services, Inc. will be a subconsultant to EEI for the scope items identified herein and as noted on Attachment C: Estimate of Level of Effort and Associated Cost. Their proposal is also included in this PSA package for reference.

The above scope summarizes the work items that will be completed for this contract. Additional work items shall be considered outside the scope of the base contract and will be billed in accordance with the Standard Schedule of Charges.

ATTACHMENT C: ESTIMATE OF LEVEL OF EFFORT AND ASSOCIATED COST
PROFESSIONAL ENGINEERING SERVICES

CLIENT				PROJECT NUMBER	
United City of Yorkville				YO2341-P	
PROJECT TITLE				**DATE**	**PREPARED BY**
Lake Michigan-WIFIA Loan Application				9/20/23	AG/CRW

TASK NO.	TASK DESCRIPTION	ROLE	PIC	SPM	PM	SPE						HOURS	COST
		RATE	$239	$227	$204	$179							
WIFIA LOAN APPLICATION SUPPORT													
1.1	Project Administration and Management		4	4	8							16	$ 3,496
1.2	WIFIA Loan Application Development		6	6	20	48						80	$ 15,468
1.3	Financial Analysis		4	2	8	8						22	$ 4,474
1.4	Coordination and Meetings with City, Agencies and Waterlink Partners		16	6	16	12						50	$ 10,598
	WIFIA Loan Application Support Subtotal:		**30**	**18**	**52**	**68**	**-**	**-**	**-**	**-**	**-**	168	$ 34,036
	PROJECT TOTAL:		**30**	**18**	**52**	**68**	**-**	**-**	**-**	**-**	**-**	**168**	**34,036**

LABOR SUMMARY		
EEI Labor Expenses =	$	34,036
TOTAL LABOR EXPENSES	**$**	**34,036**

DIRECT EXPENSES		
Printing/Scanning =	$	100
Mileage =	$	-
DIRECT EXPENSES =	**$**	**100**

SUBCONSULTANT EXPENSES		
Stantec (WIFIA Application & Financial Analysis) =	$	49,930
SUBCONSULTANT EXPENSES =	**$**	**49,930**

TOTAL COSTS	**$**	**84,066**

52 Wheeler Road, Sugar Grove, IL 60554 Tel: 630.466.6700 Fax: 630.466.6701 www.eeiweb.com

STANDARD SCHEDULE OF CHARGES ~ JANUARY 1, 2023

EMPLOYEE DESIGNATION	CLASSIFICATION	HOURLY RATE
Senior Principal	E-4	$239.00
Principal	E-3	$234.00
Senior Project Manager	E-2	$227.00
Project Manager	E-1	$204.00
Senior Project Engineer/Surveyor II	P-6	$192.00
Senior Project Engineer/Surveyor I	P-5	$179.00
Project Engineer/Surveyor	P-4	$162.00
Senior Engineer/Surveyor	P-3	$149.00
Engineer/Surveyor	P-2	$135.00
Associate Engineer/Surveyor	P-1	$122.00
Senior Project Technician II	T-6	$167.00
Senior Project Technician I	T-5	$156.00
Project Technician	T-4	$146.00
Senior Technician	T-3	$135.00
Technician	T-2	$122.00
Associate Technician	T-1	$107.00
GIS Technician II	G-2	$119.00
GIS Technician I	G-1	$110.00
Engineering/Land Surveying Intern	I-1	$ 79.00
Executive Administrative Assistant	A-4	$ 75.00
Administrative Assistant	A-3	$ 70.00

VEHICLES. REPROGRAPHICS, DIRECT COSTS, DRONE AND EXPERT TESTIMONY

Vehicle for Construction Observation		$ 15.00
In-House Scanning and Reproduction	$0.25/Sq. Ft. (Black & White) $1.00/Sq. Ft. (Color)	
Reimbursable Expenses (Direct Costs)	Cost	
Services by Others (Direct Costs)	Cost + 10%	
Unmanned Aircraft System / Unmanned Aerial Vehicle / Drone		$ 216.00
Expert Testimony		$ 271.00

Stantec Consulting Services Inc.
350 North Orleans Street, Suite 1301
Chicago IL 60654-1983

September 19, 2023

Project/File: City of Yorkville WIFIA Application

Jeffrey Freeman
52 Wheeler Rd. Sugar Grove, IL 60554

Dear Jeff Freeman,

Reference: City of Yorkville WIFIA Application

Stantec Consulting Services Inc. is pleased to submit a proposal to Engineering Enterprises, Inc. (EEI) to provided funding support services for the WIFIA Application for the City of Yorkville, Illinois alternative water source project.

WIFIA Application

Stantec will perform the services as described below to support EEI's request.

Task 1 – WIFIA Application

As requested, Stantec will lead the development, submittal, and coordination with WIFIA staff for the WIFIA Application with support from EEI and the City. As needed funding support services may consist of, but not limited to:

- Gather and review all available, current, and pertinent project information.
- Application development in coordination with the City, Montgomery and Oswego.
- Review all sections of the WIFIA Application for consistent and comprehensive presentation of the project (or program of projects). The Consultant will provide recommendations to the City on including information to improve sections of the Application and expedite the EPA Due Diligence process.
- Revise the Application according to direction from the City and support the timely submission of the completed Application.
- As necessary, the Consultant will schedule, coordinate, and facilitate meetings with the City, legal counsel, and other Consultants to achieve desired consistency.

This scope assumes EEI will be developing the Programmatic Environmental Assessment Questionnaire of the application.

Anticipated schedule for this task is 8 months after Notice to Proceed.

Task 1 - Deliverables

1. WIFIA Application Package

Task 2 – Financial Analysis

To support Task 1, Stantec, in coordination with the City's Finance Department, will update the Pro Forma developed for the WIFIA Letter of Interest. Services will include:

- Additional scenario analyses.
- Coordination with the City's Financial Advisor.
- Update the Pro Forma.
- Provide support on related sections of the Application.

Anticipated schedule for this task is 8 months after Notice to Proceed.

Task 1 - Deliverables

1. Pro Forma to support the WIFIA Application projecting:
    - Revenues and associated rate increases
    - Operations and Maintenance Costs
    - Capital Costs
    - Debt Service
    - Key Performance Indicators (debt service coverage, days cash on hand)
    - Fund Balances
    - Escalation
2. Technical memoranda (approximately 5 pages with assumptions workbook). Technical memoranda will include a calendar of funding and financing activities and needs.

Basis for Compensation

Table 1 summarizes Stantec's estimate level of effort and fee for performing these services. Compensation will be based on Time and Materials. Total compensation for these services will not exceed $*49,930*.00 without prior written approval from EEI.

Reference: **City of Yorkville WIFIA Application**

Table 1 – Estimated Level of Effort and Fee

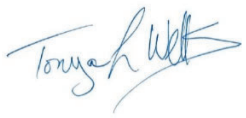
Task	Labor Hours	Labor Billings	Direct Cost Billings	Total Billings
Task 1 – WIFIA Application	*176*	*$27,878.50*	*$100.00*	*$27,978.50*
Task 2 – Financial Analysis	*138*	*$21,951.50*	*$0.00*	*$21,951.50*
Total All Tasks	***314***	***$49,830.00***	***$100.00***	***$49,930.00***

Total Labor Billings	***$49,830.00***
Reimbursable Direct Costs	***$100.00***
Total Fee	***$49,930.00***

Thank you for this opportunity to be of assistance to EEI. Please indicate your acceptance of this proposal and the attached terms and conditions by signing this letter proposal in the space below and return one fully executed copy to my attention. Should you have any questions regarding this proposal, please feel to contact me.

Sincerely,

STANTEC CONSULTING SERVICES INC.



Tonya Wells PE, CFM
Principal, Project Manager
Phone: (312) 262-2220
Mobile: 773-718-6578
tonya.wells@stantec.com

Attachment: Attachment 1 Professional Services Terms and Conditions

Reference: City of Yorkville WIFIA Application

By signing this proposal, Engineering Enterprises, Inc. (Client Company Name) authorizes Stantec to proceed with the services herein described and the Client acknowledges that it has read and agrees to be bound by the attached Professional Services Terms and Conditions.

This proposal is accepted and agreed on the _____ (Day) of _____ (Month), _____ (Year).

Per: _____
Client Company Name

_____
Print Name & Title

_____
Signature

Attachment 1

PROFESSIONAL SERVICES TERMS AND CONDITIONS

The following Terms and Conditions are attached to and form part of a proposal for services to be performed by Consultant and together, when the Client authorizes Consultant to proceed with the services, constitute the Agreement. Consultant means the Stantec entity issuing the Proposal.

DESCRIPTION OF WORK: Consultant shall render the services described in the Proposal (hereinafter called the "Services") to the Client.

TERMS AND CONDITIONS: No terms, conditions, understandings, or agreements purporting to modify or vary these Terms and Conditions shall be binding unless hereafter made in writing and signed by the Client and Consultant. In the event of any conflict between the Proposal and these Terms and Conditions, these Terms and Conditions shall take precedence. This Agreement supercedes all previous agreements, arrangements or understandings between the parties whether written or oral in connection with or incidental to the Project.

COMPENSATION: Payment is due to Consultant upon receipt of invoice. Failure to make any payment when due is a material breach of this Agreement and will entitle Consultant, at its option, to suspend or terminate this Agreement and the provision of the Services. Interest will accrue on accounts overdue by 30 days at the lesser of 1.5 percent per month (18 percent per annum) or the maximum legal rate of interest. Unless otherwise noted, the fees in this agreement do not include any value added, sales, or other taxes that may be applied by Government on fees for services. Such taxes will be added to all invoices as required. The Client will make payment by Electronic Funds Transfer when requested by Consultant.

NOTICES: Each party shall designate a representative who is authorized to act on behalf of that party. All notices, consents, and approvals required to be given hereunder shall be in writing and shall be given to the representatives of each party.

TERMINATION: Either party may terminate the Agreement without cause upon thirty (30) days notice in writing. If either party breaches the Agreement and fails to remedy such breach within seven (7) days of notice to do so by the non-defaulting party, the non-defaulting party may immediately terminate the Agreement. Non-payment by the Client of Consultant's invoices within 30 days of Consultant rendering same is agreed to constitute a material breach and, upon written notice as prescribed above, the duties, obligations and responsibilities of Consultant are terminated. On termination by either party, the Client shall forthwith pay Consultant all fees and charges for the Services provided to the effective date of termination.

ENVIRONMENTAL: Except as specifically described in this Agreement, Consultant's field investigation, laboratory testing and engineering recommendations will not address or evaluate pollution of soil or pollution of groundwater. Consultant is entitled to rely upon information provided by the Client, its consultants, and third-party sources provided such third party is, in Consultant's opinion, a reasonable source for such information, relating to subterranean structures or utilities. The Client releases Consultant from any liability and agrees to defend, indemnify and hold Consultant harmless from any and all claims, damages, losses and/or expenses, direct and indirect, or consequential damages relating to subterranean structures or utilities which are not correctly identified in such information.

PROFESSIONAL RESPONSIBILITY: In performing the Services, Consultant will provide and exercise the standard of care, skill and diligence required by customarily accepted professional practices normally provided in the performance of the Services at the time and the location in which the Services were performed.

INDEMNITY: The Client releases Consultant from any liability and agrees to defend, indemnify and hold Consultant harmless from any and all claims, damages, losses, and/or expenses, direct and indirect, or consequential damages, including but not limited to attorney's fees and charges and court and arbitration costs, arising out of, or claimed to arise out of, the performance of the Services, excepting liability arising from the sole negligence of Consultant.

LIMITATION OF LIABILITY: It is agreed that, to the fullest extent possible under the applicable law, the total amount of all claims the Client may have against Consultant under this Agreement, including but not limited to claims for negligence, negligent misrepresentation and/or breach of contract, shall be strictly limited to the lesser of professional fees paid to Consultant for the Services or $50,000.00. No claim may be brought against Consultant more than two (2) years after the cause of action arose. As the Client's sole and exclusive remedy under this Agreement any claim, demand or suit shall be directed and/or asserted only against Consultant and not against any of Consultant's employees, officers or directors.

Consultant's liability with respect to any claims arising out of this Agreement shall be absolutely limited to direct damages arising out of the Services and Consultant shall bear no liability whatsoever for any consequential loss, injury or damage incurred by the Client, including but not limited to claims for loss of use, loss of profits and/or loss of markets.

In no event shall Consultant's obligation to pay damages of any kind exceed its proportionate share of liability for causing such damages.

DOCUMENTS: All of the documents prepared by or on behalf of Consultant in connection with the Project are instruments of service for the execution of the Project. Consultant retains the property and copyright in these documents, whether the Project is executed or not. These documents may not be used for any other purpose without the prior written consent of Consultant. In the event Consultant's documents are subsequently reused or modified in any material respect without the prior consent of Consultant, the Client agrees to defend, hold harmless and indemnify Consultant from any claims advanced on account of said reuse or modification.

Any document produced by Consultant in relation to the Services is intended for the sole use of Client. The documents may not be relied upon by any other party without the express written consent of Consultant, which may be withheld at Consultant's discretion. Any such consent will provide no greater rights to the third party than those held by the Client under the contract and will only be authorized pursuant to the conditions of Consultant's standard form reliance letter.

Consultant cannot guarantee the authenticity, integrity or completeness of data files supplied in electronic format ("Electronic Files"). Client shall release, indemnify and hold Consultant, its officers, employees, Consultant's and agents harmless from any claims or damages arising from the use of Electronic Files. Electronic files will not contain stamps or seals, remain the property of Consultant, are not to be used for any purpose other than that for which they were transmitted, and are not to be retransmitted to a third party without Consultant's written consent.

FIELD SERVICES: Consultant shall not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with work on the Project, and shall not be responsible for any contractor's failure to carry out the work in accordance with the contract documents. Consultant shall not be responsible for the acts or omissions of any contractor, subcontractor, any of their agents or employees, or any other persons performing any of the work in connection with the Project. Consultant shall not be the prime contractor or similar under any occupational health and safety legislation.

GOVERNING LAW/COMPLIANCE WITH LAWS: The Agreement shall be governed, construed and enforced in accordance with the laws of the jurisdiction in which the majority of the Services are performed. Consultant shall observe and comply with all applicable laws, continue to provide equal employment opportunity to all qualified persons, and to recruit, hire, train, promote and compensate persons in all jobs without regard to race, color, religion, sex, age, disability or national origin or any other basis prohibited by applicable laws.

DISPUTE RESOLUTION: If requested in writing by either the Client or Consultant, the Client and Consultant shall attempt to resolve any dispute between them arising out of or in connection with this Agreement by entering into structured non-binding negotiations with the assistance of a mediator on a without prejudice basis. The mediator shall be appointed by agreement of the parties. The Parties agree that any actions under this Agreement will be brought in the appropriate court in the jurisdiction of the Governing Law, or elsewhere by mutual agreement. Nothing herein however prevents Consultant from any exercising statutory lien rights or remedies in accordance with legislation where the project site is located.

ASSIGNMENT: The Client shall not, without the prior written consent of Consultant, assign the benefit or in any way transfer the obligations under these Terms and Conditions or any part hereof.

SEVERABILITY: If any term, condition or covenant of the Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of the Agreement shall be binding on the Client and Consultant.

FORCE MAJEURE: Any default in the performance of this Agreement caused by any of the following events and without fault or negligence on the part of the defaulting party shall not constitute a breach of contract, labor strikes, riots, war, acts of governmental authorities, unusually severe weather conditions or other natural catastrophe, disease, epidemic or pandemic, or any other cause beyond the reasonable control or contemplation of either party. Nothing herein relieves the Client of its obligation to pay Consultant for services rendered.

COVID-19: The parties acknowledge the ongoing COVID-19 pandemic and agree that the fee and schedule in the proposal is based on what is currently understood. Where conditions change, the parties may have further discussions to manage and mitigate the impact of this evolving situation on the Project.

CONTRA PROFERENTEM: The parties agree that in the event this Agreement is subject to interpretation or construction by a third party, such third party shall not construe this Agreement or any part of it against either party as the drafter of this Agreement.

BUSINESS PRACTICES: Each Party shall comply with all applicable laws, contractual requirements and mandatory or best practice guidance regarding improper or illegal payments, gifts, or gratuities, and will not pay, promise to pay or authorize the payment of any money or anything of value, directly or indirectly, to any person (whether a government official or private individual) or entity for the purpose or illegally or improperly inducing a decision or obtaining or retaining business in connection with this Agreement or the Services.

FLORIDA CONTRACTS: PURSUANT TO FLORIDA STATUTES CHAPTER 558.0035 AN INDIVIDUAL EMPLOYEE OR AGENT MAY NOT BE HELD INDIVIDUALLY LIABLE FOR DAMAGES RESULTING FROM NEGLIGENCE.

Reviewed By:	
Legal	☐
Finance	■
Engineer	■
City Administrator	■
Community Development	☐
Purchasing	☐
Police	☐
Public Works	■
Parks and Recreation	☐

Agenda Item Number

Public Works Committee #1

Tracking Number

PW 2023-73

Agenda Item Summary Memo

Title: Pavement Management Program Update

Meeting and Date: City Council – September 26, 2023

Synopsis: Consideration of 5-Year Plan

Council Action Previously Taken:

Date of Action: PW – 9/19/23 Action Taken: Moved forward to City Council agenda.

Item Number: PW 2023-73

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Brad Sanderson (Name) Engineering (Department)

Agenda Item Notes:

Have a question or comment about this agenda item?
Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/320/City-Council

Memorandum

To: Bart Olson, City Administrator
From: Brad Sanderson, EEI
CC: Eric Dhuse, Director of Public Works
Rob Fredrickson, Finance Director
Jori Behland, City Clerk

Date: September 13, 2023
Subject: Pavement Management Update/Road to Better Roads Program

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Background

In the recent past, the City has selected streets for its upcoming RTBR program in the September timeframe. The timing allows us to move forward with the design in the fall and to receive IDOT approvals in early winter. We are then able to take advantage of bidding in February/March, which has historically been a prime bidding environment.

Discussion

A brief presentation has been prepared to provide an overview of the Pavement Management Plan. The presentation also provides recommendations and presents two 5-year plan options.

Option 1 assumes a budget of approximately $1,600,000 per year.

Option 2 assumes the completion of the major subdivision work by the end of 2028.

Action Requested:

General concurrence from City Council on the proposed 2024 RTBR program.

PAVEMENT MANAGEMENT PROGRAM UPDATE

United City of Yorkville / September 19, 2023

Agenda

1. Recap 2018 Pavement Management Report
2. Paving History Review
3. Recommendations and Draft 5-Year Plan
4. Questions

RECAP 2018 PAVEMENT MANAGEMENT REPORT

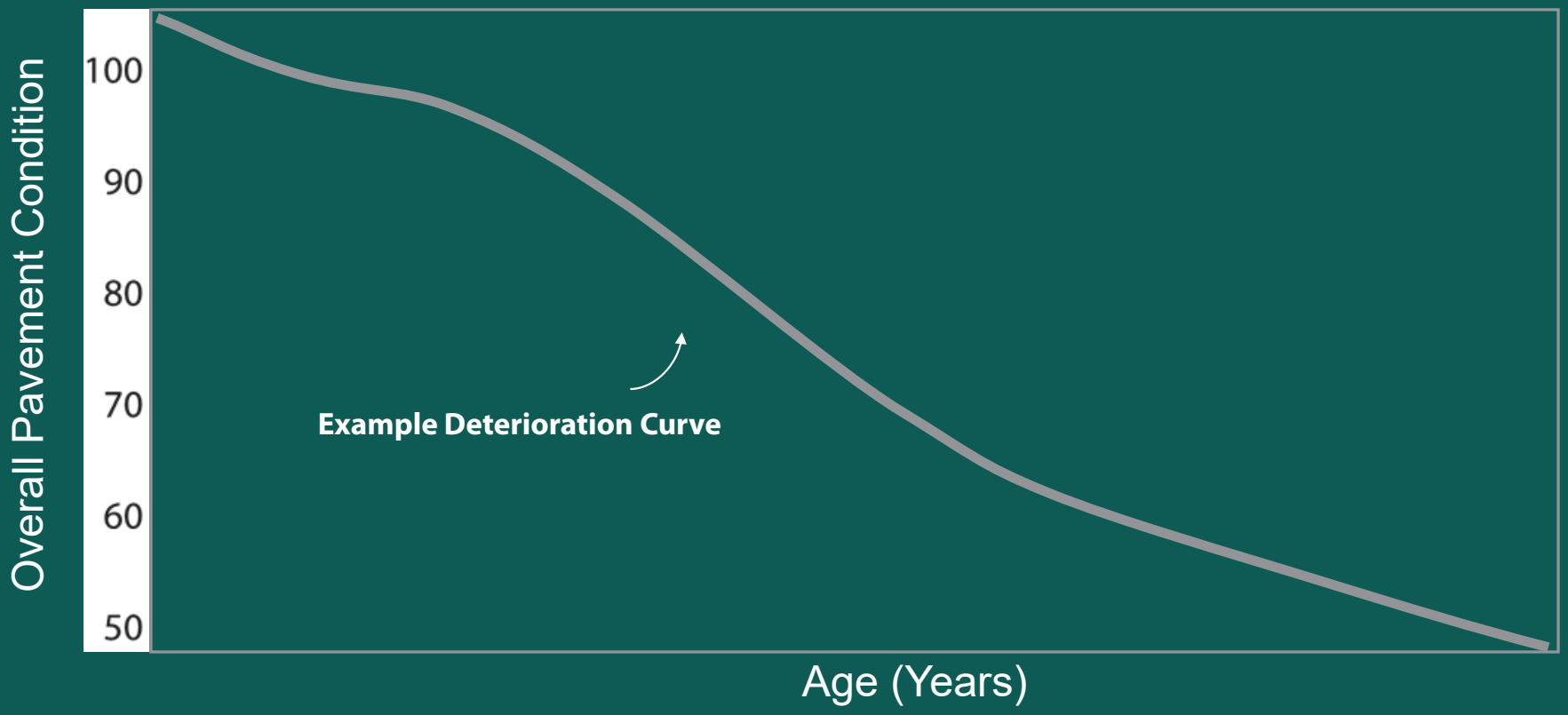
Pavement Management Project Goals

- Assign a Rating to Each Roadway and Inventory Each Street in the City
- Develop Maintenance Strategies and Costs
- Review Budget Needs and Impacts
- Apply Budget and Develop 5-Year Plan

What is a Pavement Management Program?

- It is a decision-making process that helps municipalities make cost-effective decisions concerning the maintenance and rehabilitation of their jurisdiction's pavements

What is a Pavement Management Program?



Roadway Inspections

Road Surface Tester

Subsurface Tester

Surface Distress Index (SDI)

Roughness Index (RI)

Structural Index (SI)

Overall Pavement Condition Index (PCI)

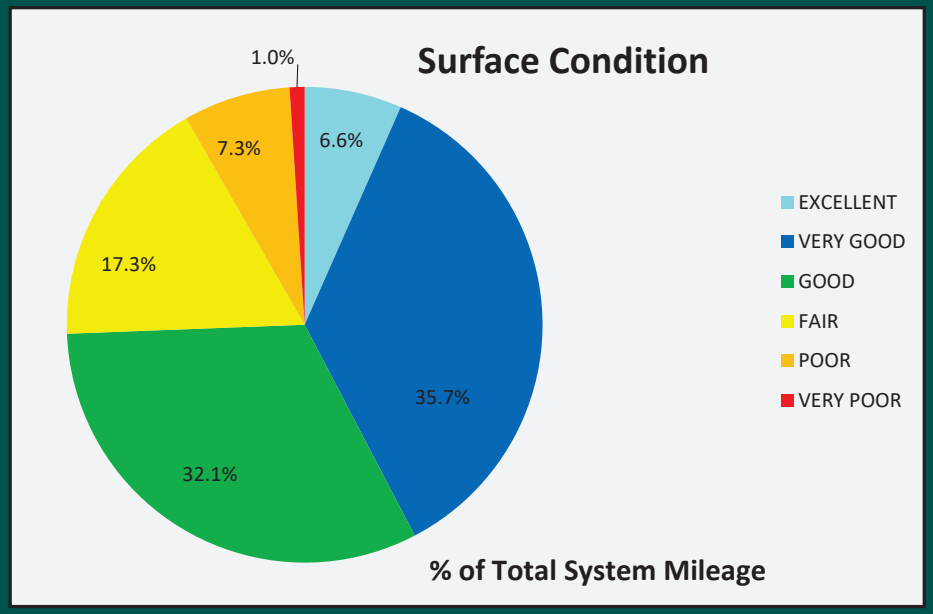
Quality	Rank
Excellent	100
	90
V. Good	80
Good	70
Fair	55
Poor	45
V. Poor	0

Roadway Inspections

Excellent	100
V. Good	90
Good	80
Fair	70
Poor	55
V. Poor	45
	0

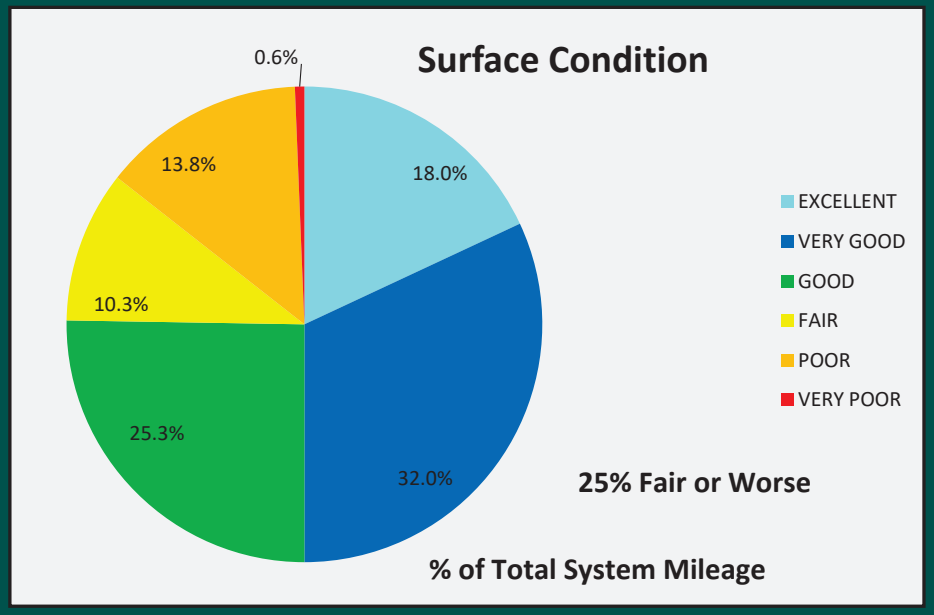
Roadway Inspections

- 113.5 Miles of Roadway in the City were Tested
- 7.5 Miles of Roadway are Binder Only (Not-Accepted)
- Overall Surface Rating of 76
- 74% of Roadways “Good or Better”, 26% “Fair or Worse”

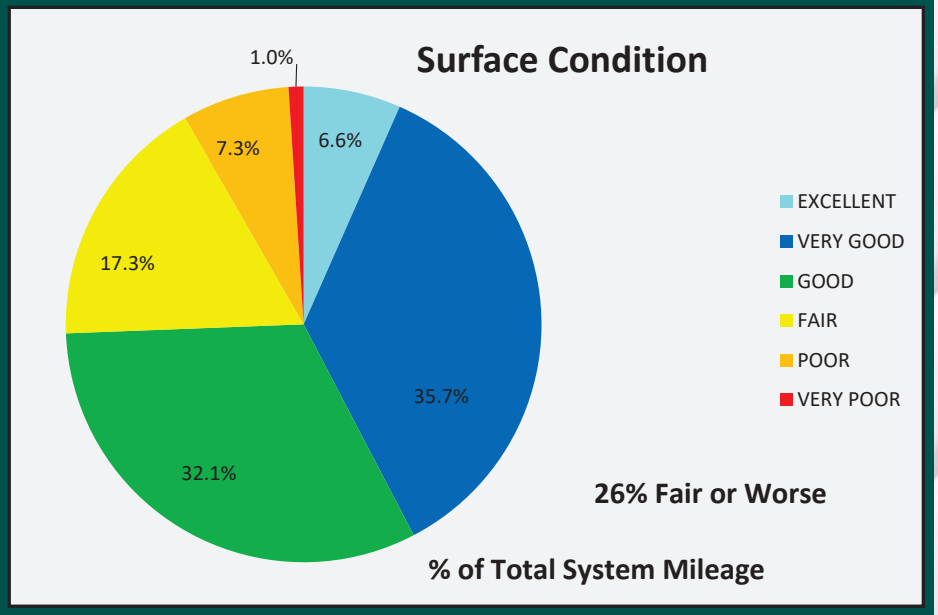


2013 & 2018 COMPARISON

2013



2018



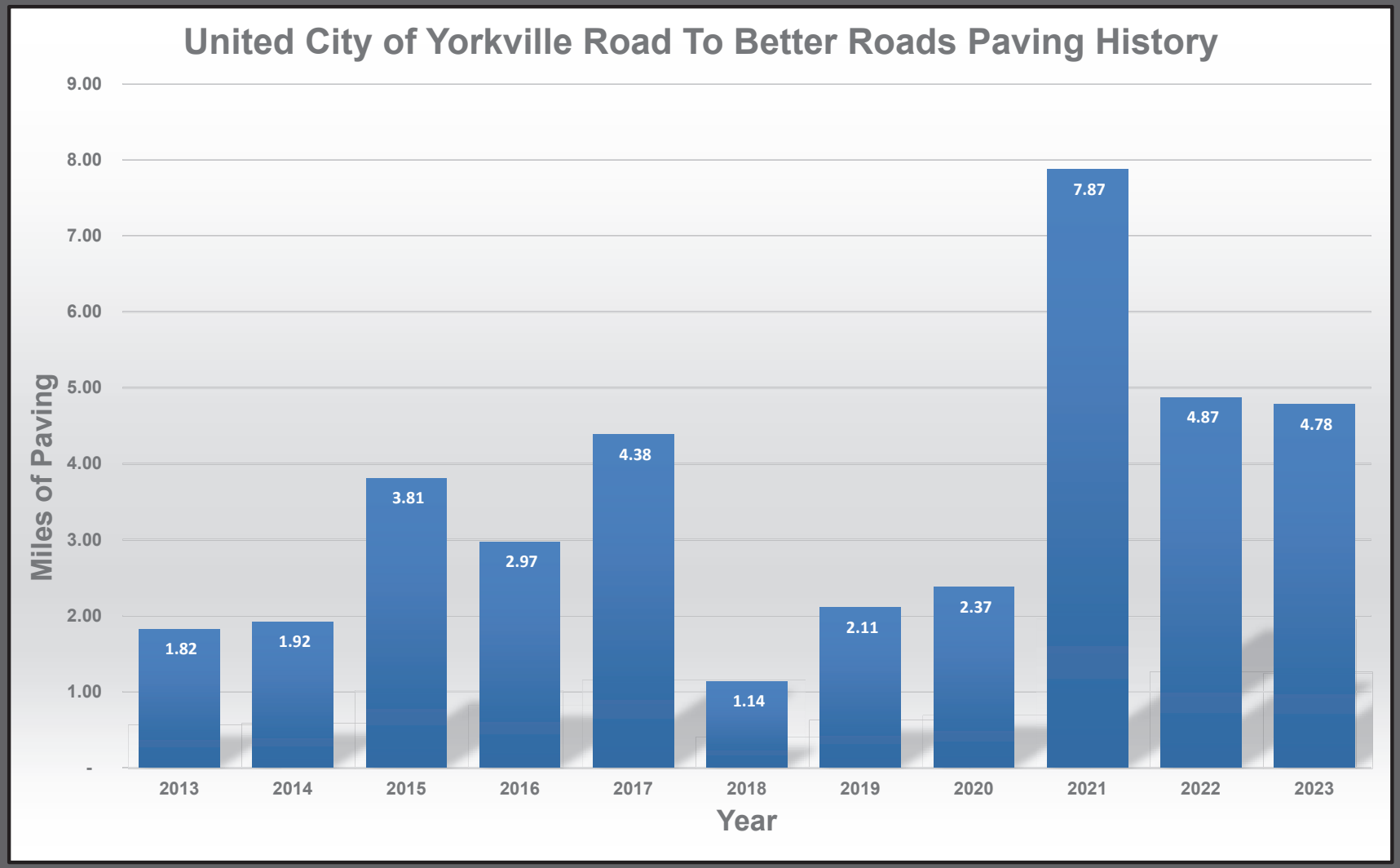
Report Recommendations

- 2018 Pavement Management Report recommended spending $2.1M per year to maintain the City's streets
  - This would result in resurfacing your streets approximately every 20 years
  - Spending $1.0M per year would result in the City streets being resurfaced approximately every 40 years

PAVING HISTORY AND
IMPROVEMENTS REVIEW

ROADWAY IMPROVEMENTS RECAP (2013-2023)

- Total of 74.51 Miles of resurfacing or 6.21 Miles/Year
  - 29.7 Miles from Developers for completion of Subdivision Streets
  - 25.6 Miles from RTBR
  - 3.4 Miles from Bonds (Countryside)
  - 3.4 Miles from Federal Grants
  - 12.5 Miles from Other Sources (ComEd, County, Rebuild & Water)



*Includes REBUILD Illinois Roadways

RECOMMENDATIONS AND DRAFT 5-YEAR PLAN

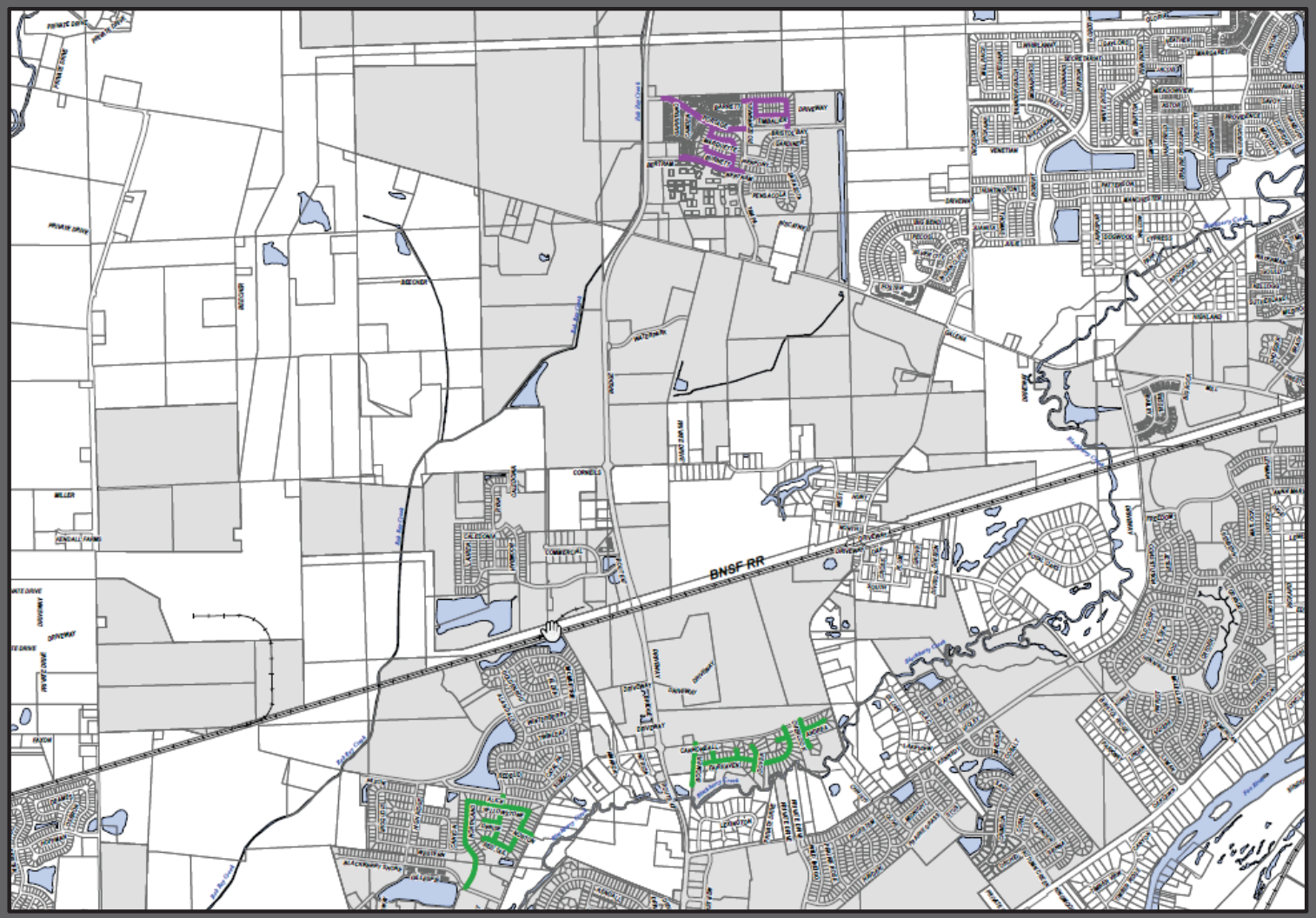
Pavement Management Next Steps

- Recommend new Pavement Management Study in 2025
- Industry Practice is to Inspect the Streets every 5-7 years
    - First inspection completed in 2012
    - Second inspection completed in 2018
    - Next inspection targeted for 2025
- Proposed Schedule
    - Roadway Inspection and Processing - 2025
    - Analysis and Draft Program - Winter 2025/2026
    - Council Presentation/Approval - Spring 2026

Plan Considerations

- Need to adopt a new plan for 2024-2028
- Staff reviewed different funding levels
  - Option 1 – Maintain current spending of $1.6M
  - Option 2 – Finish major subdivision paving by 2028
- Plans are re-evaluated every September for upcoming year
- Other considerations
  - Resurfacing of watermain replacement streets
  - Patching on concrete roadways
  - Pavement rejuvenation
  - Future federally funded projects
- Proposed Schedule
  - Approval of 5-Year Plan – September 26, 2023
  - Engineering Agreement Approvals (2024 Streets) – October 24, 2023
  - Bidding/Letting – February 2024
  - Construction Begins – May 2024

OPTION 1



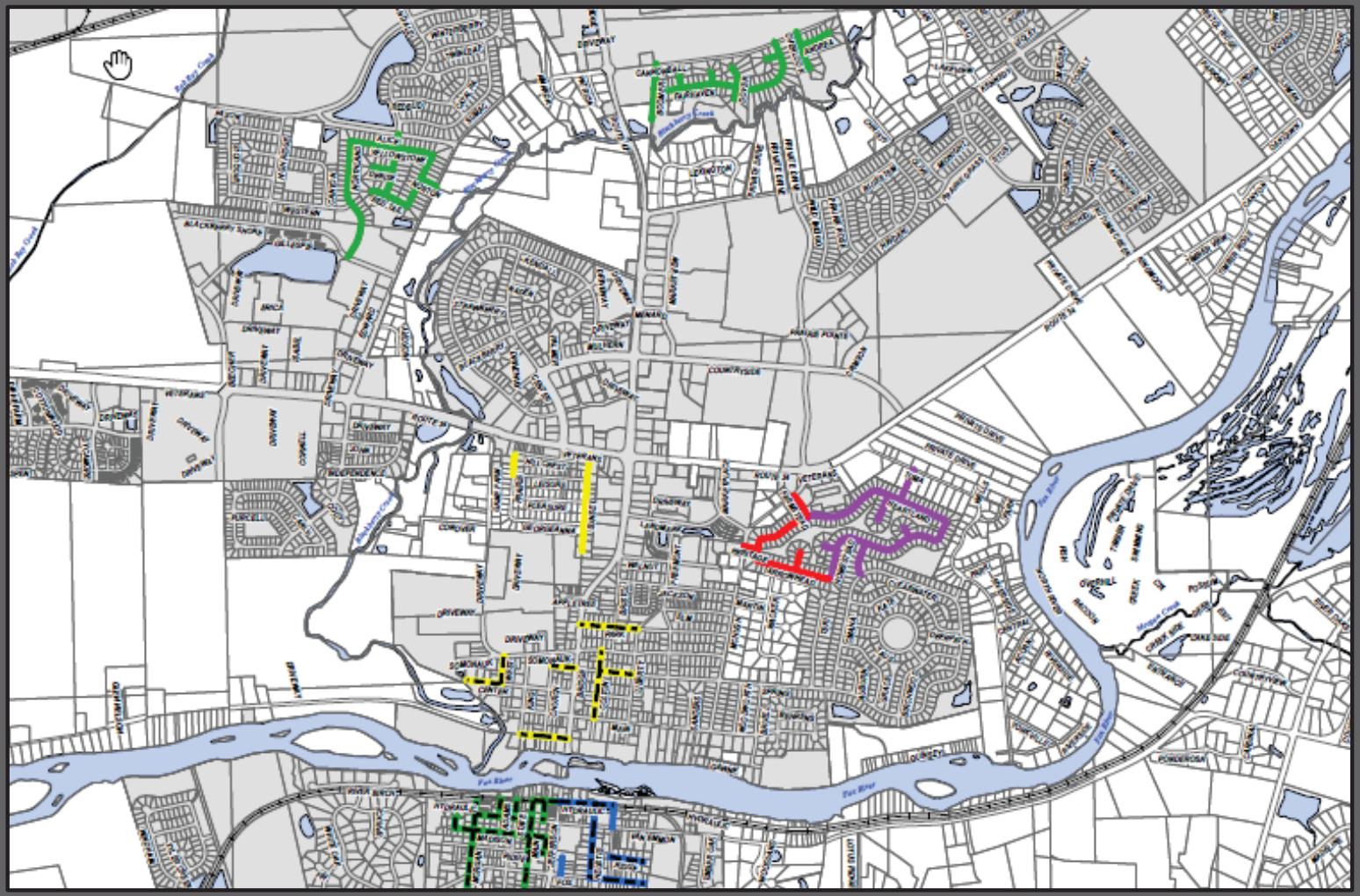
Legend

WATER MAIN REPLACEMENT LIMITS

Year of Improvement

- 2024
- 2025
- 2026
- 2027
- 2028

OPTION 1



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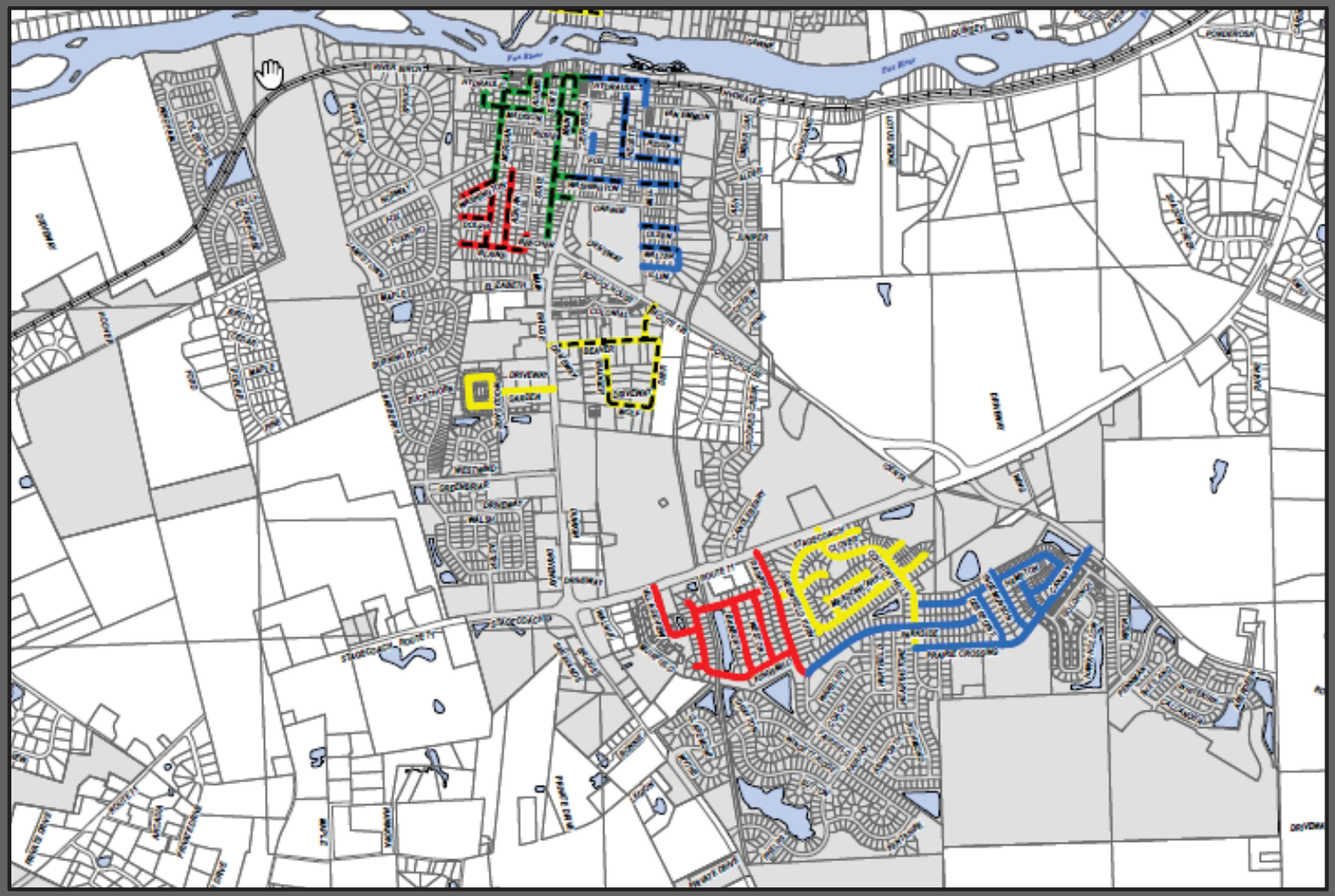
WATER MAIN REPLACEMENT LIMITS

Year of Improvement

- 2024
- 2025
- 2026
- 2027
- 2028

OPTION 1



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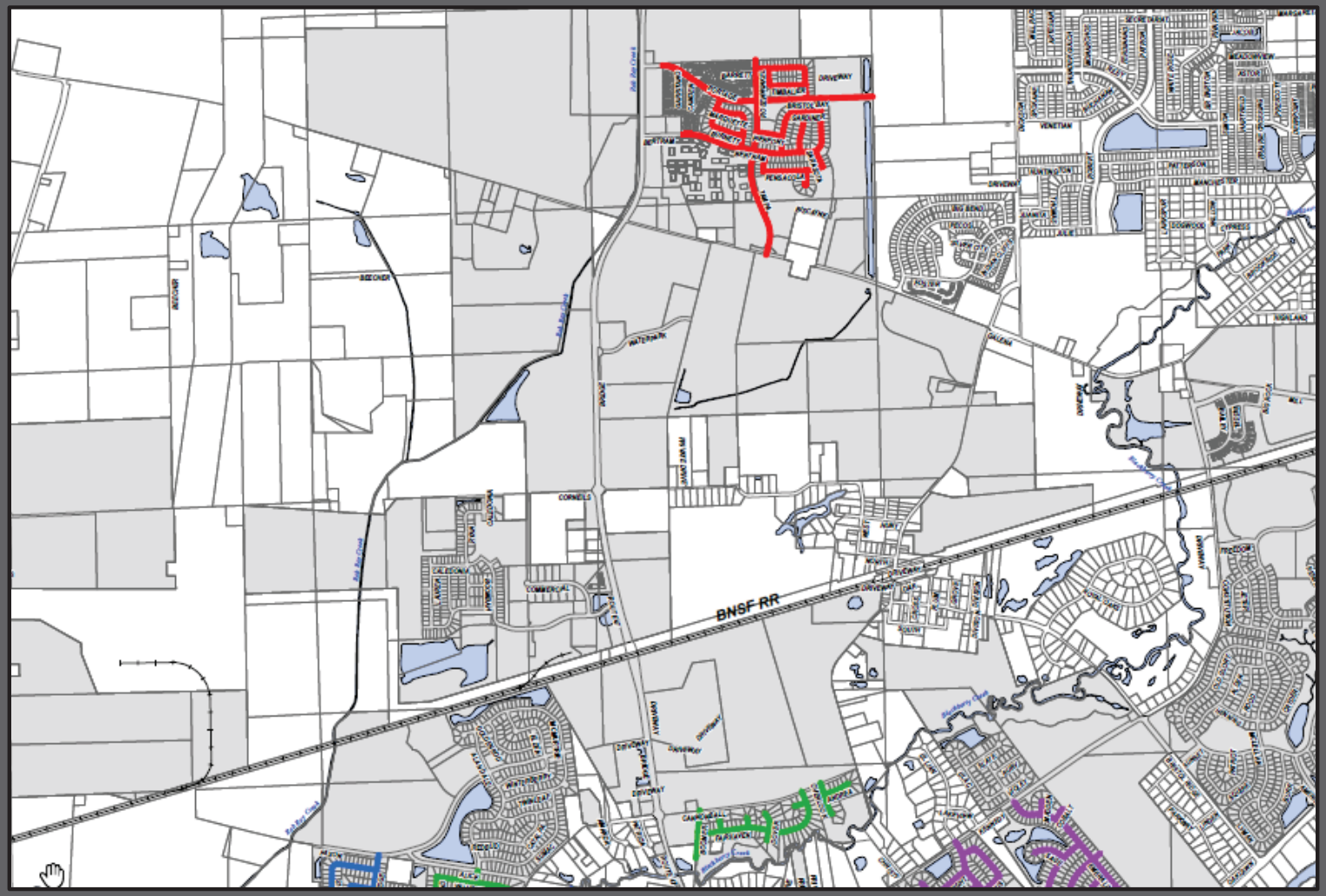
WATER MAIN REPLACEMENT LIMITS

Year of Improvement

- 2024
- 2025
- 2026
- 2027
- 2028

DRAFT 5-YEAR PLAN
OPTION 2

OPTION 2



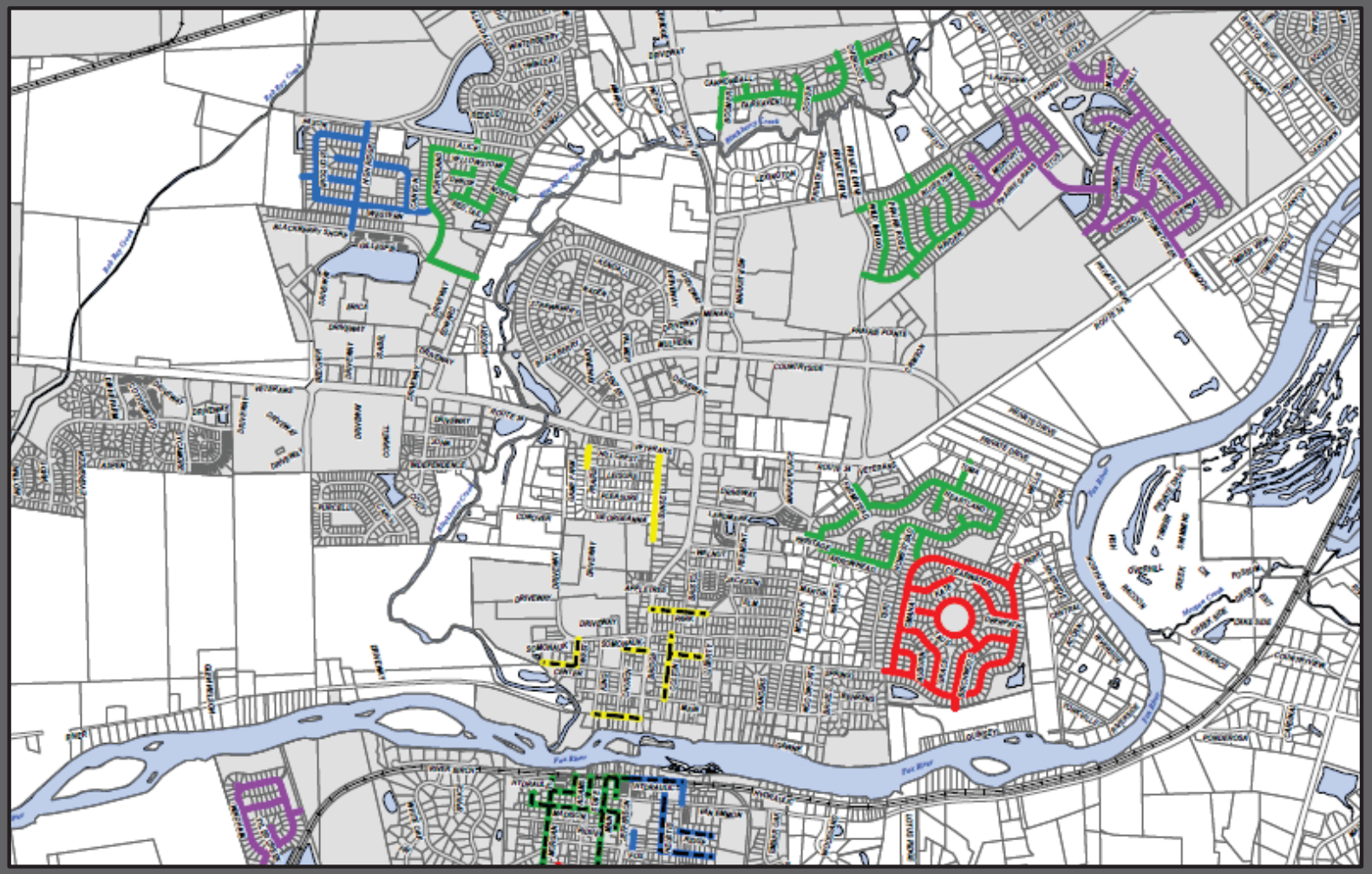
Legend

WATER MAIN REPLACEMENT LIMITS

Year of Improvement

- 2024
- 2025
- 2026
- 2027
- 2028

OPTION 2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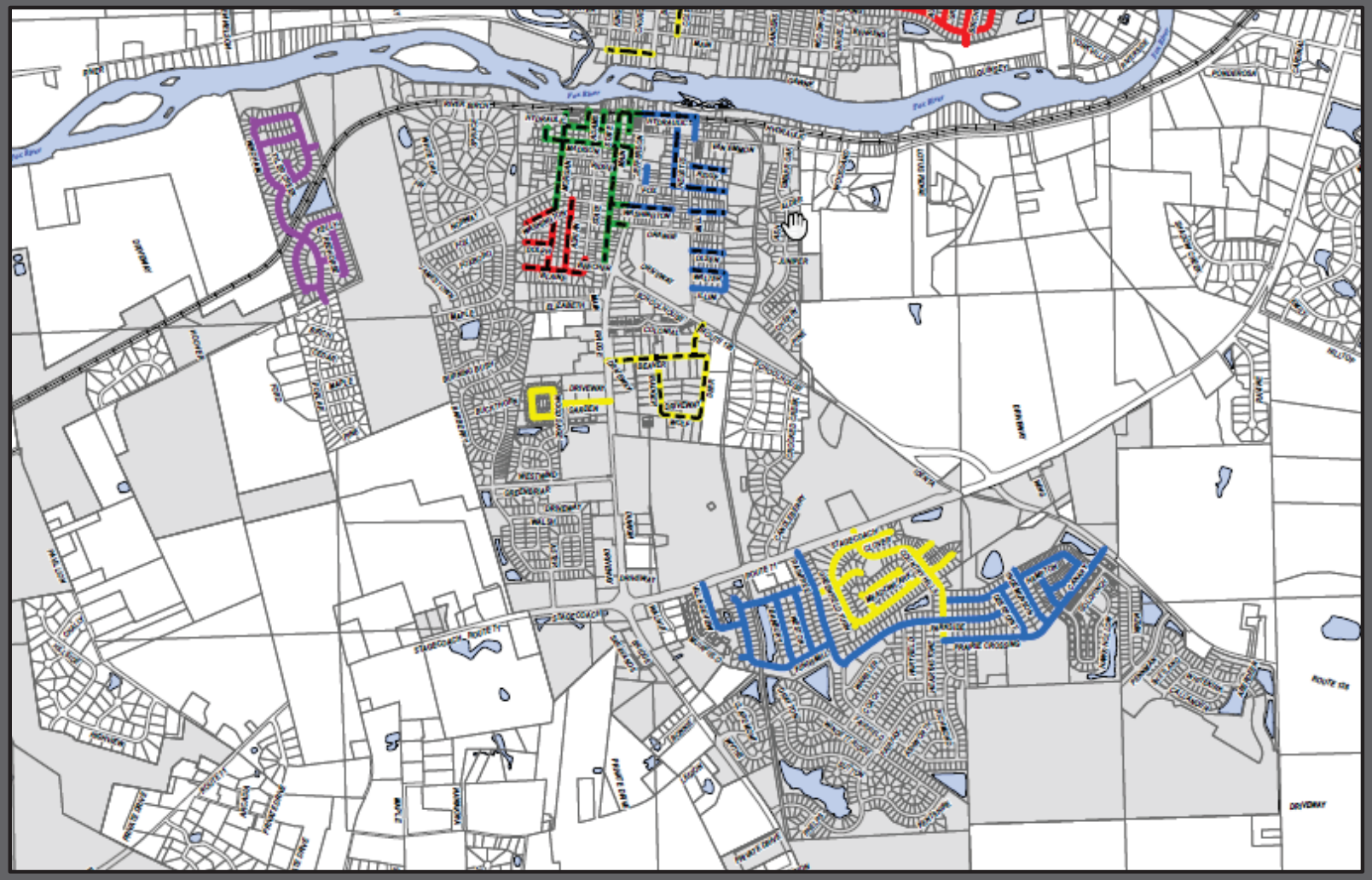
WATER MAIN REPLACEMENT LIMITS
Year of Improvement
2024
2025
2026
2027
2028

OPTION 2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WATER MAIN REPLACEMENT LIMITS
Year of Improvement
2024
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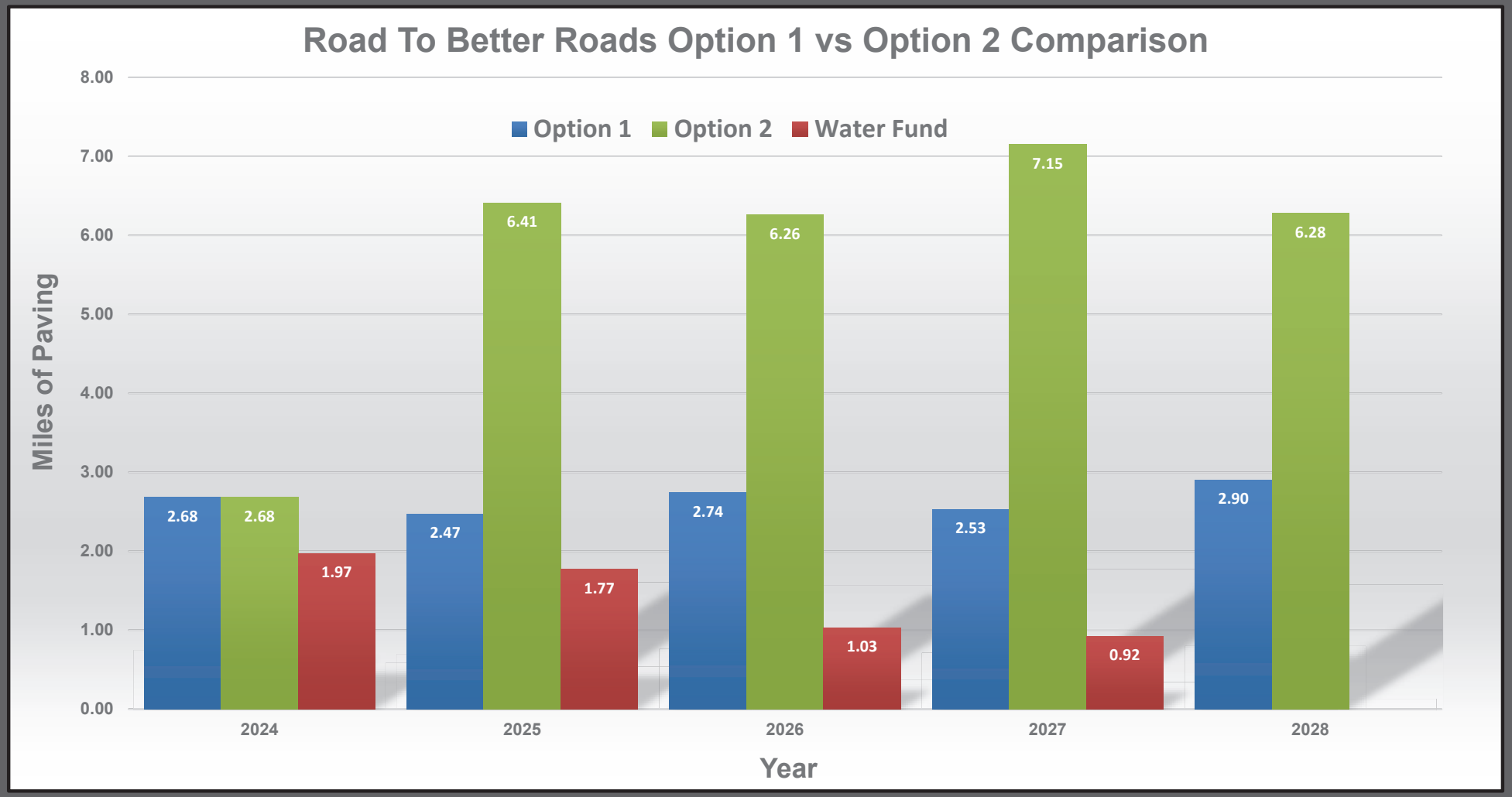
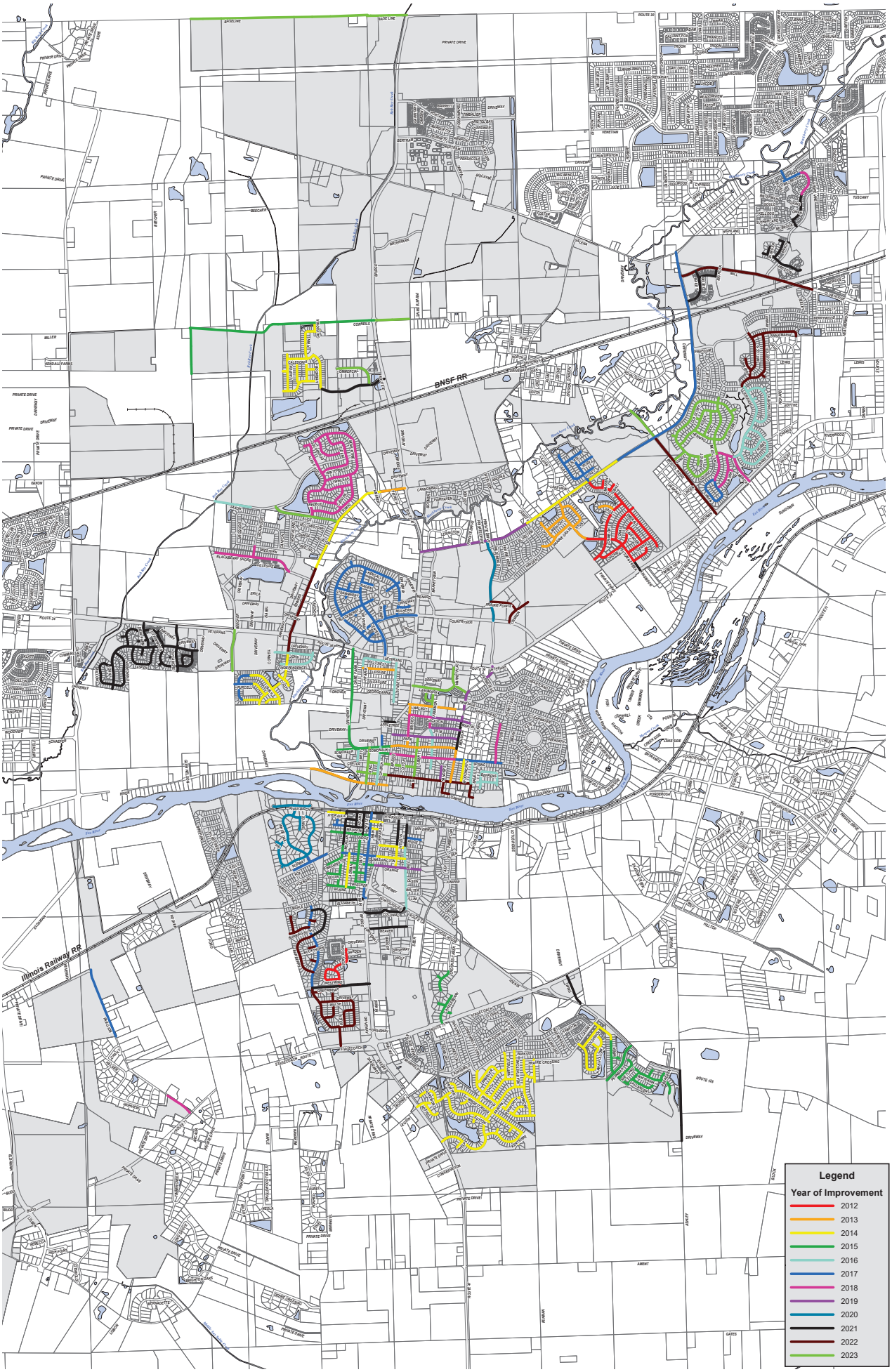

Road To Better Roads Option 1 vs Option 2 Comparison
Option 1
Option 2
Water Fund
Miles of Paving
8.00
7.00
6.00
5.00
4.00
3.00
2.00
1.00
0.00
2.68
2.68
1.97
2.47
6.41
1.77
2.74
6.26
1.03
2.53
7.15
0.92
2.90
6.28
2024
2025
2026
2027
2028
Year

Questions or Comments?



Engineering Enterprises, Inc.
52 Wheeler Road
Sugar Grove, Illinois 60554
(630) 466-6700
www.eeiweb.com

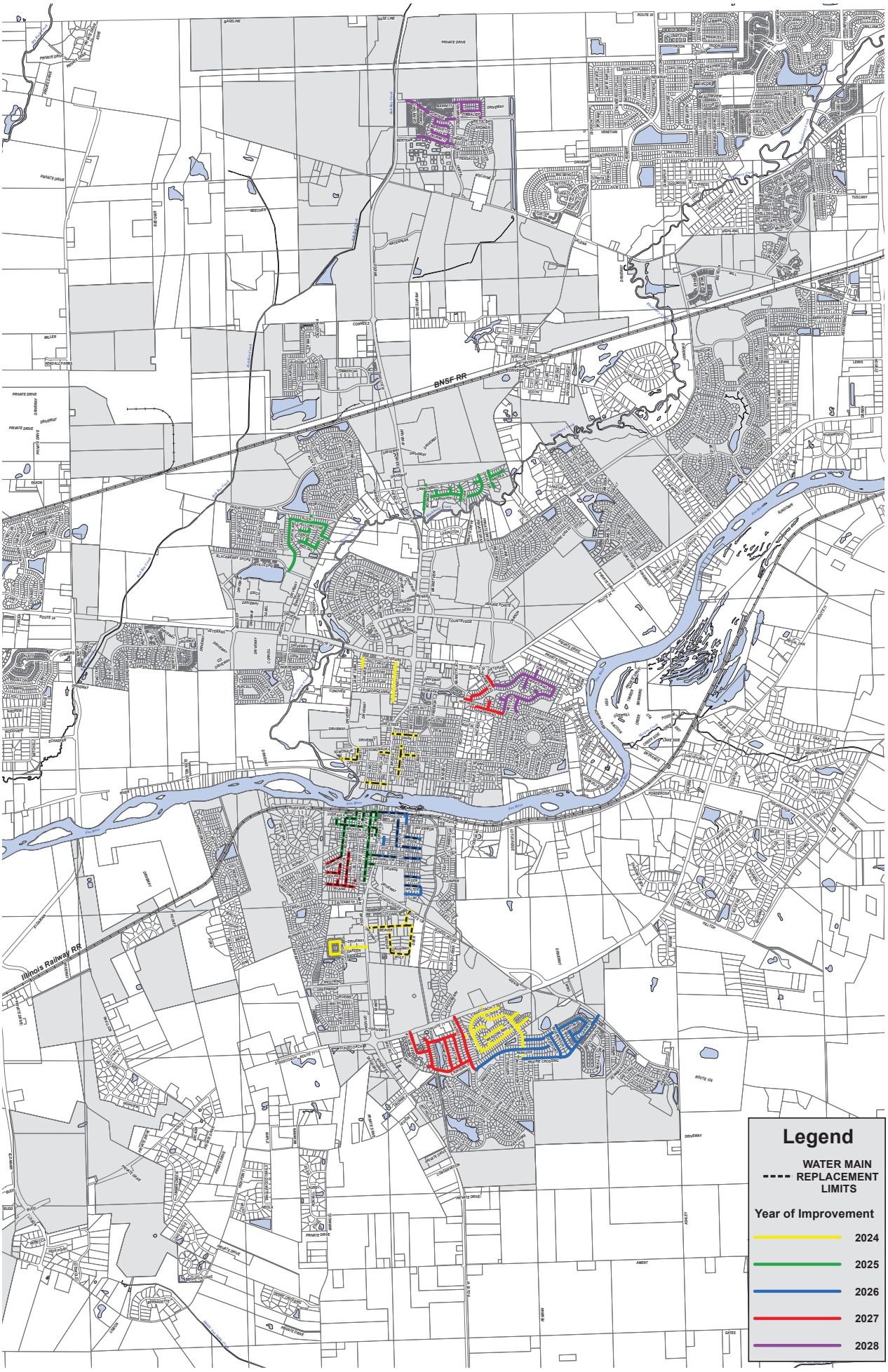
United City of Yorkville
651 Prairie Pointe Dr,
Yorkville, IL 60560

DATE: SEPTEMBER 2023
PROJECT NO.: YO23SB
BY: MJT
PATH: H:\GIS\PUBLIC\YORKVILLE\2023\YO23SB
FILE:

PAVEMENT MANAGEMENT SYSTEM UPDATE 2023
UNITED CITY OF YORKVILLE, ILLINOIS

PAVING HISTORY 2012-2023

NORTH



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DATE: SEPTEMBER 2023
PROJECT NO.: YO23B
BY: MJT
PATH: H:\GIS\PUBLIC\YORKVILLE\2023\YO23B
FILE: YO23B Paving Super Plan Option 1

PAVEMENT MANAGEMENT SYSTEM UPDATE 2023
UNITED CITY OF YORKVILLE, ILLINOIS

DRAFT 5-YEAR PLAN OPTION 1

NORTH

RTBR PROGRAM UPDATE
United City of Yorkville
SEPTEMBER 2023

PROPOSED RTBR PROGRAM FUNDING

2024 (FY25) STREET REHABILITATION LIST										
STREET	**FROM**	**TO**	**STRATEGY**	**LENGTH**	**AREA**	**DEFLECTION CONDITION**	**DYNAMIC CONDITION**	**SURFACE CONDITION**	**CURRENT RANK**	**COST**
CLOVER COURT	COUNTRY HILLS DRIVE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	666	2,120	100	82	69	82	$ 60,950
COUNTRY HILLS DRIVE	IL ROUTE 71	HAMPTON LANE	VARIABLE DEPTH MILL, OVERLAY 3"	2,020	6,960	100	93	68	84	$ 200,100
COUNTRY HILLS DRIVE	HAMPTON LANE	PRAIRIE CROSSING DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	659	1,977	100	82	65	83	$ 56,839
FAWN RIDGE COURT	COUNTRY HILLS DRIVE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	505	2,340	100	87	71	84	$ 67,275
GARDEN CIRCLE	GARDEN STREET	GARDEN STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,573	5,350	100	89	66	84	$ 153,813
GARDEN STREET	IL ROUTE 47	GARDEN CIRCLE	VARIABLE DEPTH MILL, OVERLAY 3"	935	3,365	100	94	66	85	$ 96,744
GREENFIELD TURN	COUNTRY HILLS DRIVE	COUNTRY HILLS DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	3,195	9,175	100	87	68	81	$ 263,781
HARVEST TRAIL	COUNTRY HILLS DRIVE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	330	1,180	100	96	69	87	$ 33,925
MEADOWLARK COURT	MEADOWLARK LANE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	161	1,010	100	66	73	78	$ 29,038
MEADOWLARK LANE	GREENFIELD TURN	GREENFIELD TURN	VARIABLE DEPTH MILL, OVERLAY 3"	1,306	4,280	100	80	65	84	$ 123,050
PRAIRIE LANE	LEISURE STREET	HILLCREST AVENUE	MILL 1.5", OVERLAY 1.5"	380	1,013	100	98	88	86	$ 16,208
SUNNY DELL COURT	GREENFIELD TURN	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	564	2,125	100	90	66	84	$ 61,094
SUNNY DELL LANE	GREENFIELD TURN	RAINTREE ROAD	VARIABLE DEPTH MILL, OVERLAY 3"	290	920	100	84	66	80	$ 26,450
SUNSET AVENUE	HILLCREST AVENUE	SOUTH END	MILL 1.5", OVERLAY 1.5"	1,565	4,086	100	91	80	82	$ 65,376
MISCELLANEOUS CITY WIDE CRACK SEALING				N/A	N/A	N/A	N/A	N/A	N/A	$ 40,000
MISCELLANEOUS CITY WIDE CONCRETE PATCHING				N/A	N/A	N/A	N/A	N/A	N/A	$ 75,000
WATER IMPROVEMENT STREETS COST				N/A	N/A	N/A	N/A	N/A	N/A	$ 150,000
MISCELLANEOUS CITY WIDE STRIPING				N/A	N/A	N/A	N/A	N/A	N/A	$ 50,000
PAVEMENT REJUVENATION (2023 RESURFACING & WATER STREETS)				N/A	N/A	N/A	N/A	N/A	N/A	$ 102,000
			TOTAL:	**2.68**	**45,901**				**TOTAL COST:**	**$ 1,671,642**

RTBR PROGRAM UPDATE
United City of Yorkville
SEPTEMBER 2023

PROPOSED RTBR PROGRAM FUNDING

2025 (FY26) STREET REHABILITATION LIST

STREET	FROM	TO	STRATEGY	LENGTH	AREA	DEFLECTION CONDITION	DYNAMIC CONDITION	SURFACE CONDITION	CURRENT RANK	COST
ALAN DALE LANE	ALICE AVE	RED TAIL COURT	VARIABLE DEPTH MILL, OVERLAY 3"	1,013	3,130	100	86	65	81	$ 92,687
ANDREA COURT	OVERLOOK COURT	EAST END	VARIABLE DEPTH MILL, OVERLAY 3"	587	2,300	100	91	72	86	$ 68,109
BOOMER LANE	CANNONBALL TRAIL	SOUTH END	VARIABLE DEPTH MILL, OVERLAY 3"	950	2,125	100	91	68	83	$ 52,530
CHESHIRE COURT	FAIRHAVEN DRIVE	WEST END	VARIABLE DEPTH MILL, OVERLAY 3"	305	1,310	100	87	64	82	$ 38,792
DENISE COURT	ALAN DALE LANE	WEST END	VARIABLE DEPTH MILL, OVERLAY 3"	400	1,640	100	88	73	85	$ 48,565
DOVER COURT (N)	NORTH END	FAIRHAVEN DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	384	1,660	100	81	66	80	$ 49,157
DOVER COURT (S)	FAIRHAVEN DRIVE	SOUTH END	VARIABLE DEPTH MILL, OVERLAY 3"	213	1,120	100	68	66	73	$ 33,166
ESSEX COURT	FAIRHAVEN DRIVE	NORTH END	VARIABLE DEPTH MILL, OVERLAY 3"	279	1,250	100	80	69	81	$ 37,016
FAIRHAVEN DRIVE	BOOMER LANE	CANNONBALL TRAIL	VARIABLE DEPTH MILL, OVERLAY 3"	2,752	7,460	100	87	66	83	$ 207,463
MEADOWVIEW LANE	YELLOWSTONE LANE	RED TAIL LANE	VARIABLE DEPTH MILL, OVERLAY 3"	879	2,980	100	80	61	78	$ 88,245
NEWBURY COURT	FAIRHAVEN DRIVE	NORTH END	VARIABLE DEPTH MILL, OVERLAY 3"	292	1,280	100	75	71	80	$ 37,904
NORTHLAND LANE	BLACKBERRY SHORE LANE	YELLOWSTONE LANE	VARIABLE DEPTH MILL, OVERLAY 3"	1,992	6,310	100	79	70	78	$ 175,481
NORTON LANE	MEADOWVIEW LANE	CANNONBALL TRAIL	VARIABLE DEPTH MILL, OVERLAY 3"	312	760	100	88	69	84	$ 22,506
OVERLOOK COURT	CANNONBALL TRAIL	SOUTH END	VARIABLE DEPTH MILL, OVERLAY 3"	669	2,630	100	79	72	82	$ 77,881
RED TAIL COURT	ALAN DALE LANE	WEST END	VARIABLE DEPTH MILL, OVERLAY 3"	282	1,470	100	78	71	81	$ 43,530
RED TAIL LANE	RED TAIL COURT	MEADOWVIEW LANE	VARIABLE DEPTH MILL, OVERLAY 3"	407	1,550	100	75	61	75	$ 45,899
YELLOWSTONE LANE	NORTHLAND LANE	MEADOWVIEW LANE	VARIABLE DEPTH MILL, OVERLAY 3"	1,312	3,910	100	71	66	76	$ 115,785
MISCELLANEOUS CITY WIDE CRACK SEALING				N/A	N/A	N/A	N/A	N/A	N/A	$ 40,000
MISCELLANEOUS CITY WIDE CONCRETE PATCHING				N/A	N/A	N/A	N/A	N/A	N/A	$ 75,000
WATER IMPROVEMENT STREETS COST				N/A	N/A	N/A	N/A	N/A	N/A	$ 150,000
MISCELLANEOUS CITY WIDE STRIPING				N/A	N/A	N/A	N/A	N/A	N/A	$ 50,000
PAVEMENT REJUVENTATION (2024 RESURFACING & WATER STREETS)				N/A	N/A	N/A	N/A	N/A	N/A	$ 85,000
			TOTAL:	**2.47**	**42,885**				**TOTAL COST:**	**$ 1,634,715**

RTBR PROGRAM UPDATE
United City of Yorkville
SEPTEMBER 2023

PROPOSED RTBR PROGRAM FUNDING

2026 (FY27) STREET REHABILITATION LIST										
STREET	**FROM**	**TO**	**STRATEGY**	**LENGTH**	**AREA**	**DEFLECTION CONDITION**	**DYNAMIC CONDITION**	**SURFACE CONDITION**	**CURRENT RANK**	**COST**
BELL STREET	E FOX STREET	NORTH END	VARIABLE DEPTH MILL, OVERLAY 3"	188	585	100	93	36	71	$ 17,843
BLUEBIRD LANE	HAMPTON LANE	PRAIRIE CROSSING DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	798	2,400	100	83	64	80	$ 73,202
CANARY AVENUE	BLUEBIRD LANE	HAMPTON LANE	VARIABLE DEPTH MILL, OVERLAY 3"	725	2,095	100	85	77	85	$ 63,899
DEERPOINT LANE	HAMPTON LANE	PRAIRIE CROSSING DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	945	2,800	100	82	68	81	$ 85,402
HAMPTON LANE	COUNTRY HILLS DRIVE	PRAIRIE CROSSING DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	2,773	8,100	100	90	71	84	$ 232,019
ILLINI DRIVE	WALTER STREET	MILL STREET	VARIABLE DEPTH MILL, OVERLAY 3"	843	2,600	100	65	62	75	$ 74,475
ILLINI COURT	ILLINI DRIVE	ILLINI DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	292	900	100	61	54	71	$ 25,780
INGEMUNSON LANE	PRAIRIE CROSSING DRIVE	HAMPTON LANE	VARIABLE DEPTH MILL, OVERLAY 3"	932	2,900	100	93	66	84	$ 88,453
MILL STREET	E VAN EMMON STREET	E HYDRAULIC AVENUE	VARIABLE DEPTH MILL, OVERLAY 3"	367	800	100	92	69	85	$ 20,369
PARKSIDE LANE	DEERPOINT LANE	RAINTREE ROAD	VARIABLE DEPTH MILL, OVERLAY 3"	3,128	9,730	100	88	69	81	$ 278,709
PRAIRIE CROSSING DRIVE	COUNTRY HILLS DRIVE	IL ROUTE 126	VARIABLE DEPTH MILL, OVERLAY 3"	3,468	12,250	100	94	72	85	$ 350,893
MISCELLANEOUS CITY WIDE CRACK SEALING				N/A	N/A	N/A	N/A	N/A	N/A	$ 40,000
MISCELLANEOUS CITY WIDE CONCRETE PATCHING				N/A	N/A	N/A	N/A	N/A	N/A	$ 75,000
WATER IMPROVEMENT STREETS COST				N/A	N/A	N/A	N/A	N/A	N/A	$ 150,000
MISCELLANEOUS CITY WIDE STRIPING				N/A	N/A	N/A	N/A	N/A	N/A	$ 50,000
PAVEMENT REJUVENTATION (2025 RESURFACING & WATER STREETS)				N/A	N/A	N/A	N/A	N/A	N/A	$ 85,000
			TOTAL:	**2.74**	**45,160**				**TOTAL COST;**	**$ 1,711,044**

RTBR PROGRAM UPDATE
United City of Yorkville
SEPTEMBER 2023

PROPOSED RTBR PROGRAM FUNDING

2027 (FY28) STREET REHABILITATION LIST										
STREET	**FROM**	**TO**	**STRATEGY**	**LENGTH**	**AREA**	**DEFLECTION CONDITION**	**DYNAMIC CONDITION**	**SURFACE CONDITION**	**CURRENT RANK**	**COST**
ARROWHEAD DRIVE	HEARTLAND DRIVE	HOMESTEAD DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	1,413	4,620	100	87	69	84	$ 136,307
BALTRUSOL COURT	KINGSMILL STREET	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	177	590	100	94	74	87	$ 18,535
BANBURY AVENUE	HAZELTINE WAY	KINGSMILL STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,195	3,570	100	97	72	87	$ 112,155
FARMSTEAD DRIVE	MCHUGH ROAD	HEARTLAND DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	443	1,480	100	94	71	87	$ 46,496
HAZELTINE WAY	KINGSMILL STREET	RAINTREE ROAD	VARIABLE DEPTH MILL, OVERLAY 3"	1,312	4,010	100	97	68	86	$ 125,978
HEARTLAND DRIVE	FARMSTEAD DRIVE	ARROWHEAD DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	1,018	3,100	100	88	69	84	$ 97,389
HERITAGE DRIVE	MCHUGH ROAD	HEARTLAND DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	223	695	100	100	76	88	$ 21,834
KINGSMILL COURT	KINGSMILL STREET	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	256	820	100	85	74	85	$ 25,761
KINGSMILL STREET	HAZELTINE WAY	RAINTREE ROAD	VARIABLE DEPTH MILL, OVERLAY 3"	2,429	7,560	100	89	67	84	$ 223,047
RAINTREE ROAD	IL ROUTE 71	PARKSIDE LANE	VARIABLE DEPTH MILL, OVERLAY 3"	2,152	6,695	100	99	74	88	$ 197,527
STILLWATER COURT	ARROWHEAD DRIVE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	354	1,130	100	77	74	82	$ 35,500
VILLAGE VIEW DRIVE	IL ROUTE 71	KINGSMILL STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,276	3,970	100	86	70	83	$ 117,129
WESTON AVENUE	HAZELTINE WAY	KINGSMILL STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,136	3,530	100	91	67	84	$ 110,898
MISCELLANEOUS CITY WIDE CRACK SEALING				N/A	N/A	N/A	N/A	N/A	N/A	$ 40,000
MISCELLANEOUS CITY WIDE CONCRETE PATCHING				N/A	N/A	N/A	N/A	N/A	N/A	$ 75,000
WATER IMPROVEMENT STREETS COST				N/A	N/A	N/A	N/A	N/A	N/A	$ 150,000
MISCELLANEOUS CITY WIDE STRIPING				N/A	N/A	N/A	N/A	N/A	N/A	$ 50,000
PAVEMENT REJUVENTATION (2026 RESURFACING & WATER STREETS)				N/A	N/A	N/A	N/A	N/A	N/A	$ 80,000
			TOTAL:	**2.53**	**41,770**				**TOTAL COST:**	**$ 1,663,556**

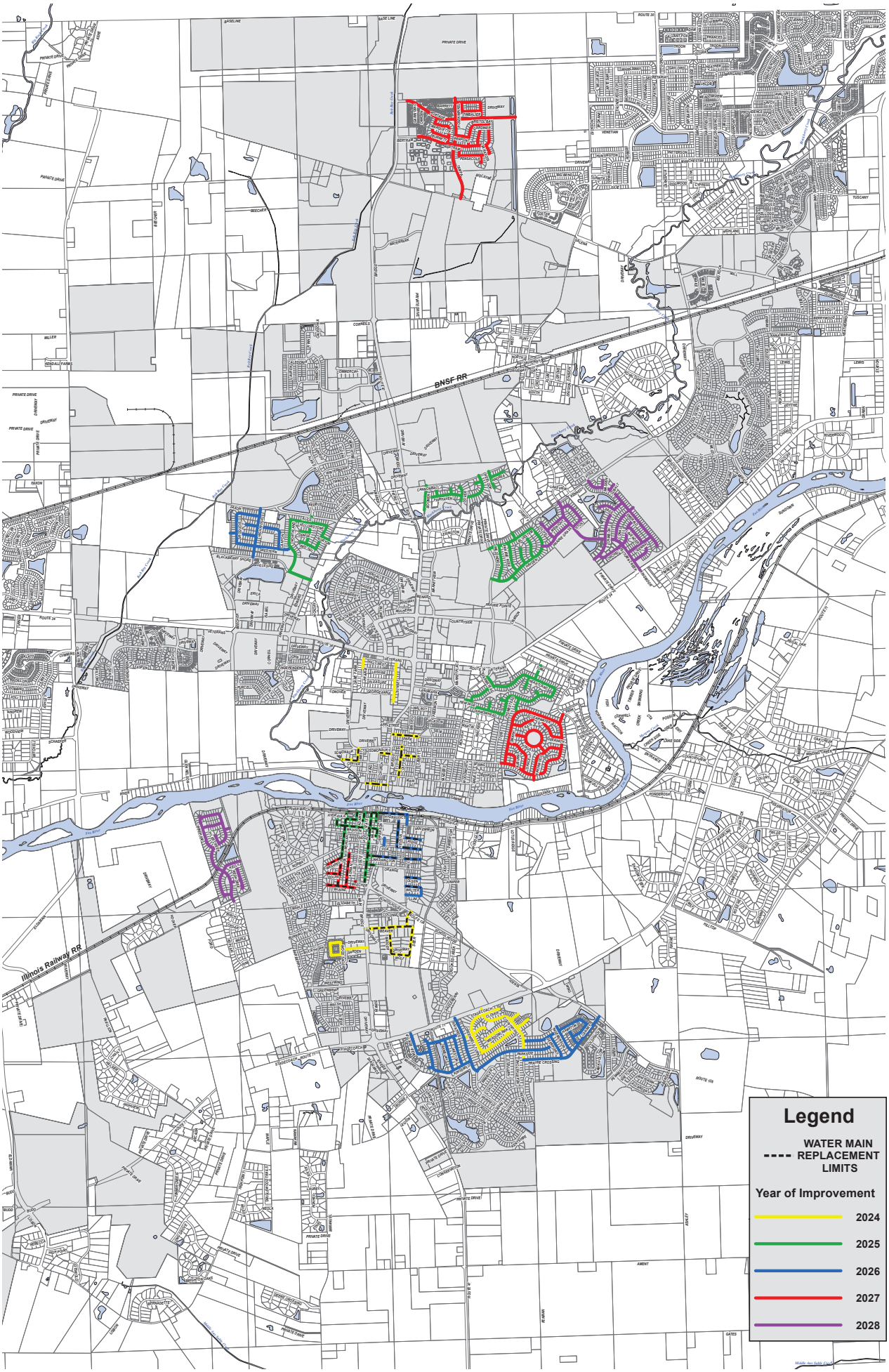
RTBR PROGRAM UPDATE
United City of Yorkville
SEPTEMBER 2023

PROPOSED RTBR PROGRAM FUNDING

2028 (FY29) STREET REHABILITATION LIST										
STREET	**FROM**	**TO**	**STRATEGY**	**LENGTH**	**AREA**	**DEFLECTION CONDITION**	**DYNAMIC CONDITION**	**SURFACE CONDITION**	**CURRENT RANK**	**COST**
BERTRAM DRIVE	WEST END	ROSENWINKEL STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,323	4,095	100	83	71	81	$ 124,442
BRISTOL BAY DRIVE	WEST END	ROSENWINKEL STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,958	6,400	100	85	69	82	$ 194,488
BURNETT STREET	BRISTOL BAY DRIVE	MARQUETTE STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,175	3,185	100	68	72	78	$ 103,061
DAKOTA DRIVE	TUMA ROAD	HEARTLAND DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	453	1,510	100	93	70	86	$ 48,861
HALEY COURT	HOMESTEAD DRIVE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	272	840	100	69	74	79	$ 27,181
HEARTLAND DRIVE	HOMESTEAD DRIVE	FARMSTEAD DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	2,505	7,550	100	88	69	84	$ 244,306
HOMESTEAD DRIVE	ARROWHEAD DRIVE	HEARTLAND DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	2,671	8,920	100	89	69	83	$ 288,637
MARQUETTE STREET	BERTRAM DRIVE	BURNETT STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,159	3,090	100	80	74	80	$ 99,987
MISTWOOD COURT	HEARTLAND DRIVE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	518	1,780	100	97	72	87	$ 57,598
OMAHA DRIVE	HOMESTEAD DRIVE	CLEARWATER DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	561	1,620	100	93	75	87	$ 52,421
PLYMOUTH AVENUE	ROSENWINKEL STREET	BRISTOL BAY DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	1,500	4,200	100	80	74	82	$ 135,905
TIMBALIER STREET	PLYMOUTH AVENUE	PLYMOUTH AVENUE	VARIABLE DEPTH MILL, OVERLAY 3"	980	2,620	100	69	70	78	$ 84,779
WHEATLAND COURT	HOMESTEAD DRIVE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	236	700	100	81	68	81	$ 22,651
MISCELLANEOUS CITY WIDE CRACK SEALING				N/A	N/A	N/A	N/A	N/A	N/A	$ 40,000
MISCELLANEOUS CITY WIDE CONCRETE PATCHING				N/A	N/A	N/A	N/A	N/A	N/A	$ 75,000
MISCELLANEOUS CITY WIDE STRIPING				N/A	N/A	N/A	N/A	N/A	N/A	$ 50,000
PAVEMENT REJUVENTATION (2027 RESURFACING & WATER STREETS)				N/A	N/A	N/A	N/A	N/A	N/A	$ 75,000
			TOTAL:	**2.90**	**46,510**				**TOTAL COST:**	**$ 1,724,317**

PROPOSED FEDARALLY FUNDED PROJECTS

E. VAN EMMON STREET	IL ROUTE 47	CITY LIMITS	VARIABLE DEPTH MILL, OVERLAY 3"	2,611	10,160	100	92	67	81	$ 562,910



Engineering Enterprises, Inc.
52 Wheeler Road
Sugar Grove, Illinois 60554
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United City of Yorkville
651 Prairie Pointe Dr,
Yorkville, IL 60560

DATE: SEPTEMBER 2023
PROJECT NO.: YO23B
BY: MJT
PATH: H:\GIS\PUBLIC\YORKVILLE\2023\YO23B
FILE: YO23B Paving Super Plan Option 2

PAVEMENT MANAGEMENT SYSTEM UPDATE 2023
UNITED CITY OF YORKVILLE, ILLINOIS

DRAFT 5-YEAR PLAN OPTION 2

NORTH

RTBR PROGRAM UPDATE
United City of Yorkville
SEPTEMBER 2023

PROPOSED RTBR PROGRAM FUNDING

2024 (FY25) STREET REHABILITATION LIST										
STREET	**FROM**	**TO**	**STRATEGY**	**LENGTH**	**AREA**	**DEFLECTION CONDITION**	**DYNAMIC CONDITION**	**SURFACE CONDITION**	**CURRENT RANK**	**COST**
CLOVER COURT	COUNTRY HILLS DRIVE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	666	2,120	100	82	69	82	$ 60,950
COUNTRY HILLS DRIVE	IL ROUTE 71	HAMPTON LANE	VARIABLE DEPTH MILL, OVERLAY 3"	2,020	6,960	100	93	68	84	$ 200,100
COUNTRY HILLS DRIVE	HAMPTON LANE	PRAIRIE CROSSING DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	659	1,977	100	82	65	83	$ 56,839
FAWN RIDGE COURT	COUNTRY HILLS DRIVE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	505	2,340	100	87	71	84	$ 67,275
GARDEN CIRCLE	GARDEN STREET	GARDEN STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,573	5,350	100	89	66	84	$ 153,813
GARDEN STREET	IL ROUTE 47	GARDEN CIRCLE	VARIABLE DEPTH MILL, OVERLAY 3"	935	3,365	100	94	66	85	$ 96,744
GREENFIELD TURN	COUNTRY HILLS DRIVE	COUNTRY HILLS DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	3,195	9,175	100	87	68	81	$ 263,781
HARVEST TRAIL	COUNTRY HILLS DRIVE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	330	1,180	100	96	69	87	$ 33,925
MEADOWLARK COURT	MEADOWLARK LANE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	161	1,010	100	66	73	78	$ 29,038
MEADOWLARK LANE	GREENFIELD TURN	GREENFIELD TURN	VARIABLE DEPTH MILL, OVERLAY 3"	1,306	4,280	100	80	65	84	$ 123,050
PRAIRIE LANE	LEISURE STREET	HILLCREST AVENUE	MILL 1.5", OVERLAY 1.5"	380	1,013	100	98	88	86	$ 16,208
SUNNY DELL COURT	GREENFIELD TURN	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	564	2,125	100	90	66	84	$ 61,094
SUNNY DELL LANE	GREENFIELD TURN	RAINTREE ROAD	VARIABLE DEPTH MILL, OVERLAY 3"	290	920	100	84	66	80	$ 26,450
SUNSET AVENUE	HILLCREST AVENUE	SOUTH END	MILL 1.5", OVERLAY 1.5"	1,565	4,086	100	91	80	82	$ 65,376
MISCELLANEOUS CITY WIDE CRACK SEALING				N/A	N/A	N/A	N/A	N/A	N/A	$ 40,000
MISCELLANEOUS CITY WIDE CONCRETE PATCHING				N/A	N/A	N/A	N/A	N/A	N/A	$ 75,000
WATER IMPROVEMENT STREETS COST				N/A	N/A	N/A	N/A	N/A	N/A	$ 150,000
MISCELLANEOUS CITY WIDE STRIPING				N/A	N/A	N/A	N/A	N/A	N/A	$ 50,000
PAVEMENT REJUVENATION (2023 RESURFACING & WATER STREETS)				N/A	N/A	N/A	N/A	N/A	N/A	$ 102,000
			TOTAL:	**2.68**	**45,901**				**TOTAL COST:**	**$ 1,671,642**

RTBR PROGRAM UPDATE
United City of Yorkville
SEPTEMBER 2023

PROPOSED RTBR PROGRAM FUNDING

2025 (FY26) STREET REHABILITATION LIST										
STREET	FROM	TO	STRATEGY	LENGTH	AREA	DEFLECTION CONDITION	DYNAMIC CONDITION	SURFACE CONDITION	CURRENT RANK	COST
ALAN DALE LANE	ALICE AVE	RED TAIL COURT	VARIABLE DEPTH MILL, OVERLAY 3"	1,013	3,130	100	86	65	81	$ 92,687
ANDREA COURT	OVERLOOK COURT	EAST END	VARIABLE DEPTH MILL, OVERLAY 3"	587	2,300	100	91	72	86	$ 68,109
ARROWHEAD DRIVE	HEARTLAND DRIVE	HOMESTEAD DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	1,413	4,620	100	87	69	84	$ 136,810
BLACKBERRY SHORE LANE	NORTHLAND LANE	CANNONBALL TRAIL	MILL 3", OVERLAY 3"	863	4,790	100	95	72	87	$ 133,210
BLUESTEM DRIVE	MCHUGH ROAD	HAYDEN DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	1,721	5,390	100	88	65	82	$ 149,896
BOOMER LANE	CANNONBALL TRAIL	SOUTH END	VARIABLE DEPTH MILL, OVERLAY 3"	950	2,125	100	91	68	83	$ 52,530
CHESHIRE COURT	FAIRHAVEN DRIVE	WEST END	VARIABLE DEPTH MILL, OVERLAY 3"	305	1,310	100	87	64	82	$ 38,792
CONEFLOWER COURT	HAYDEN DRIVE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	656	1,990	100	93	65	84	$ 58,929
DAKOTA DRIVE	TUMA ROAD	HEARTLAND DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	453	1,510	100	93	70	86	$ 44,715
DENISE COURT	ALAN DALE LANE	WEST END	VARIABLE DEPTH MILL, OVERLAY 3"	400	1,640	100	88	73	85	$ 48,565
DOVER COURT (N)	NORTH END	FAIRHAVEN DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	384	1,660	100	81	66	80	$ 49,157
DOVER COURT (S)	FAIRHAVEN DRIVE	SOUTH END	VARIABLE DEPTH MILL, OVERLAY 3"	213	1,120	100	68	66	73	$ 33,166
ESSEX COURT	FAIRHAVEN DRIVE	NORTH END	VARIABLE DEPTH MILL, OVERLAY 3"	279	1,250	100	80	69	81	$ 37,016
FAIRHAVEN DRIVE	BOOMER LANE	CANNONBALL TRAIL	VARIABLE DEPTH MILL, OVERLAY 3"	2,752	7,460	100	87	66	83	$ 207,463
FARMSTEAD DRIVE	MCHUGH ROAD	HEARTLAND DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	443	1,480	100	94	71	87	$ 43,827
HALEY COURT	HOMESTEAD DRIVE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	272	840	100	69	74	79	$ 24,875
HAYDEN DRIVE	MCHUGH ROAD	BLUESTEM DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	3,221	9,305	100	86	68	82	$ 258,772
HEARTLAND DRIVE	HOMESTEAD DRIVE	ARROWHEAD DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	3,523	10,650	100	88	69	84	$ 315,373
HERITAGE DRIVE	MCHUGH ROAD	HEARTLAND DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	223	695	100	100	76	88	$ 20,581
HOMESTEAD DRIVE	ARROWHEAD DRIVE	HEARTLAND DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	2,671	8,920	100	89	69	83	$ 264,144
MEADOWVIEW LANE	YELLOWSTONE LANE	RED TAIL LANE	VARIABLE DEPTH MILL, OVERLAY 3"	879	2,980	100	80	61	78	$ 88,245

RTBR PROGRAM UPDATE
United City of Yorkville
SEPTEMBER 2023

MISTWOOD COURT	HEARTLAND DRIVE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	518	1,780	100	97	72	87	$ 52,710
NEWBURY COURT	FAIRHAVEN DRIVE	NORTH END	VARIABLE DEPTH MILL, OVERLAY 3"	292	1,280	100	75	71	80	$ 37,904
NORTHLAND LANE	BLACKBERRY SHORE LANE	YELLOWSTONE LANE	VARIABLE DEPTH MILL, OVERLAY 3"	1,992	6,310	100	79	70	78	$ 175,481
NORTON LANE	MEADOWVIEW LANE	CANNONBALL TRAIL	VARIABLE DEPTH MILL, OVERLAY 3"	312	760	100	88	69	84	$ 22,506
PRAIRIE MEADOWS DRIVE	KENNEDY ROAD	BLUESTEM DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	282	815	100	81	66	80	$ 24,134
PRAIRIE ROSE LANE	BLUSTEM DRIVE	HAYDEN DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	1,119	3,230	100	86	69	84	$ 95,648
OMAHA DRIVE	HOMESTEAD DRIVE	CLEARWATER DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	561	1,620	100	93	75	87	$ 47,972
OVERLOOK COURT	CANNONBALL TRAIL	SOUTH END	VARIABLE DEPTH MILL, OVERLAY 3"	669	2,630	100	79	72	82	$ 77,881
RED TAIL COURT	ALAN DALE LANE	WEST END	VARIABLE DEPTH MILL, OVERLAY 3"	282	1,470	100	78	71	81	$ 43,530
RED TAIL LANE	RED TAIL COURT	MEADOWVIEW LANE	VARIABLE DEPTH MILL, OVERLAY 3"	407	1,550	100	75	61	75	$ 45,899
STILLWATER COURT	ARROWHEAD DRIVE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	354	1,130	100	77	74	82	$ 33,462
SWITCH GRASS LANE	BLUSTEM DRIVE	HAYDEN DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	994	2,870	100	83	68	82	$ 84,988
WHEATLAND COURT	HOMESTEAD DRIVE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	236	700	100	81	68	81	$ 20,729
WILD INDIGO LANE	BLUSTEM DRIVE	HAYDEN DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	1,315	3,800	100	93	68	86	$ 105,678
YELLOWSTONE LANE	NORTHLAND LANE	MEADOWVIEW LANE	VARIABLE DEPTH MILL, OVERLAY 3"	1,312	3,910	100	71	66	76	$ 115,785
MISCELLANEOUS CITY WIDE CRACK SEALING				N/A	N/A	N/A	N/A	N/A	N/A	$ 40,000
MISCELLANEOUS CITY WIDE CONCRETE PATCHING				N/A	N/A	N/A	N/A	N/A	N/A	$ 75,000
WATER IMPROVEMENT STREETS COST				N/A	N/A	N/A	N/A	N/A	N/A	$ 150,000
MISCELLANEOUS CITY WIDE STRIPING				N/A	N/A	N/A	N/A	N/A	N/A	$ 50,000
PAVEMENT REJUVENTATION (2024 RESURFACING & WATER STREETS)				N/A	N/A	N/A	N/A	N/A	N/A	$ 85,000
			TOTAL:	**6.41**	**109,020**				**TOTAL COST:**	**$ 3,551,167**

RTBR PROGRAM UPDATE
United City of Yorkville
SEPTEMBER 2023

PROPOSED RTBR PROGRAM FUNDING

2026 (FY27) STREET REHABILITATION LIST										
STREET	FROM	TO	STRATEGY	LENGTH	AREA	DEFLECTION CONDITION	DYNAMIC CONDITION	SURFACE CONDITION	CURRENT RANK	COST
BALTRUSOL COURT	KINGSMILL STREET	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	177	590	100	94	74	87	$ 17,996
BANBURY AVENUE	HAZELTINE WAY	KINGSMILL STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,195	3,570	100	97	72	87	$ 108,888
BELL STREET	E FOX STREET	NORTH END	VARIABLE DEPTH MILL, OVERLAY 3"	188	585	100	93	36	71	$ 17,843
BLUEBIRD LANE	HAMPTON LANE	PRAIRIE CROSSING DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	798	2,400	100	83	64	80	$ 73,202
CANARY AVENUE	BLUEBIRD LANE	HAMPTON LANE	VARIABLE DEPTH MILL, OVERLAY 3"	725	2,095	100	85	77	85	$ 63,899
CANYON TRAIL COURT	HIGH RIDGE LANE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	456	1,520	100	95	69	86	$ 46,361
CANYON TRAIL	HIGH RIDGE LANE	WESTERN LANE	VARIABLE DEPTH MILL, OVERLAY 3"	1,454	4,200	100	75	72	78	$ 120,306
DEERPOINT LANE	HAMPTON LANE	PRAIRIE CROSSING DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	945	2,800	100	82	68	81	$ 85,402
HAMPTON LANE	COUNTRY HILLS DRIVE	PRAIRIE CROSSING DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	2,773	8,100	100	90	71	84	$ 232,019
HAZELTINE WAY	KINGSMILL STREET	RAINTREE ROAD	VARIABLE DEPTH MILL, OVERLAY 3"	1,312	4,010	100	97	68	86	$ 122,309
HIGH RIDGE LANE	FAXON ROAD	BLACKBERRY SHORE LANE	VARIABLE DEPTH MILL, OVERLAY 3"	1,800	5,200	100	97	73	87	$ 148,950
ILLINI DRIVE	WALTER STREET	MILL STREET	VARIABLE DEPTH MILL, OVERLAY 3"	843	2,600	100	65	62	75	$ 79,302
ILLINI COURT	ILLINI DRIVE	ILLINI DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	292	900	100	61	54	71	$ 27,451
INGEMUNSON LANE	PRAIRIE CROSSING DRIVE	HAMPTON LANE	VARIABLE DEPTH MILL, OVERLAY 3"	932	2,900	100	93	66	84	$ 88,453
IROQUOIS LANE	WESTERN LANE	HIGH RIDGE LANE	VARIABLE DEPTH MILL, OVERLAY 3"	1,924	5,410	100	91	73	87	$ 154,966
KINGSMILL COURT	KINGSMILL STREET	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	256	820	100	85	74	85	$ 25,011
KINGSMILL STREET	HAZELTINE WAY	RAINTREE ROAD	VARIABLE DEPTH MILL, OVERLAY 3"	2,429	7,560	100	89	67	84	$ 216,551
MILL STREET	E VAN EMMON STREET	E HYDRAULIC AVENUE	VARIABLE DEPTH MILL, OVERLAY 3"	367	800	100	92	69	85	$ 24,401
PARKSIDE LANE	DEERPOINT LANE	RAINTREE ROAD	VARIABLE DEPTH MILL, OVERLAY 3"	3,128	9,730	100	88	69	81	$ 278,709
PRAIRIE CROSSING DRIVE	COUNTRY HILLS DRIVE	IL ROUTE 126	VARIABLE DEPTH MILL, OVERLAY 3"	3,468	12,250	100	94	72	85	$ 350,893
RAINTREE ROAD	IL ROUTE 71	PARKSIDE LANE	VARIABLE DEPTH MILL, OVERLAY 3"	2,152	6,700	100	99	74	88	$ 191,917

RTBR PROGRAM UPDATE
United City of Yorkville
SEPTEMBER 2023

VILLAGE VIEW DRIVE	IL ROUTE 71	KINGSMILL STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,276	3,970	100	86	70	83	$ 113,718
WESTON AVENUE	HAZELTINE WAY	KINGSMILL STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,136	3,530	100	91	67	84	$ 101,114
WESTERN LANE	IROQUOIS LANE	NORTHLAND LANE	VARIABLE DEPTH MILL, OVERLAY 3"	2,031	6,050	100	87	73	84	$ 173,298
WHITE PLAINS LANE	WEST END	HIGH RIDGE LANE	VARIABLE DEPTH MILL, OVERLAY 3"	987	2,850	100	98	73	87	$ 86,927
MISCELLANEOUS CITY WIDE CRACK SEALING				N/A	N/A	N/A	N/A	N/A	N/A	$ 40,000
MISCELLANEOUS CITY WIDE CONCRETE PATCHING				N/A	N/A	N/A	N/A	N/A	N/A	$ 75,000
WATER IMPROVEMENT STREETS COST				N/A	N/A	N/A	N/A	N/A	N/A	$ 150,000
MISCELLANEOUS CITY WIDE STRIPING				N/A	N/A	N/A	N/A	N/A	N/A	$ 50,000
PAVEMENT REJUVENTATION (2025 RESURFACING & WATER STREETS)				N/A	N/A	N/A	N/A	N/A	N/A	$ 160,000
			TOTAL:	**6.26**	**101,140**				**TOTAL COST;**	**$ 3,424,885**

RTBR PROGRAM UPDATE
United City of Yorkville
SEPTEMBER 2023

PROPOSED RTBR PROGRAM FUNDING

2027 (FY28) STREET REHABILITATION LIST										
STREET	FROM	TO	STRATEGY	LENGTH	AREA	DEFLECTION CONDITION	DYNAMIC CONDITION	SURFACE CONDITION	CURRENT RANK	COST
AUBURN DRIVE	OMAHA DRIVE	SPRING STREET	VARIABLE DEPTH MILL, OVERLAY 3"	666	1,930	100	87	76	86	$ 60,633
BERTRAM DRIVE	WEST END	BRISTOL BAY DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	3,534	10,200	100	83	71	81	$ 300,937
BIRCHWOOD DRIVE	SPRING STREET	SPRING STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,674	4,980	100	80	72	81	$ 146,928
BISCAYNE LANE	PENSACOLA STREET	SOUTH END	VARIABLE DEPTH MILL, OVERLAY 3"	180	480	100	85	78	86	$ 15,080
BLUEJAY DRIVE	BIRCHWOOD DRIVE	TAUS CIR	VARIABLE DEPTH MILL, OVERLAY 3"	361	1,040	100	96	75	87	$ 32,673
BRISTOL BAY DRIVE	WEST END	EAST END	VARIABLE DEPTH MILL, OVERLAY 3"	4,120	12,950	100	85	69	82	$ 382,072
BURNETT STREET	BRISTOL BAY DRIVE	MARQUETTE STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,175	3,185	100	68	72	78	$ 100,060
CLEARWATER DRIVE	OMAHA DRIVE	SPRING STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,598	4,970	100	78	74	80	$ 146,633
DEERPATH DRIVE	CLEARWATER DRIVE	SPRING STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,145	3,300	100	83	75	84	$ 103,672
E. SPRING STREET	TERI LANE	CLEARWATER DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	4,152	12,180	100	86	75	84	$ 359,354
GARDINER AVENUE	BERTRAM DRIVE	BERTRAM DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	1,391	3,710	100	73	71	80	$ 109,458
GRACE DRIVE	OMAHA DRIVE	SPRING STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,447	4,180	100	87	72	85	$ 123,325
HARRISON STREET	GARDINER AVENUE	BERTRAM DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	797	2,300	100	79	85	85	$ 72,257
KATE DRIVE	CLEARWATER DRIVE	OMAHA DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	1,054	3,350	100	84	72	84	$ 98,837
MARQUETTE STREET	BERTRAM DRIVE	BURNETT STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,159	3,090	100	80	74	80	$ 97,075
OMAHA DRIVE	CLEARWATER DRIVE	SPRING STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,952	5,960	100	93	76	85	$ 175,842
PENSACOLA STREET	TAMPA DRIVE	SARASOTA AVENUE	VARIABLE DEPTH MILL, OVERLAY 3"	1,105	3,080	100	85	74	84	$ 96,761
PIERPONT LANE	ROSENWINKEL STREET	GARDINER AVENUE	VARIABLE DEPTH MILL, OVERLAY 3"	485	1,400	100	87	69	84	$ 43,982
PLEASANT COURT	PENSACOLA STREET	SOUTH END	VARIABLE DEPTH MILL, OVERLAY 3"	315	930	100	85	73	84	$ 29,217
PLYMOUTH AVENUE	ROSENWINKEL STREET	BRISTOL BAY DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	1,500	4,200	100	80	74	82	$ 123,915
REDWOOD DRIVE	OMAHA DRIVE	TAUS CIR	VARIABLE DEPTH MILL, OVERLAY 3"	587	1,830	100	86	76	85	$ 57,491

RTBR PROGRAM UPDATE
United City of Yorkville
SEPTEMBER 2023

ROSENWINKEL STREET	GALENA ROAD	NORTH END	VARIABLE DEPTH MILL, OVERLAY 3"	3,758	11,775	100	91	66	84	$ 347,405
SARASOTA AVENUE	BERTRAM DRIVE	PENSACOLA STREET	VARIABLE DEPTH MILL, OVERLAY 3"	331	880	100	73	85	84	$ 27,646
TAMPA DRIVE	BERTRAM DRIVE	PENSACOLA STREET	VARIABLE DEPTH MILL, OVERLAY 3"	390	1,040	100	100	75	88	$ 32,673
TAUS CIRCLE	REDWOOD DRIVE	REDWOOD DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	1,873	5,400	100	85	75	86	$ 159,320
TIMBALIER STREET	PLYMOUTH AVENUE	PLYMOUTH AVENUE	VARIABLE DEPTH MILL, OVERLAY 3"	980	2,620	100	69	70	78	$ 82,310
MISCELLANEOUS CITY WIDE CRACK SEALING				N/A	N/A	N/A	N/A	N/A	N/A	$ 40,000
MISCELLANEOUS CITY WIDE CONCRETE PATCHING				N/A	N/A	N/A	N/A	N/A	N/A	$ 75,000
WATER IMPROVEMENT STREETS COST				N/A	N/A	N/A	N/A	N/A	N/A	$ 150,000
MISCELLANEOUS CITY WIDE STRIPING				N/A	N/A	N/A	N/A	N/A	N/A	$ 50,000
PAVEMENT REJUVENTATION (2026 RESURFACING & WATER STREETS)				N/A	N/A	N/A	N/A	N/A	N/A	$ 150,000
			TOTAL:	**7.15**	**110,960**				**TOTAL COST:**	**$ 3,790,555**

RTBR PROGRAM UPDATE
United City of Yorkville
SEPTEMBER 2023

PROPOSED RTBR PROGRAM FUNDING

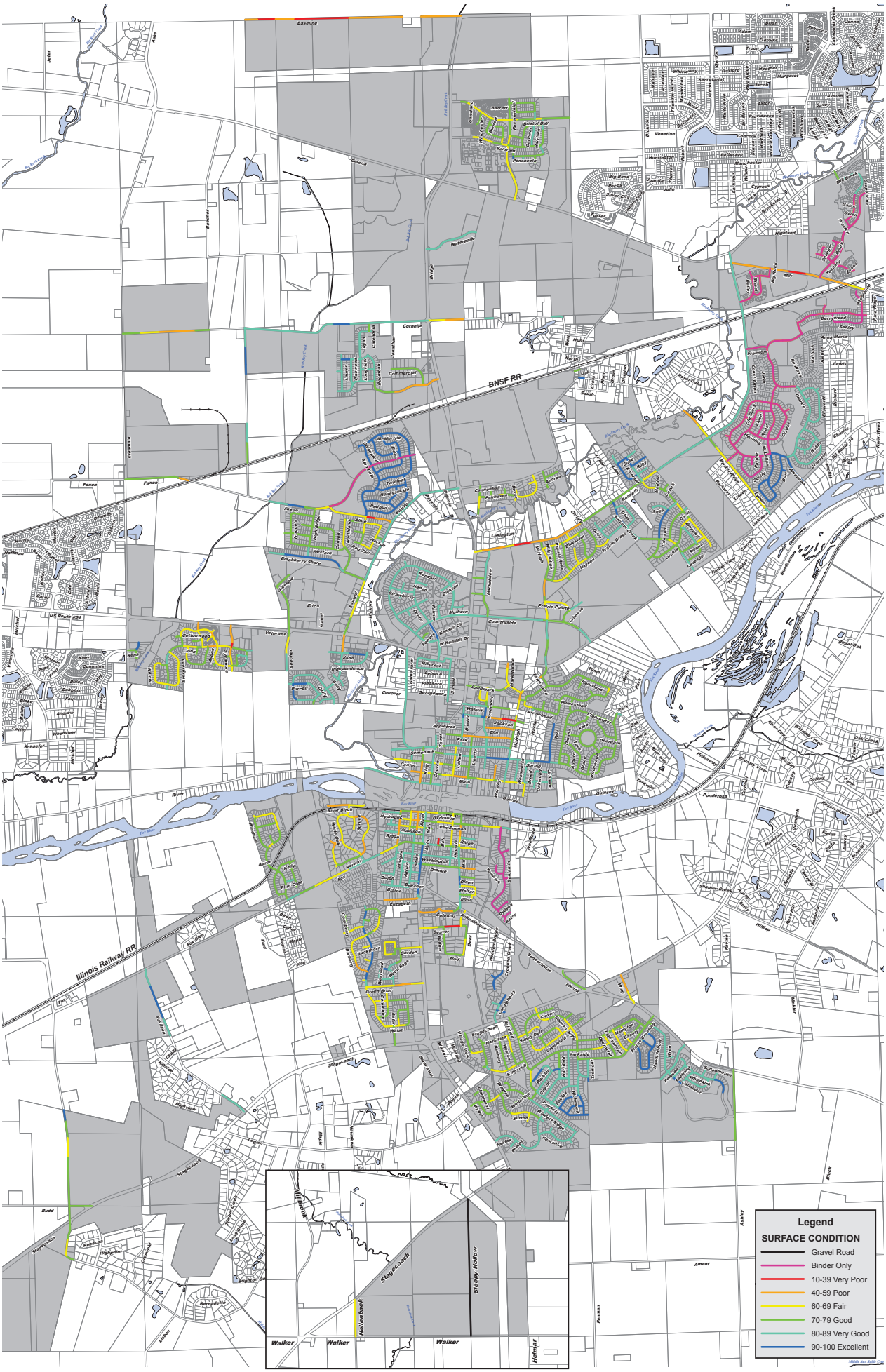
2028 (FY29) STREET REHABILITATION LIST										
STREET	**FROM**	**TO**	**STRATEGY**	**LENGTH**	**AREA**	**DEFLECTION CONDITION**	**DYNAMIC CONDITION**	**SURFACE CONDITION**	**CURRENT RANK**	**COST**
AUTUMN CREEK BLVD	LAVENDAR WAY	KENNEDY ROAD	VARIABLE DEPTH MILL, OVERLAY 3"	3,842	11,010	100	91	77	86	$ 334,580
COBALT DRIVE	EMERALD LANE	NORTH END	VARIABLE DEPTH MILL, OVERLAY 3"	253	700	100	94	70	86	$ 22,664
CORAL DRIVE	AUTUMN CREEK BOULEVARD	NORTH END	VARIABLE DEPTH MILL, OVERLAY 3"	1,447	4,180	100	91	73	86	$ 135,258
CRISMON LANE	SOUTH END	EMERALD LANE	VARIABLE DEPTH MILL, OVERLAY 3"	2,401	6,940	100	90	81	87	$ 210,898
EMERALD LANE	KENNEDY ROAD	SOUTH END	VARIABLE DEPTH MILL, OVERLAY 3"	3,751	11,390	100	87	65	82	$ 346,128
FLINT CREEK LANE	POPLAR DRIVE	REDHORSE LANE	VARIABLE DEPTH MILL, OVERLAY 3"	374	1,080	100	85	78	86	$ 34,947
KELLY AVENUE	EAST END	POPLAR DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	1,989	6,080	100	82	74	84	$ 184,764
KELLY COURT	KELLY AVENUE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	223	640	100	91	68	84	$ 20,709
LAVENDAR WAY	AUTUMN CREEK BOULEVARD	ORCHID STREET	VARIABLE DEPTH MILL, OVERLAY 3"	1,743	5,035	100	82	76	84	$ 153,007
MADDEN COURT	EMERALD LANE	NORTH END	VARIABLE DEPTH MILL, OVERLAY 3"	436	1,280	100	90	70	85	$ 41,419
MIDNIGHT PLACE	OLIVE LANE	AUTUMN CREEK BOULEVARD	VARIABLE DEPTH MILL, OVERLAY 3"	804	2,500	100	91	85	88	$ 80,896
OLIVE LANE	PRAIRIE GRASS LANE	NORTH END	VARIABLE DEPTH MILL, OVERLAY 3"	856	2,800	100	86	84	87	$ 90,603
ORCHID STREET	EMERALD LANE	CRIMSON LANE	VARIABLE DEPTH MILL, OVERLAY 3"	2,139	6,800	100	93	73	86	$ 206,643
POPLAR DRIVE	FOX STREET	WINDHAM CIRCLE	VARIABLE DEPTH MILL, OVERLAY 3"	3,743	11,180	100	91	71	84	$ 339,746
PRAIRIE GRASS LANE	AUTUMN CREEK BOULEVARD	HAYDREN DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	1,378	4,010	100	81	74	83	$ 129,757
REDHORSE LANE	KELLY AVENUE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	1,141	3,560	100	86	75	85	$ 108,184
SAGE COURT	CRIMSON LANE	WEST END	VARIABLE DEPTH MILL, OVERLAY 3"	800	2,430	100	90	84	88	$ 78,631
SIENNA DRIVE	EMERALD LANE	AUTUMN CREEK BOULEVARD	VARIABLE DEPTH MILL, OVERLAY 3"	1,036	2,995	100	89	69	84	$ 96,913
STONY CREEK LANE	WINDHAM CIRCLE	WINDHAM CIRCLE	VARIABLE DEPTH MILL, OVERLAY 3"	764	2,380	100	96	72	87	$ 77,013
TITUS DRIVE	AUTUMN CREEK BOULEVARD	AUTUMN CREEK BOULEVARD	VARIABLE DEPTH MILL, OVERLAY 3"	1,323	4,740	100	95	85	89	$ 153,379
TYLER CREEK COURT	POPLAR DRIVE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	479	1,540	100	83	71	84	$ 49,832

RTBR PROGRAM UPDATE
United City of Yorkville
SEPTEMBER 2023

WINDHAM CIRCLE	POPLAR DRIVE	POPLAR DRIVE	VARIABLE DEPTH MILL, OVERLAY 3"	1,939	5,940	100	91	68	85	$ 180,509
WINDHAM COURT	WINDHAM CIRCLE	DEAD END	VARIABLE DEPTH MILL, OVERLAY 3"	289	835	100	87	61	81	$ 27,019
MISCELLANEOUS CITY WIDE CRACK SEALING				N/A	N/A	N/A	N/A	N/A	N/A	$ 40,000
MISCELLANEOUS CITY WIDE CONCRETE PATCHING				N/A	N/A	N/A	N/A	N/A	N/A	$ 75,000
MISCELLANEOUS CITY WIDE STRIPING				N/A	N/A	N/A	N/A	N/A	N/A	$ 50,000
PAVEMENT REJUVENTATION (2027 RESURFACING & WATER STREETS)				N/A	N/A	N/A	N/A	N/A	N/A	$ 165,000
			TOTAL:	**6.28**	**100,045**				**TOTAL COST:**	**$ 3,433,499**

PROPOSED FEDARALLY FUNDED PROJECTS

E. VAN EMMON STREET	IL ROUTE 47	CITY LIMITS	VARIABLE DEPTH MILL, OVERLAY 3"	2,611	10,160	100	92	67	81	$ 562,910



Engineering Enterprises, Inc.
52 Wheeler Road
Sugar Grove, Illinois 60554
(630) 466-6700
www.eeiweb.com

United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

DATE: OCTOBER 2018
PROJECT NO.: YO1815-C
BY: CJO
PATH: H:\GIS\PUBLIC\YORKVILLE\2018\YO1815
FILE: [illegible]

PAVEMENT MANAGEMENT SYSTEM UPDATE 2018
UNITED CITY OF YORKVILLE, ILLINOIS

CURRENT SURFACE CONDITION

NORTH

Reviewed By:	
Legal	☐
Finance	☐
Engineer	■
City Administrator	■
Community Development	☐
Purchasing	☐
Police	☐
Public Works	☐
Parks and Recreation	☐

Agenda Item Number

Public Works Committee #2

Tracking Number

PW 2023-74

Agenda Item Summary Memo

Title: East Van Emmon Resurfacing, KKCOM Grant – Design Engineering Agreement

Meeting and Date: City Council – September 26, 2023

Synopsis: Please see the attached memo.

Council Action Previously Taken:

Date of Action: PW – 9/19/23 Action Taken: Moved forward to City Council agenda.

Item Number: PW 2023-74

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Bart Olson (Name) Administration (Department)

Agenda Item Notes:

Have a question or comment about this agenda item?
Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/320/City-Council

Memorandum

To: City Council
From: Bart Olson, City Administrator
CC:
Date: September 13, 2023
Subject: East Van Emmon resurfacing, KKCOM grant – design engineering

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Summary

Consideration of a preliminary and design engineering agreement with EEI for resurfacing of East Van Emmon Street under an anticipated Kane Kendall Council of Mayors (KKCOM) grant program.

Background

This item was last discussed during the FY 24 budget discussions, when the City Council reviewed the budget memo which includes a complete preliminary and design engineering for a future East Van Emmon Road resurfacing project. The Kane Kendall Council of Mayors has two annual grant programs for road resurfacing projects, under which the City applied for East Van Emmon improvements a few years back. The City was not chosen for funding in the grant program, but was instead placed on a backup project list that could be funded in the future as other projects are completed or are delayed. The East Van Emmon project has slowly moved up the backup project list over the years, and could be a selected for a grant anytime in the next few years. In order to proceed with this grant program, the City needs to complete preliminary and design engineering for the roadway in advance of the grant selection. Accordingly, EEI has submitted a preliminary and design engineering agreement for our consideration.

The agreement as submitted covers preliminary and design engineering services only. The total cost of the contract is a fixed fee amount of $51,952. This cost is included in the FY 24 budget. As with previous anticipated-grant projects, we anticipate that the design engineering will be valid for several years after it is completed.

Recommendation

Staff recommends approval of a preliminary and design engineering agreement with EEI for resurfacing of East Van Emmon Street under an anticipated Kane Kendall Council of Mayors (KKCOM) grant program.

KANE KENDALL COUNCIL OF MAYORS

FFY 2023 - 2027 STP - L Contingency Program Status Report: July 2023

Roadways and Intersections

PROJECT INFORMATION						REQUESTED FUNDING							TARGET AUTH / LET.	CURRENT STATUS		PRIOR STATUS	
Rank	Score	TIP ID	Project	Sponsor	Phases	2023	2024	2025	2026	2027	Phase Total	Project Total	Date	Status	Status Date	Status	Status Date
1	22.1	CFP09-22-0058	Douglas Road Reconstruction from Raddant Rd to Kirk Rd	Batavia	Eng 2			$ 150,000			$ 300,000	$ 3,040,000	1/2026	Project Scoping	7/20/2023	Project Scoping	4/20/2023
2		CFP09-22-0058	Douglas Road Reconstruction from Raddant Rd to Kirk Rd	Batavia	Const./E3					$ 1,680,000	$ 2,400,000	$ 3,040,000	1/2026	Project Scoping	7/20/2023	Project Scoping	4/20/2023
3	19.9	CFP09-22-0056	Hubbard Avenue Reconstruction from Kirk Road to Pearson Avenue	Batavia	Eng 2			$ 89,500			$ 380,000	$ 3,834,000	3/2027	Project Scoping	7/20/2023	Project Scoping	4/20/2023
		CFP09-22-0056	Hubbard Avenue Reconstruction from Kirk Road to Pearson Avenue	Batavia	Const./E3					$ 2,275,500	$ 3,034,000	$ 3,834,000	3/2027	Project Scoping	7/20/2023	Project Scoping	4/20/2023
4	17.2	CFP09-22-0021	Spring Street/Cleveland Avenue Roadway Improvements	Carpentersville	Const./E3					$ 1,760,000	$ 2,200,000	$ 2,345,000	Q1/2027	Project Scoping	7/20/2023	Project Scoping	4/20/2023
5	15.5	CFP09-22-0028	Main Street between Center Street and Knights Road	Sandwich	Const.			$ 1,627,889			$ 3,870,000	$ 4,680,000	Q3/2025	Project Scoping	7/20/2023	Project Scoping	4/20/2023
6	14.3	CFP09-22-0055	McKee Road Reconstruction- Rt 31 to Van Nortwick Avenue	Batavia	Eng 2			$ 186,200			$ 266,000	$ 2,747,000	3/2027	Project Scoping	7/20/2023	Project Scoping	4/20/2023
	14.3	CFP09-22-0055	McKee Road Reconstruction- Rt 31 to Van Nortwick Avenue	Batavia	Const./E3					$ 1,522,500	$ 2,175,000	$ 2,747,000	3/2027	Project Scoping	7/20/2023	Project Scoping	4/20/2023

Asset Management

PROJECT INFORMATION						REQUESTED FUNDING							TARGET AUTH / LET.	CURRENT STATUS		PRIOR STATUS	
Rank	Score	CFP ID	Project	Sponsor	Phases	2023	2024	2025	2026	2027	Phase Total	Project Total	Date	Status	Status Date	Status	Status Date
1	46	CFP09-22-0035	Indian Trail Resurfacing (Highland Av to IL Route 31)	Aurora	Const./E3			$ 723,750			$ 965,000	$ 1,133,000	Q1/2025	P1 KO held 6/13/2023	7/20/2023	Project Scoping	4/20/2023
2	36.3	CFP09-22-0041	Liberty Street Resurfacing (Eola Rd to Commons Dr)	Aurora	Const./E3				$ 607,500		$ 810,000	$ 865,000	Q1/2026	Project Scoping	7/20/2023	Project Scoping	4/20/2023
3	35.1	CFP09-22-0040	Sullivan Road Resurfacing (Highland Av to Mitchell Rd)	Aurora	Const./E3					$ 651,750	$ 869,000	$ 927,000	Q1/2027	Project Scoping	7/20/2023	Project Scoping	4/20/2023
4	32.5	CFP09-22-0036	Ashland Avenue Resurfacing (IL Route 25 to Union St)	Aurora	Const./E3			$ 750,000			$ 1,044,000	$ 1,111,000	Q1/2025	Project Scoping	7/20/2023	Project Scoping	4/20/2023
5	31.1	CFP09-22-0048	E. Van Emmon Street Resurfacing (IL Route 47 to City Limits)	Yorkville	Const./E3			$ 387,578			$ 516,771	$ 562,911	Q2/2025	Project Scoping	7/20/2023	Project Scoping	4/20/2023
6	30.5	CFP09-22-0026	National Street Concrete Reconstruction	Elgin	Const./E3			$ 471,200			$ 589,000	$ 691,000	Q3/2025	Project Scoping	7/20/2023	Project Scoping	4/20/2023
7	30.4	CFP09-22-0054	Gordon Road Resurfacing (US Route 30 to Concord Drive)	Montgomery	Const./E3				$ 694,575		$ 926,100	$ 992,850	Q1/2026	Project Scoping	7/20/2023	Project Scoping	4/20/2023
8	30.1	CFP09-22-0011	Washington Street Resurfacing	Carpentersville	Const.					$ 750,000	$ 1,100,000	$ 1,170,000	Q1/2027	Project Scoping	7/20/2023	Project Scoping	4/20/2023
9	28.3	CFP09-22-0020	Barrington Avenue Resurfacing	East Dundee	Const./E3			$ 371,250			$ 495,000	$ 549,000	4/2025	Project Scoping	7/20/2023	Project Scoping	4/20/2023
10	28.2	CFP09-22-0060	Van Nortwick Resurfacing from Fabyan Parkway and Main Street	Batavia	Const./E3			$ 417,000			$ 556,000	$ 556,000	1/2025	Project Scoping	7/20/2023	Project Scoping	4/20/2023
11	27.7	CFP09-22-0039	Prairie Street Resurfacing (West City Limits to Randall Rd)	Aurora	Const.				$ 750,000		$ 1,446,000	$ 1,535,000	Q1/2026	Project Scoping	7/20/2023	Project Scoping	4/20/2023
12	27.2	CFP09-22-0014	East Main Street Improvements - Gilbert Street to IL Route 25	South Elgin	Const./E3			$ 704,178			$ 938,904	$ 1,066,944	3/2025	Project Scoping	7/20/2023	Project Scoping	4/20/2023
13	26.1	CFP09-22-0032	Merrill Road Resurfacing (Village Limits to Bliss Road)	Sugar Grove	Const./E3				$ 456,825		$ 609,100	$ 663,500	Q1/2026	Project Scoping	7/20/2023	Project Scoping	4/20/2023
14	25.6	CFP09-22-0059	Pine Street Resurfacing from Kirk Road to Raddant Road	Batavia	Const./E3			$ 248,250			$ 331,000	$ 331,000	1/2025	Project Scoping	7/20/2023	Project Scoping	4/20/2023
15	24.4	CFP09-22-0050	E. Pleasant Avenue Resurfacing (N. Main Street to Latham Street)	Sandwich	Const./E3					$ 292,800	$ 390,400	$ 431,200	Q1/2027	Project Scoping	7/20/2023	Project Scoping	4/20/2023
16	24.1	CFP09-22-0030	Hankes Road Resurfacing (Village Limits to Village Limits)	Sugar Grove	Const./E3					$ 504,600	$ 672,800	$ 721,300	Q1/2027	Project Scoping	7/20/2023	Project Scoping	4/20/2023
17	23.6	CFP09-22-0015	South Elgin Boulevard Improvements - East Main Street to Village Limits	South Elgin	Const.			$ 750,000		.	$ 1,541,287	$ 1,751,477	3/2025	Project Scoping	7/20/2023	Project Scoping	4/20/2023
18	21.1	CFP09-22-0047	Wheeler Road Resurfacing (Dugan Road to Esker Drive)	Sugar Grove	Const./E3			$ 383,250			$ 511,000	$ 556,700	Q1 / 2025	Project Scoping	7/20/2023	Project Scoping	4/20/2023
19	21	CFP09-22-0010	Campton Hills Road - Town Hall Road to LaFox Road	Campton Hills	Const./E3				$ 682,125		$ 910,000	$ 977,000	1/2026	Project Scoping	7/20/2023	Consultant selected by Board 12/20/2022	4/20/2023
20	20	CFP09-22-0049	State Street Resurfacing (Unnamed Creek to Duchess Lane)	Hampshire	Const./E3					$ 500,000	$ 905,080	$ 985,890	Q1/2027	Project Scoping	7/20/2023	Project Scoping	4/20/2023
21	16.2	CFP09-22-0012	1st Street Roadway Improvements - IL Route 72 to Dunning Avenue	West Dundee	Const./E3			$ 596,595			$ 795,460	$ 881,460	3/2025	Project Scoping	7/20/2023	Project Scoping	4/20/2023
22	11.9	CFP09-22-0029	E. Prairie Street Resurfacing (IL Route 47 to Gordon Road)	Sugar Grove	Const./E3					$ 688,350	$ 917,800	$ 984,000	Q1/2027	Project Scoping	7/20/2023	Project Scoping	4/20/2023

E. Van Emmon Street Resurfacing
Surface Transportation Program
United City of Yorkville
Professional Services Agreement – Preliminary & Design Engineering

THIS AGREEMENT, by and between the United City of Yorkville, hereinafter referred to as the "City" or “OWNER” and Engineering Enterprises, Inc. hereinafter referred to as the "Contractor" or “ENGINEER” agrees as follows:

A. Services:

ENGINEER agrees to furnish to the City the following services: The ENGINEER shall provide any and all necessary engineering services to the City as indicated on the Scope of Services (Attachment B). Preliminary and Design Engineering for all roadways indicated on Attachment E will be provided. Construction Engineering services are not include and would be provided in a separate agreement. Engineering will be in accordance with all City and Illinois Department of Transportation requirements.

B. Term:

Services will be provided beginning on the date of execution of this agreement and continuing, until terminated by either party upon 7 days written notice to the non-terminating party or upon completion of the Services. Upon termination the ENGINEER shall be compensated for all work performed for the City prior to termination.

C. Compensation and maximum amounts due to ENGINEER:

ENGINEER shall receive as compensation for all work and services to be performed herein, an amount based on the Estimate of Level of Effort and Associated Cost included in Attachment C. Preliminary and Design Engineering will be paid for as a Fixed Fee (FF) in the amount of $51,952, of which direct expenses are estimated at $5,300. The hourly rates for this project are shown in the attached 2023 Standard Schedule of Charges (Attachment F). All payments will be made according to the Illinois State Prompt Payment Act and not less than once every thirty days.

D. Changes in Rates of Compensation:

In the event that this contract is designated in Section B hereof as an Ongoing Contract, ENGINEER, on or before February 1st of any given year, shall provide

written notice of any change in the rates specified in Section C hereof (or on any attachments hereto) and said changes shall only be effective on and after May 1st of that same year.

E. Ownership of Records and Documents:

ENGINEER agrees that all books and records and other recorded information developed specifically in connection with this agreement shall remain the property of the City. ENGINEER agrees to keep such information confidential and not to disclose or disseminate the information to third parties without the consent of the City. This confidentiality shall not apply to material or information, which would otherwise be subject to public disclosure through the freedom of information act or if already previously disclosed by a third party. Upon termination of this agreement, ENGINEER agrees to return all such materials to the City. The City agrees not to modify any original documents produced by ENGINEER without contractors consent. Modifications of any signed duplicate original document not authorized by ENGINEER will be at OWNER's sole risk and without legal liability to the ENGINEER. Use of any incomplete, unsigned document will, likewise, be at the OWNER's sole risk and without legal liability to the ENGINEER.

F. Governing Law:

This contract shall be governed and construed in accordance with the laws of the State of Illinois. Venue shall be in Kendall County, Illinois.

G. Independent Contractor:

ENGINEER shall have sole control over the manner and means of providing the work and services performed under this agreement. The City's relationship to the ENGINEER under this agreement shall be that of an independent contractor. ENGINEER will not be considered an employee to the City for any purpose.

H. Certifications:

Employment Status: The Contractor certifies that if any of its personnel are an employee of the State of Illinois, they have permission from their employer to perform the service.

Anti-Bribery: The Contractor certifies it is not barred under 30 Illinois Compiled Statutes 500/50-5(a) - (d) from contracting as a result of a conviction for or admission of bribery or attempted bribery of an officer or employee of the State of Illinois or any other state.

Loan Default: If the Contractor is an individual, the Contractor certifies that he/she is not in default for a period of six months or more in an amount of $600 or more on the repayment of any educational loan guaranteed by the Illinois State Scholarship Commission made by an Illinois institution of higher education or any other loan made from public funds for the purpose of financing higher education (5 ILCS 385/3).

Felony Certification: The Contractor certifies that it is not barred pursuant to 30 Illinois Compiled Statutes 500/50-10 from conducting business with the State of Illinois or any agency as a result of being convicted of a felony.

Barred from Contracting: The Contractor certifies that it has not been barred from contracting as a result of a conviction for bid-rigging or bid rotating under 720 Illinois Compiled Statutes 5/33E or similar law of another state.

Drug Free Workplace: The Contractor certifies that it is in compliance with the Drug Free Workplace Act (30 Illinois Compiled Statutes 580) as of the effective date of this contract. The Drug Free Workplace Act requires, in part, that Contractors, with 25 or more employees certify and agree to take steps to ensure a drug free workplace by informing employees of the dangers of drug abuse, of the availability of any treatment or assistance program, of prohibited activities and of sanctions that will be imposed for violations; and that individuals with contracts certify that they will not engage in the manufacture, distribution, dispensation, possession, or use of a controlled substance in the performance of the contract.

Non-Discrimination, Certification, and Equal Employment Opportunity: The Contractor agrees to comply with applicable provisions of the Illinois Human Rights Act (775 Illinois Compiled Statutes 5), the U.S. Civil Rights Act, the Americans with Disabilities Act, Section 504 of the U.S. Rehabilitation Act and the rules applicable to each. The equal opportunity clause of Section 750.10 of the Illinois Department of Human Rights Rules is specifically incorporated herein. The Contractor shall comply with Executive Order 11246, entitled Equal Employment Opportunity, as amended by Executive Order 11375, and as supplemented by U.S. Department of Labor regulations (41 C.F.R. Chapter 60). The Contractor agrees to incorporate this clause into all subcontracts under this Contract.

International Boycott: The Contractor certifies that neither it nor any substantially owned affiliated company is participating or shall participate in an international boycott in violation of the provisions of the U.S. Export Administration Act of 1979

or the regulations of the U.S. Department of Commerce promulgated under that Act (30 ILCS 582).

Record Retention and Audits: If 30 Illinois Compiled Statutes 500/20-65 requires the Contractor (and any subcontractors) to maintain, for a period of 3 years after the later of the date of completion of this Contract or the date of final payment under the Contract, all books and records relating to the performance of the Contract and necessary to support amounts charged to the City under the Contract. The Contract and all books and records related to the Contract shall be available for review and audit by the City and the Illinois Auditor General. If this Contract is funded from contract/grant funds provided by the U.S. Government, the Contract, books, and records shall be available for review and audit by the Comptroller General of the U.S. and/or the Inspector General of the federal sponsoring agency. The Contractor agrees to cooperate fully with any audit and to provide full access to all relevant materials.

United States Resident Certification: (This certification must be included in all contracts involving personal services by non-resident aliens and foreign entities in accordance with requirements imposed by the Internal Revenue Services for withholding and reporting federal income taxes.) The Contractor certifies that he/she is a: _x_ United States Citizen ___ Resident Alien ___ Non-Resident Alien The Internal Revenue Service requires that taxes be withheld on payments made to non resident aliens for the performance of personal services at the rate of 30%.

Tax Payer Certification : Under penalties of perjury, the Contractor certifies that its Federal Tax Payer Identification Number or Social Security Number is (provided separately) and is doing business as a (check one): ___ Individual ___ Real Estate Agent ___ Sole Proprietorship ___ Government Entity ___ Partnership ___ Tax Exempt Organization (IRC 501(a) only) _x_ Corporation ___ Not for Profit Corporation ___ Trust or Estate ___ Medical and Health Care Services Provider Corp.

I. Indemnification:

ENGINEER shall indemnify and hold harmless the City and City's agents, servants, and employees against all loss, damage, and expense which it may sustain or for which it will become liable on account of injury to or death of persons, or on account of damage to or destruction of property resulting from the performance of work under this agreement by ENGINEER or its Subcontractors, or due to or arising in any manner from the wrongful act or negligence of ENGINEER or its Subcontractors of any employee of any of them. In the event that the either party shall bring any suit, cause of action or counterclaim against

the other party, the non-prevailing party shall pay to the prevailing party the cost and expenses incurred to answer and/or defend such action, including reasonable attorney fees and court costs. In no event shall the either party indemnify any other party for the consequences of that party's negligence, including failure to follow the ENGINEER's recommendations.

J. Insurance:

The ENGINEER agrees that it has either attached a copy of all required insurance certificates or that said insurance is not required due to the nature and extent of the types of services rendered hereunder. (Not applicable as having been previously supplied)

K. Additional Terms or Modification:

The terms of this agreement shall be further modified as provided on the attachments. Except for those terms included on the attachments, no additional terms are included as a part of this agreement. All prior understandings and agreements between the parties are merged into this agreement, and this agreement may not be modified orally or in any manner other than by an agreement in writing signed by both parties. In the event that any provisions of this agreement shall be held to be invalid or unenforceable, the remaining provisions shall be valid and binding on the parties. The list of exhibits is as follows:

Attachment A:	Standard Terms and Conditions
Attachment B:	Scope of Services
Attachment C:	Estimate of Level of Effort and Associated Cost
Attachment D:	Estimated Schedule
Attachment E:	Location Map
Attachment F:	2023 Standard Schedule of Charges

L. Notices:

All notices required to be given under the terms of this agreement shall be given mail, addressed to the parties as follows:

For the City:

City Administrator and City Clerk
United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

For the ENGINEER:

Engineering Enterprises, Inc.
52 Wheeler Road
Sugar Grove Illinois 60554

Either of the parties may designate in writing from time to time substitute addresses or persons in connection with required notices.

Agreed to this _____day of _____, 2023.

United City of Yorkville:

_____
John Purcell
Mayor

_____
Jori Behland
City Clerk

Engineering Enterprises, Inc.:

_____
Brad Sanderson, PE
Chief Operating Officer / President

_____
Angie Smith
Executive Assistant

STANDARD TERMS AND CONDITIONS

Agreement: These Standard Terms and Conditions, together with the Professional Services Agreement, constitute the entire integrated agreement between the OWNER and Engineering Enterprises, Inc. (EEI) (hereinafter "Agreement"), and take precedence over any other provisions between the Parties. These terms may be amended, but only if both parties consent in writing.

Standard of Care: In providing services under this Agreement, the ENGINEER will endeavor to perform in a matter consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under same circumstances in the same locality. ENGINEER makes no other warranties, express or implied, written or oral under this Agreement or otherwise, in connection with ENGINEER'S service.

Construction Engineering and Inspection: The ENGINEER shall not supervise, direct, control, or have authority over any contractor work, nor have authority over or be responsible for the means, methods, techniques sequences, or procedures of construction selected or used by any contractor, or the safety precautions and programs incident thereto, for security or safety of the site, nor for any failure of a contractor to comply with laws and regulations applicable to such contractor's furnishing and performing of its work.

The ENGINEER neither guarantees the performance of any contractor nor assumes responsibility for contractor's failure to furnish and perform the work in accordance with the contract documents.

The ENGINEER is not responsible for the acts or omissions of any contractor, subcontractor, or supplies, or any of their agents or employees or any other person at the site or otherwise furnishing or performing any work.

Shop drawing and submittal review by the ENGINEER shall apply to only the items in the submissions and only for the purpose of assessing if upon installation or incorporation in the project work they are generally consistent with the construction documents. OWNER agrees that the contractor is solely responsible for the submissions and for compliance with the construction documents. OWNER further agrees that the ENGINEER'S review and action in relation to these submissions shall not constitute the provision of means, methods, techniques, sequencing or procedures of construction or extend or safety programs or precautions. The ENGINEER'S consideration of a component does not constitute acceptance of the assembled items.

The ENGINEER'S site observation during construction shall be at the times agreed upon in the Project Scope. Through standard, reasonable means the ENGINEER will become generally familiar with observable completed work. If the ENGINEER observes completed work that is inconsistent with the construction documents, that information shall be communicated to the contractor and OWNER for them to address.

Opinion of Probable Construction Costs: ENGINEER'S opinion of probable construction costs represents ENGINEER'S best and reasonable judgment as a professional engineer. OWNER acknowledges that ENGINEER has no control over construction costs of contractor's methods of determining pricing, or over competitive bidding by contractors, or of market conditions or changes thereto. ENGINEER cannot and does not guarantee that proposals, bids or actual construction costs will not vary from ENGINEER'S opinion of probable construction costs.

Copies of Documents & Electronic Compatibility: Copies of Documents that may be relied upon by OWNER are limited to the printed copies (also known as hard copies) that are signed or sealed by the ENGINEER. Files in electronic media format of text, data, graphics, or of other types that are furnished by ENGINEER to OWNER are only for convenience of OWNER. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk. When transferring documents in electronic media format, ENGINEER makes no representations as to long term compatibility, usability, or readability of documents resulting from the use of software application packages, operating systems, or computer hardware differing from those used by ENGINEER at the beginning of the project.

Changed Conditions: If, during the term of this Agreement, circumstances or conditions that were not originally contemplated by or known to the ENGINEER are revealed, to the extent that they affect the scope of services, compensation, schedule, allocation of risks, or other material terms of this Agreement, the ENGINEER may call for renegotiation of appropriate portions of this Agreement. The ENGINEER shall notify the OWNER of the changed conditions necessitating renegotiation, and the ENGINEER and the OWNER shall promptly and in good faith enter into renegotiation of this Agreement to address the changed conditions. If terms cannot be agreed to, the parties agree that either party has the absolute right to terminate this Agreement, in accordance with the termination provision hereof.

Hazardous Conditions: OWNER represents to ENGINEER that to the best of its knowledge no Hazardous Conditions (environmental or otherwise) exist on the project site. If a Hazardous Condition is encountered or alleged, ENGINEER shall have the obligation to notify OWNER and, to the extent of applicable Laws and Regulations, appropriate governmental officials. It is acknowledged by both parties that ENGINEER's scope of services does not include any services related to a Hazardous Condition. In the event ENGINEER or any other party encounters a Hazardous Condition, ENGINEER may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the project affected thereby until OWNER: (i) retains appropriate specialist consultant(s) or contractor(s) to identify and, as appropriate, abate, remediate, or remove the Hazardous Condition; and (ii) warrants that the project site is in full compliance with applicable Laws and Regulations.

Consequential Damages: Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither the OWNER nor the ENGINEER, their respective officers, directors, partners, employees, contractors, or subcontractors shall be liable to the other or shall make any claim for any incidental, indirect, or consequential damages arising out of or connected in any way to the Project or to this Agreement. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of

profit, loss of business, loss of income, loss of reputation, or any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract, and breach of strict or implied warranty. Both the OWNER and the ENGINEER shall require similar waivers of consequential damages protecting all the entities or persons named herein in all contracts and subcontracts with others involved in this project.

Termination: This Agreement may be terminated for convenience, without cause, upon fourteen (14) days written notice of either party. In the event of termination, the ENGINEER shall prepare a final invoice and be due compensation as set forth in the Professional Services Agreement for all costs incurred through the date of termination.

Either party may terminate this Agreement for cause upon giving the other party not less than seven (7) calendar days' written notice for the following reasons:

(a) Substantial failure by the other party to comply with or perform in accordance with the terms of the Agreement and through no fault of the terminating party;

(b) Assignment of the Agreement or transfer of the project without the prior written consent of the other party;

(c) Suspension of the project or the ENGINEER'S services by the OWNER for a period of greater than ninety (90) calendar days, consecutive or in the aggregate.

(d) Material changes in the conditions under which this Agreement was entered into, the scope of services or the nature of the project, and the failure of the parties to reach agreement on the compensation and schedule adjustments necessitated by such changes.

Payment of Invoices: Invoices are due and payable within 30 days of receipt unless otherwise agreed to in writing.

Third Party Beneficiaries: Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the OWNER or the ENGINEER. The ENGINEER'S services under this Agreement are being performed solely and exclusively for the OWNER'S benefit, and no other party or entity shall have any claim against the ENGINEER because of this Agreement or the performance or nonperformance of services hereunder. The OWNER and ENGINEER agree to require a similar provision in all contracts with contractors, subcontractors, vendors and other entities involved in this Project to carry out the intent of this provision.

Force Majeure: Each Party shall be excused from the performance of its obligations under this Agreement to the extent that such performance is prevented by force majeure (defined below) and the nonperforming party promptly provides notice of such prevention to the other party. Such excuse shall be continued so long as the condition constituting force majeure continues. The party affected by such force majeure also shall notify the other party of the anticipated duration of such force majeure, any actions being taken to avoid or minimize its effect after such occurrence, and shall take reasonable efforts to remove the condition constituting such force majeure. For purposes of this Agreement, "force majeure" shall include conditions beyond the control of the parties, including an act of God, acts of terrorism, voluntary or involuntary compliance with any regulation, law or order of any government, war, acts of war (whether war be declared or not), labor strike or lock-out, civil commotion, epidemic, failure or default of public utilities or common carriers, destruction of production facilities or materials by fire, earthquake, storm or like catastrophe. The payment of invoices due and owing hereunder shall in no event be delayed by the payer because of a force majeure affecting the payer.

Additional Terms or Modification: All prior understandings and agreements between the parties are merged into this Agreement, and this Agreement may not be modified orally or in any manner other than by an Agreement in writing signed by both parties. In the event that any provisions of this Agreement shall be held to be invalid or unenforceable, the remaining provisions shall be valid and binding on the parties.

Assignment: Neither party to this Agreement shall transfer or assign any rights or duties under or interest in this Agreement without the prior written consent of the other party. Subcontracting normally contemplated by the ENGINEER shall not be considered an assignment for purposes of this Agreement.

Waiver: A party's waiver of, or the failure or delay in enforcing any provision of this Agreement shall not constitute a waiver of the provision, nor shall it affect the enforceability of that provision or of the remainder of this Agreement.

Attorney's Fees: In the event of any action or proceeding brought by either party against the other under this Agreement, the prevailing party shall be entitled to recover from the other all costs and expenses including without limitation the reasonable fees of its attorneys in such action or proceeding, including costs of appeal, if any, in such amount as the Court may adjudge reasonable.

Fiduciary Duty: Nothing in this Agreement is intended to create, nor shall it be construed to create, a fiduciary duty owed to either party to the other party. EEI makes no warranty, express or implied, as to its professional services rendered.

Headings: The headings used in this Agreement are inserted only as a matter of convenience only, and in no way define, limit, enlarge, modify, explain or define the text thereof nor affect the construction or interpretation of this Agreement.

E. Van Emmon Street Resurfacing
Surface Transportation Program
United City of Yorkville
Professional Services Agreement - Preliminary & Design Engineering

Attachment B – Scope of Services

Preliminary Engineering

- Preliminary IDOT Coordination and Phase I Processing
  - Section Number, Job Number, Project Number & Contract Number Request
  - Local Agency Pavement Preservation of Functional Overlay Approval (BLR46300)
  - Location Map
  - Geotechnical Subsurface Exploration (Pavement Cores)
  - Preliminary Typical Sections - Existing and Proposed
  - Prepare Maintenance History Letter & Evaluate Crash History

Design Engineering

- Site Visit/Review of Existing Conditions
  - Conduct site visit(s) to assess condition of existing pavement, curb and gutter, sidewalk, driveways, culverts and drainage structures.
  - Obtain, review and inventory existing utility, roadway, right-of way, ownership, soil data, etc.
  - Coordinate documentation for CCDD management of soils, as necessary
  - Confirm pavement design and rehabilitation methodology

- Prepare Final Plans
  - Prepare Base Plan Set, IDOT Format
  - General Notes, Legend, List of Highway Standards
  - Summary of Quantities
  - Typical Sections
  - Plan Sheets (CAD Sheets, Developed from GIS Database and Aerials/Field Notes)
  - Project Details

- Prepare Specifications
  - Project Specific Special Provisions
  - Bureau of Design and Environment Provisions
  - District Three Special Provisions
  - Bureau of Local Roads and Streets Special Provisions

- IDOT Processing
  - Estimate of Cost
  - Estimate of Time
  - Lump Sum Item Breakdown
  - Revisions with Disposition of Comments
  - Coordination of Local Agency Agreement for Federal Participation
  - Prepare Construction Engineering Agreement

ATTACHMENT C: ESTIMATED LEVEL OF EFFORT AND ASSOCIATED COST
PROFESSIONAL ENGINEERING SERVICES

CLIENT	PROJECT NUMBER	
United City of Yorkville	YO2336-P	
PROJECT TITLE	**DATE**	**PREPARED BY**
E. Van Emmon Street Resurfacing - Preliminary & Design Engineering	9/13/23	CJO/BPS

TASK NO.	TASK DESCRIPTION	ROLE	PIC	SPM	PM	SPE 1	PE	SPT 2	SPT 1	ST	ADMIN	HOURS	COST
		PERSON											
		RATE	$239	$227	$204	$192	$162	$167	$156	$135	$70		
PRELIMINARY ENGINEERING													
1.1	Preliminary Project Management & Coordination		2	2	8						2	14	$ 2,704
1.2	Project Meetings		4		4	4	4					16	$ 3,188
1.3	Pavement and Crash Analysis				2		6					8	$ 1,380
1.4	Preliminary IDOT Coordination				2	4						6	$ 1,176
1.5	Process Documents for LAFO Design Approval				2	6	12	2	4	4		30	$ 5,002
	Preliminary Engineering Subtotal:		**6**	**2**	**18**	**14**	**22**	**2**	**4**	**4**	**2**	74	$ 13,450
DESIGN ENGINEERING													
2.1	Design Project Management & Coordination		2	4	10							16	$ 3,426
2.2	Site Review & Identification of Required Improvements				2	6	12					20	$ 3,504
2.3	Prepare Existing Condition Plan Sheets					2	8	2	4	12		28	$ 4,258
2.4	Prepare & Submit Pre-Final Plans, Specifications and Estimates				2	8	24	4	16	24		78	$ 12,236
2.5	Revisions and Disposition of Comments				2	6	8		4			20	$ 3,480
2.6	Submit Final Plans, Specifications and Estimates				2	8	8	2		8		28	$ 4,654
2.7	IDOT Processing - Local Agency Agreement & Construction Engineering		2		2	4						8	$ 1,654
	Design Engineering Subtotal:		**4**	**4**	**20**	**34**	**60**	**8**	**24**	**44**	**-**	198	$ 33,212
	PROJECT TOTAL:		**10**	**6**	**38**	**48**	**82**	**10**	**28**	**48**	**2**	**272**	**46,662**

EEI STAFF

PIC	Principal In Charge
SPM	Senior Project Manager
PM	Project Manager
SPE 1	Senior Project Engineer I
PE	Project Engineer
SPT 2	Senior Project Technician II
SPT 1	Senior Project Technician I
ST	Senior Technician
ADMIN	Administrative Assistant

DIRECT EXPENSES		
Printing/Scanning =	$	200
Pavement Cores (Rubino) =	$	5,100
DIRECT EXPENSES =	**$**	**5,300**

LABOR SUMMARY		
EEI Labor Expenses =	$	46,662
TOTAL LABOR EXPENSES	**$**	**46,662**

TOTAL COSTS	**$**	**51,962**

ATTACHMENT D: ESTIMATED SCHEDULE

CLIENT	PROJECT NUMBER	
United City of Yorkville	YO2336-P	
PROJECT TITLE	**DATE**	**PREPARED BY**
E. Van Emmon Street Resurfacing - Preliminary & Design Engineering	9/13/23	CJO

TASK NO.	TASK DESCRIPTION	2024															
		SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
PRELIMINARY ENGINEERING																	
1.1	Preliminary Project Management & Coordination																
1.2	Project Meetings																
1.3	Pavement and Crash Analysis																
1.4	Preliminary IDOT Coordination																
1.5	Process Documents for LAFO Design Approval																
DESIGN ENGINEERING																	
2.1	Design Project Management & Coordination																
2.2	Site Review & Identification of Required Improvements																
2.3	Prepare Existing Condition Plan Sheets																
2.4	Prepare & Submit Pre-Final Plans, Specifications and Estimates																
2.5	Revisions and Disposition of Comments																
2.6	Submit Final Plans, Specifications and Estimates																
2.7	IDOT Processing - Local Agency Agreement & Construction Engineering																

Engineering Enterprises, Inc.
52 Wheeler Road
Sugar Grove, Illinois 60554
(630) 466-6700
www.eeiweb.com

United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560
630-553-4350
www.yorkville.il.us

NO.	DATE	REVISIONS

DATE: FEBRUARY 2022
PROJECT NO.: YO2204
BY: MJT
PATH: H:\GIS\PUBLIC\YORKVILLE\2022\
FILE: YO2204 VanEmmon Street Location Map

200 100 0 200 Feet

ATTACHMENT E
E. VAN EMMON STREET LOCATION MAP

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STANDARD SCHEDULE OF CHARGES ~ JANUARY 1, 2023

EMPLOYEE DESIGNATION	CLASSIFICATION	HOURLY RATE
Senior Principal	E-4	$239.00
Principal	E-3	$234.00
Senior Project Manager	E-2	$227.00
Project Manager	E-1	$204.00
Senior Project Engineer/Surveyor II	P-6	$192.00
Senior Project Engineer/Surveyor I	P-5	$179.00
Project Engineer/Surveyor	P-4	$162.00
Senior Engineer/Surveyor	P-3	$149.00
Engineer/Surveyor	P-2	$135.00
Associate Engineer/Surveyor	P-1	$122.00
Senior Project Technician II	T-6	$167.00
Senior Project Technician I	T-5	$156.00
Project Technician	T-4	$146.00
Senior Technician	T-3	$135.00
Technician	T-2	$122.00
Associate Technician	T-1	$107.00
GIS Technician II	G-2	$119.00
GIS Technician I	G-1	$110.00
Engineering/Land Surveying Intern	I-1	$ 79.00
Executive Administrative Assistant	A-4	$ 75.00
Administrative Assistant	A-3	$ 70.00

VEHICLES. REPROGRAPHICS, DIRECT COSTS, DRONE AND EXPERT TESTIMONY

Vehicle for Construction Observation		$ 15.00
In-House Scanning and Reproduction	$0.25/Sq. Ft. (Black & White) $1.00/Sq. Ft. (Color)	
Reimbursable Expenses (Direct Costs)	Cost	
Services by Others (Direct Costs)	Cost + 10%	
Unmanned Aircraft System / Unmanned Aerial Vehicle / Drone		$ 216.00
Expert Testimony		$ 271.00

Reviewed By:	
Legal	☐
Finance	☐
Engineer	■
City Administrator	■
Community Development	☐
Purchasing	☐
Police	☐
Public Works	☐
Parks and Recreation	☐

Agenda Item Number

Public Works Committee #3

Tracking Number

PW 2023-75

Agenda Item Summary Memo

Title: Water Audits and Non-Revenue Reduction – Design Engineering Agreement

Meeting and Date: City Council – September 26, 2023

Synopsis: Please see the attached memo.

Council Action Previously Taken:

Date of Action: PW – 9/19/23 Action Taken: Moved forward to City Council agenda.

Item Number: PW 2023-75

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Bart Olson (Name) Administration (Department)

Agenda Item Notes:

Have a question or comment about this agenda item?
Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/320/City-Council

Memorandum

To: City Council
From: Bart Olson, City Administrator
CC:
Date: September 13, 2023
Subject: Water audits and non-revenue reduction – design engineering

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Summary

Consideration of a design engineering agreement with EEI for the City's annual water audit and non-revenue reduction consultation.

Background

This item was last discussed during the August 2023 City Council meeting, during the WIFIA letter of interest presentation. One of the components of our Lake Michigan water supply project will be an annual audit of the City's water system to determine whether the City is under a 10% non-revenue water loss rate. Once that annual audit is completed, the City needs to file the appropriate reports with the Illinois Department of Natural Resources (IDNR) and make recommendations for system improvements to reduce water loss. Accordingly, EEI has submitted a design engineering agreement to complete this work on behalf of the City for water years 2022 (October 1, 2021 through September 30, 2022) and 2023 (October 1, 2022 through September 30, 2023), and to make recommendations for water system improvements post-audit.

The agreement submitted by EEI covers design engineering services only. The total cost of the contract is an estimated value of $40,000, to be paid out at hourly rates. This project is included in the FY 24 budget. The study is expected to begin in mid-October, and wrap up by the end of 2023. Recommendations for reducing water loss will be made throughout the remainder of FY 24.

Recommendation

Staff recommends approval of the design engineering agreement with EEI for the City's annual water audit and non-revenue reduction consultations.

Water Audits and Non-Revenue Reduction Consultation
United City of Yorkville
Professional Services Agreement – Design Engineering

THIS AGREEMENT, by and between the United City of Yorkville, hereinafter referred to as the "City" or “OWNER” and Engineering Enterprises, Inc. hereinafter referred to as the "Contractor" or “ENGINEER” agrees as follows:

A. Services:

The ENGINEER shall furnish the necessary personnel, materials, equipment, and expertise to make the necessary investigations, analysis, and calculations along with exhibits, cost estimates, and narrative, to complete all necessary engineering services to the City as indicated on the included Attachment B. Services to be provided include professional engineering services for the preparation of the Water Audit (WY22 & WY23) and on-going Non-Revenue Water reduction efforts.

B. Term:

Services will be provided beginning on the date of execution of this agreement and continuing, until terminated by either party upon 7 days written notice to the non-terminating party or upon completion of the Services. Upon termination the ENGINEER shall be compensated for all work performed for the City prior to termination.

C. Compensation and maximum amounts due to ENGINEER:

ENGINEER shall receive as compensation for all work and services to be performed herein, an amount based on the Estimate of Level of Effort and Associated Cost included in Attachment C. Design Engineering will be paid for on an hourly basis in an estimated amount of $40,000.00. The hourly rates for this project are shown in the attached 2023 Standard Schedule of Charges (Attachment E). All payments will be made according to the Illinois State Prompt Payment Act and not less than once every thirty days.

D. Changes in Rates of Compensation:

In the event that this contract is designated in Section B hereof as an Ongoing Contract, ENGINEER, on or before February 1st of any given year, shall provide written notice of any change in the rates specified in Section C hereof (or on any attachments hereto) and said changes shall only be effective on and after May 1st of that same year.

E. Ownership of Records and Documents:

ENGINEER agrees that all books and records and other recorded information developed specifically in connection with this agreement shall remain the property of the City. ENGINEER agrees to keep such information confidential and not to disclose or disseminate the information to third parties without the consent of the City. This

confidentiality shall not apply to material or information, which would otherwise be subject to public disclosure through the freedom of information act or if already previously disclosed by a third party. Upon termination of this agreement, ENGINEER agrees to return all such materials to the City. The City agrees not to modify any original documents produced by ENGINEER without contractors consent. Modifications of any signed duplicate original document not authorized by ENGINEER will be at OWNER's sole risk and without legal liability to the ENGINEER. Use of any incomplete, unsigned document will, likewise, be at the OWNER's sole risk and without legal liability to the ENGINEER.

F. Governing Law:

This contract shall be governed and construed in accordance with the laws of the State of Illinois. Venue shall be in Kendall County, Illinois.

G. Independent Contractor:

ENGINEER shall have sole control over the manner and means of providing the work and services performed under this agreement. The City's relationship to the ENGINEER under this agreement shall be that of an independent contractor. ENGINEER will not be considered an employee to the City for any purpose.

H. Certifications:

Employment Status: The Contractor certifies that if any of its personnel are an employee of the State of Illinois, they have permission from their employer to perform the service.

Anti-Bribery : The Contractor certifies it is not barred under 30 Illinois Compiled Statutes 500/50-5(a) - (d) from contracting as a result of a conviction for or admission of bribery or attempted bribery of an officer or employee of the State of Illinois or any other state.

Loan Default: If the Contractor is an individual, the Contractor certifies that he/she is not in default for a period of six months or more in an amount of $600 or more on the repayment of any educational loan guaranteed by the Illinois State Scholarship Commission made by an Illinois institution of higher education or any other loan made from public funds for the purpose of financing higher education (5 ILCS 385/3).

Felony Certification: The Contractor certifies that it is not barred pursuant to 30 Illinois Compiled Statutes 500/50-10 from conducting business with the State of Illinois or any agency as a result of being convicted of a felony.

Barred from Contracting : The Contractor certifies that it has not been barred from contracting as a result of a conviction for bid-rigging or bid rotating under 720 Illinois Compiled Statutes 5/33E or similar law of another state.

Drug Free Workplace: The Contractor certifies that it is in compliance with the Drug Free Workplace Act (30 Illinois Compiled Statutes 580) as of the effective date of this contract. The Drug Free Workplace Act requires, in part, that Contractors, with 25 or more employees certify and agree to take steps to ensure a drug free workplace by informing

employees of the dangers of drug abuse, of the availability of any treatment or assistance program, of prohibited activities and of sanctions that will be imposed for violations; and that individuals with contracts certify that they will not engage in the manufacture, distribution, dispensation, possession, or use of a controlled substance in the performance of the contract.

Non-Discrimination, Certification, and Equal Employment Opportunity : The Contractor agrees to comply with applicable provisions of the Illinois Human Rights Act (775 Illinois Compiled Statutes 5), the U.S. Civil Rights Act, the Americans with Disabilities Act, Section 504 of the U.S. Rehabilitation Act and the rules applicable to each. The equal opportunity clause of Section 750.10 of the Illinois Department of Human Rights Rules is specifically incorporated herein. The Contractor shall comply with Executive Order 11246, entitled Equal Employment Opportunity, as amended by Executive Order 11375, and as supplemented by U.S. Department of Labor regulations (41 C.F.R. Chapter 60). The Contractor agrees to incorporate this clause into all subcontracts under this Contract.

International Boycott: The Contractor certifies that neither it nor any substantially owned affiliated company is participating or shall participate in an international boycott in violation of the provisions of the U.S. Export Administration Act of 1979 or the regulations of the U.S. Department of Commerce promulgated under that Act (30 ILCS 582).

Record Retention and Audits: If 30 Illinois Compiled Statutes 500/20-65 requires the Contractor (and any subcontractors) to maintain, for a period of 3 years after the later of the date of completion of this Contract or the date of final payment under the Contract, all books and records relating to the performance of the Contract and necessary to support amounts charged to the City under the Contract. The Contract and all books and records related to the Contract shall be available for review and audit by the City and the Illinois Auditor General. If this Contract is funded from contract/grant funds provided by the U.S. Government, the Contract, books, and records shall be available for review and audit by the Comptroller General of the U.S. and/or the Inspector General of the federal sponsoring agency. The Contractor agrees to cooperate fully with any audit and to provide full access to all relevant materials.

United States Resident Certification: (This certification must be included in all contracts involving personal services by non-resident aliens and foreign entities in accordance with requirements imposed by the Internal Revenue Services for withholding and reporting federal income taxes.) The Contractor certifies that he/she is a: _x_ United States Citizen ___ Resident Alien ___ Non-Resident Alien The Internal Revenue Service requires that taxes be withheld on payments made to non resident aliens for the performance of personal services at the rate of 30%.

Tax Payer Certification : Under penalties of perjury, the Contractor certifies that its Federal Tax Payer Identification Number or Social Security Number is (provided separately) and is doing business as a (check one): ___ Individual ___ Real Estate Agent ___ Sole Proprietorship ___ Government Entity ___ Partnership ___ Tax Exempt Organization (IRC 501(a) only) _x_ Corporation ___ Not for Profit Corporation ___ Trust or Estate ___ Medical and Health Care Services Provider Corp.

I. Indemnification:

ENGINEER shall indemnify and hold harmless the City and City's agents, servants, and employees against all loss, damage, and expense which it may sustain or for which it will become liable on account of injury to or death of persons, or on account of damage to or destruction of property resulting from the performance of work under this agreement by ENGINEER or its Subcontractors, or due to or arising in any manner from the wrongful act or negligence of ENGINEER or its Subcontractors of any employee of any of them. In the event that the either party shall bring any suit, cause of action or counterclaim against the other party, the non-prevailing party shall pay to the prevailing party the cost and expenses incurred to answer and/or defend such action, including reasonable attorney fees and court costs. In no event shall the either party indemnify any other party for the consequences of that party's negligence, including failure to follow the ENGINEER's recommendations.

J. Insurance:

The ENGINEER agrees that it has either attached a copy of all required insurance certificates or that said insurance is not required due to the nature and extent of the types of services rendered hereunder. (Not applicable as having been previously supplied)

K. Additional Terms or Modification:

The terms of this agreement shall be further modified as provided on the attachments. Except for those terms included on the attachments, no additional terms are included as a part of this agreement. All prior understandings and agreements between the parties are merged into this agreement, and this agreement may not be modified orally or in any manner other than by an agreement in writing signed by both parties. In the event that any provisions of this agreement shall be held to be invalid or unenforceable, the remaining provisions shall be valid and binding on the parties. The list of attachments are as follows:

Attachment A:	Standard Terms and Conditions
Attachment B:	Scope of Services
Attachment C:	Estimated Level of Effort and Associated Cost
Attachment D:	Anticipated Project Schedule
Attachment E:	2023 Standard Schedule of Charges

L. Notices:

All notices required to be given under the terms of this agreement shall be given mail, addressed to the parties as follows:

For the City:

City Administrator and City Clerk
United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

For the ENGINEER:

Engineering Enterprises, Inc.
52 Wheeler Road
Sugar Grove Illinois 60554

Either of the parties may designate in writing from time-to-time substitute addresses or persons in connection with required notices.

Agreed to this _____day of _____, 2023.

United City of Yorkville:

_____
John Purcell
Mayor

_____
Jori Behland
City Clerk

Engineering Enterprises, Inc.:

_____
Brad Sanderson, PE
Chief Operating Officer / President

Michele L. Piotrowski
_____
Michele Piotrowski, PE, LEED AP
Vice President

STANDARD TERMS AND CONDITIONS

Attachment A

Agreement: These Standard Terms and Conditions, together with the Professional Services Agreement, constitute the entire integrated agreement between the OWNER and Engineering Enterprises, Inc. (EEI) (hereinafter "Agreement"), and take precedence over any other provisions between the Parties. These terms may be amended, but only if both parties consent in writing.

Standard of Care: In providing services under this Agreement, the ENGINEER will endeavor to perform in a matter consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under same circumstances in the same locality. ENGINEER makes no other warranties, express or implied, written or oral under this Agreement or otherwise, in connection with ENGINEER'S service.

Construction Engineering and Inspection: The ENGINEER shall not supervise, direct, control, or have authority over any contractor work, nor have authority over or be responsible for the means, methods, techniques sequences, or procedures of construction selected or used by any contractor, or the safety precautions and programs incident thereto, for security or safety of the site, nor for any failure of a contractor to comply with laws and regulations applicable to such contractor's furnishing and performing of its work.

The ENGINEER neither guarantees the performance of any contractor nor assumes responsibility for contractor's failure to furnish and perform the work in accordance with the contract documents.

The ENGINEER is not responsible for the acts or omissions of any contractor, subcontractor, or supplies, or any of their agents or employees or any other person at the site or otherwise furnishing or performing any work.

Shop drawing and submittal review by the ENGINEER shall apply to only the items in the submissions and only for the purpose of assessing if upon installation or incorporation in the project work they are generally consistent with the construction documents. OWNER agrees that the contractor is solely responsible for the submissions and for compliance with the construction documents. OWNER further agrees that the ENGINEER'S review and action in relation to these submissions shall not constitute the provision of means, methods, techniques, sequencing or procedures of construction or extend or safety programs or precautions. The ENGINEER'S consideration of a component does not constitute acceptance of the assembled items.

The ENGINEER'S site observation during construction shall be at the times agreed upon in the Project Scope. Through standard, reasonable means the ENGINEER will become generally familiar with observable completed work. If the ENGINEER observes completed work that is inconsistent with the construction documents, that information shall be communicated to the contractor and OWNER for them to address.

Opinion of Probable Construction Costs: ENGINEER'S opinion of probable construction costs represents ENGINEER'S best and reasonable judgment as a professional engineer. OWNER acknowledges that ENGINEER has no control over construction costs of contractor's methods of determining pricing, or over competitive bidding by contractors, or of market conditions or changes thereto. ENGINEER cannot and does not guarantee that proposals, bids or actual construction costs will not vary from ENGINEER'S opinion of probable construction costs.

Copies of Documents & Electronic Compatibility: Copies of Documents that may be relied upon by OWNER are limited to the printed copies (also known as hard copies) that are signed or sealed by the ENGINEER. Files in electronic media format of text, data, graphics, or of other types that are furnished by ENGINEER to OWNER are only for convenience of OWNER. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk. When transferring documents in electronic media format, ENGINEER makes no representations as to long term compatibility, usability, or readability of documents resulting from the use of software application packages, operating systems, or computer hardware differing from those used by ENGINEER at the beginning of the project.

Changed Conditions: If, during the term of this Agreement, circumstances or conditions that were not originally contemplated by or known to the ENGINEER are revealed, to the extent that they affect the scope of services, compensation, schedule, allocation of risks, or other material terms of this Agreement, the ENGINEER may call for renegotiation of appropriate portions of this Agreement. The ENGINEER shall notify the OWNER of the changed conditions necessitating renegotiation, and the ENGINEER and the OWNER shall promptly and in good faith enter into renegotiation of this Agreement to address the changed conditions. If terms cannot be agreed to, the parties agree that either party has the absolute right to terminate this Agreement, in accordance with the termination provision hereof.

Hazardous Conditions: OWNER represents to ENGINEER that to the best of its knowledge no Hazardous Conditions (environmental or otherwise) exist on the project site. If a Hazardous Condition is encountered or alleged, ENGINEER shall have the obligation to notify OWNER and, to the extent of applicable Laws and Regulations, appropriate governmental officials. It is acknowledged by both parties that ENGINEER's scope of services does not include any services related to a Hazardous Condition. In the event ENGINEER or any other party encounters a Hazardous Condition, ENGINEER may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the project affected thereby until OWNER: (i) retains appropriate specialist consultant(s) or contractor(s) to identify and, as appropriate, abate, remediate, or remove the Hazardous Condition; and (ii) warrants that the project site is in full compliance with applicable Laws and Regulations.

Consequential Damages: Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither the OWNER nor the ENGINEER, their respective officers, directors, partners, employees, contractors, or subcontractors shall be liable to the other or shall make any claim for any incidental, indirect, or consequential damages arising out of or connected in any way to the Project or to this Agreement. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of profit, loss of business, loss of income, loss of reputation, or any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract, and breach of strict or implied warranty. Both the OWNER and

the ENGINEER shall require similar waivers of consequential damages protecting all the entities or persons named herein in all contracts and subcontracts with others involved in this project.

Termination: This Agreement may be terminated for convenience, without cause, upon fourteen (14) days written notice of either party. In the event of termination, the ENGINEER shall prepare a final invoice and be due compensation as set forth in the Professional Services Agreement for all costs incurred through the date of termination.

Either party may terminate this Agreement for cause upon giving the other party not less than seven (7) calendar days' written notice for the following reasons:

(a) Substantial failure by the other party to comply with or perform in accordance with the terms of the Agreement and through no fault of the terminating party;

(b) Assignment of the Agreement or transfer of the project without the prior written consent of the other party;

(c) Suspension of the project or the ENGINEER'S services by the OWNER for a period of greater than ninety (90) calendar days, consecutive or in the aggregate.

(d) Material changes in the conditions under which this Agreement was entered into, the scope of services or the nature of the project, and the failure of the parties to reach agreement on the compensation and schedule adjustments necessitated by such changes.

Payment of Invoices: Invoices are due and payable within 30 days of receipt unless otherwise agreed to in writing.

Third Party Beneficiaries: Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the OWNER or the ENGINEER. The ENGINEER'S services under this Agreement are being performed solely and exclusively for the OWNER'S benefit, and no other party or entity shall have any claim against the ENGINEER because of this Agreement or the performance or nonperformance of services hereunder. The OWNER and ENGINEER agree to require a similar provision in all contracts with contractors, subcontractors, vendors and other entities involved in this Project to carry out the intent of this provision.

Force Majeure: Each Party shall be excused from the performance of its obligations under this Agreement to the extent that such performance is prevented by force majeure (defined below) and the nonperforming party promptly provides notice of such prevention to the other party. Such excuse shall be continued so long as the condition constituting force majeure continues. The party affected by such force majeure also shall notify the other party of the anticipated duration of such force majeure, any actions being taken to avoid or minimize its effect after such occurrence, and shall take reasonable efforts to remove the condition constituting such force majeure. For purposes of this Agreement, "force majeure" shall include conditions beyond the control of the parties, including an act of God, acts of terrorism, voluntary or involuntary compliance with any regulation, law or order of any government, war, acts of war (whether war be declared or not), labor strike or lock-out, civil commotion, epidemic, failure or default of public utilities or common carriers, destruction of production facilities or materials by fire, earthquake, storm or like catastrophe. The payment of invoices due and owing hereunder shall in no event be delayed by the payer because of a force majeure affecting the payer.

Additional Terms or Modification: All prior understandings and agreements between the parties are merged into this Agreement, and this Agreement may not be modified orally or in any manner other than by an Agreement in writing signed by both parties. In the event that any provisions of this Agreement shall be held to be invalid or unenforceable, the remaining provisions shall be valid and binding on the parties.

Assignment: Neither party to this Agreement shall transfer or assign any rights or duties under or interest in this Agreement without the prior written consent of the other party. Subcontracting normally contemplated by the ENGINEER shall not be considered an assignment for purposes of this Agreement.

Waiver: A party's waiver of, or the failure or delay in enforcing any provision of this Agreement shall not constitute a waiver of the provision, nor shall it affect the enforceability of that provision or of the remainder of this Agreement.

Attorney's Fees: In the event of any action or proceeding brought by either party against the other under this Agreement, the prevailing party shall be entitled to recover from the other all costs and expenses including without limitation the reasonable fees of its attorneys in such action or proceeding, including costs of appeal, if any, in such amount as the Court may adjudge reasonable.

Fiduciary Duty: Nothing in this Agreement is intended to create, nor shall it be construed to create, a fiduciary duty owed to either party to the other party. EEI makes no warranty, express or implied, as to its professional services rendered.

Headings: The headings used in this Agreement are inserted only as a matter of convenience only, and in no way define, limit, enlarge, modify, explain or define the text thereof nor affect the construction or interpretation of this Agreement.

Water Audits (WY22 & WY23) and Non-Revenue Water Reduction Consultation

United City of Yorkville, IL
Professional Services Agreement - Design

Attachment B – Scope of Services

BACKGROUND

The United City of Yorkville is seeking a Lake Michigan Water Allocation Permit. As part of the future permit requirements, the City will need to prepare and submit to the Illinois Department of Natural Resources (IDNR) an annual water audit based on the American Water Works Association (AWWA) M36 Manual and the associated Free Water Audit Software (FWAS). Although the City's Non-Revenue Water (NRW) is anticipated to be greater than 10% which would then involve preparation of a revised Water System Improvement Plan (WSIP) indicating the City's progress and any need to pivot from the previous submittal, the WSIP is not anticipated to be required until WY2024 due to the anticipated timing of the Lake Michigan Water Allocation Permit. Therefore, the WSIP is not included in this scope of work.

SCOPE OF SERVICES

Engineering Enterprises, Inc. (EEI) will provide the necessary professional consulting and engineering services to prepare the water audit based on the AWWA M36 Manual and FWAS for both WY2022 and WY2023 and then perform on-going NRW reduction tasks as needed. Below outlines the professional consulting and engineering services to assist the City in completing these work items:

WY2022 AND WY2023 WATER AUDITS

1 Prepare and coordinate the RFI
2 Meet with the City to review data questions
3 Perform lag-time corrections for Volume from Own Sources
4 Perform lag-time corrections for Billed Metered water
5 Complete AWWA based water audit form with comments
6 Prepare summary graphs for NRW components
7 Update historical table/graph to view trends
8 On-going coordination with City to refine data
9 Meet with City to review the completed water audit
10 Complete LMO-2 for WY2023 only

ON-GOING NON-REVENUE WATER REDUCTION EFFORTS

11 Research/Review of viability of new technologies for NRW Reduction
12 Water Loss Task Force Meeting (Quarterly)
13 Responding to on-going questions regarding the NRW reduction progress

The above scope summarizes the work items that will be completed for this contract. All work items are not known at this time and will only be completed upon direction from City staff when necessary. Additional work items, shall be considered outside the scope of the base contract and will be billed in accordance with the Standard Schedule of Charges (Attachment D).

Exclusions

Items specifically excluded from the base scope of services are:

- Preparation of the LMO-2 form (The audit will be completed, but it is not anticipated that a formal submittal will be required because the permitting process is in progress.)
- Water System Improvement Plan preparation for WY2022 and WY2023.
- A resubmittal to IDNR for the WSIP
- Additional meetings beyond the meetings identified within the base scope of services
- Attendance at Board or Committee meeting
- Meter testing and/or analysis

ATTACHMENT C: ESTIMATE OF LEVEL OF EFFORT AND ASSOCIATED COST
PROFESSIONAL ENGINEERING SERVICES

CLIENT	PROJECT NUMBER	
United City of Yorkville	YO2252-C	
PROJECT TITLE	**DATE**	**PREPARED BY**
Water Audits and Non-Revenue Water Reduction Consultation	8/17/23	MLP

TASK NO.	TASK DESCRIPTION	ROLE	PIC	PRINCIPAL	PRJ ENG	GIS Analyst	ADMIN	HOURS	COST
		PERSON	BPS	MLP	KA/SNS	MJT	DRA		
		RATE	$239	$234	$162	$119	$70		
WY2022 AND WY2023 WATER AUDITS									
1	Prepare and coordinate the RFI			4	6		2	12	$ 2,048
2	Meet with the City to review data questions		2	6	6			14	$ 2,854
3	Perform lag-time corrections for Volume from Own Sources			2	8			10	$ 1,764
4	Perform lag-time corrections for Billed Metered water			4	20			24	$ 4,176
5	Complete AWWA based water audit form with comments			12	24			36	$ 6,696
6	Prepare summary graphs for NRW components			2	4			6	$ 1,116
7	Update historical table/graph to view trends			2	4			6	$ 1,116
8	On-going coordination with City to refine data		2	4	8			14	$ 2,710
9	Meet with City to review the completed water audit		2	4	4			10	$ 2,062
10	Complete LMO-2 for WY2023 only			1	2			3	$ 558
ON-GOING NON-REVENUE WATER REDUCTION EFFORTS									
11	Research/Review viability of new technologies for NRW Reduction		8	2	12			22	$ 4,324
12	Water Loss Task Force Meeting (Quarterly)		4	16	16			36	$ 7,292
13	Responding to questions regarding the NRW reduction progress			8	8		1	17	$ 3,238
	PROJECT TOTAL:		**18**	**67**	**122**	**-**	**3**	**210**	**39,954**

EEI STAFF

BPS	Bradley P. Sanderson, PE
MLP	Michele L. Piotrowski, PE, LEED AP
KA	Kamelia Afshinnia, PhD, EI
SNS	Sydney N. Shaffer, EI, CFM
MJT	Matthew J. Taylor
DRA	Deborah R. Anderson

DIRECT EXPENSES		
Printing/Scanning =	$	50
Mileage =		
DIRECT EXPENSES =	**$**	**50**

LABOR SUMMARY		
EEI Labor Expenses =	$	39,954
TOTAL LABOR EXPENSES	**$**	**39,954**

TOTAL COSTS		
	$	**40,004**

ATTACHMENT D: ESTIMATED SCHEDULE

CLIENT		PREPARED BY
United City of Yorkville		
PROJECT TITLE		
Water Audits and Non-Revenue Water Reduction Consultation		MLP

TASK NO.	TASK DESCRIPTION	2023				2024			
		SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR
1	WY2022 and WY2023 Water Audits								
2	On-going Non-Revenue Water (NRW) Reduction Efforts								

52 Wheeler Road, Sugar Grove, IL 60554 Tel: 630.466.6700 Fax: 630.466.6701 www.eeiweb.com

ATTACHMENT E - STANDARD SCHEDULE OF CHARGES ~ JANUARY 1, 2023

EMPLOYEE DESIGNATION	CLASSIFICATION	HOURLY RATE
Senior Principal	E-4	$239.00
Principal	E-3	$234.00
Senior Project Manager	E-2	$227.00
Project Manager	E-1	$204.00
Senior Project Engineer/Surveyor II	P-6	$192.00
Senior Project Engineer/Surveyor I	P-5	$179.00
Project Engineer/Surveyor	P-4	$162.00
Senior Engineer/Surveyor	P-3	$149.00
Engineer/Surveyor	P-2	$135.00
Associate Engineer/Surveyor	P-1	$122.00
Senior Project Technician II	T-6	$167.00
Senior Project Technician I	T-5	$156.00
Project Technician	T-4	$146.00
Senior Technician	T-3	$135.00
Technician	T-2	$122.00
Associate Technician	T-1	$107.00
GIS Technician II	G-2	$119.00
GIS Technician I	G-1	$110.00
Engineering/Land Surveying Intern	I-1	$ 79.00
Executive Administrative Assistant	A-4	$ 75.00
Administrative Assistant	A-3	$ 70.00

VEHICLES. REPROGRAPHICS, DIRECT COSTS, DRONE AND EXPERT TESTIMONY

Vehicle for Construction Observation		$ 15.00
In-House Scanning and Reproduction	$0.25/Sq. Ft. (Black & White) $1.00/Sq. Ft. (Color)	
Reimbursable Expenses (Direct Costs)	Cost	
Services by Others (Direct Costs)	Cost + 10%	
Unmanned Aircraft System / Unmanned Aerial Vehicle / Drone		$ 216.00
Expert Testimony		$ 271.00

Reviewed By:	
Legal	☐
Finance	☐
Engineer	■
City Administrator	☐
Community Development	☐
Purchasing	☐
Police	☐
Public Works	☐
Parks and Recreation	☐

Agenda Item Number

Public Works Committee #4

Tracking Number

PW 2023-76

Agenda Item Summary Memo

Title: 2023 Sanitary Sewer Lining Improvements

Meeting and Date: City Council – September 26, 2023

Synopsis: 2023 Sanitary Sewer Lining Improvements – Recommendation to Award

Council Action Previously Taken:

Date of Action: PW – 9/19/23 Action Taken: Moved forward to City Council agenda.

Item Number: PW 2023-76

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Brad Sanderson (Name) Engineering (Department)

Agenda Item Notes:

Have a question or comment about this agenda item?
Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/320/City-Council

Memorandum

To: Bart Olson, City Administrator
From: Brad Sanderson, EEI
CC: Eric Dhuse, Director of Public Works
Jori Behland, City Clerk
Rob Fredrickson, Finance Director

Date: September 19, 2023
Subject: 2023 Sanitary Sewer Lining Improvements

Bids were received, opened, and tabulated for work to be done on the 2023 Sanitary Sewer Lining Improvements at 10:00 a.m., August 31, 2023. Representatives of contractors bidding the project and our firm were in attendance. A tabulation of the bids and the engineer's estimate is attached for your information and record. The low bid was below our engineer's estimate and within the FY24 budget.

EEI has worked with this contractor on a previous project and there were no concerns raised.

We recommend the acceptance of the Bid and approval of award be made to the low bidder, Innovative Underground, P.O. Box 329, Yorkville, IL 60560 in the total amount of **$264,460.00.**

This project will be coded out of the Sewer Main Replacement Program (52-520-60-00-6025) in the Sewer Fund, which is currently budgeted at $440,000.

If you have any questions or require additional information, please let us know.

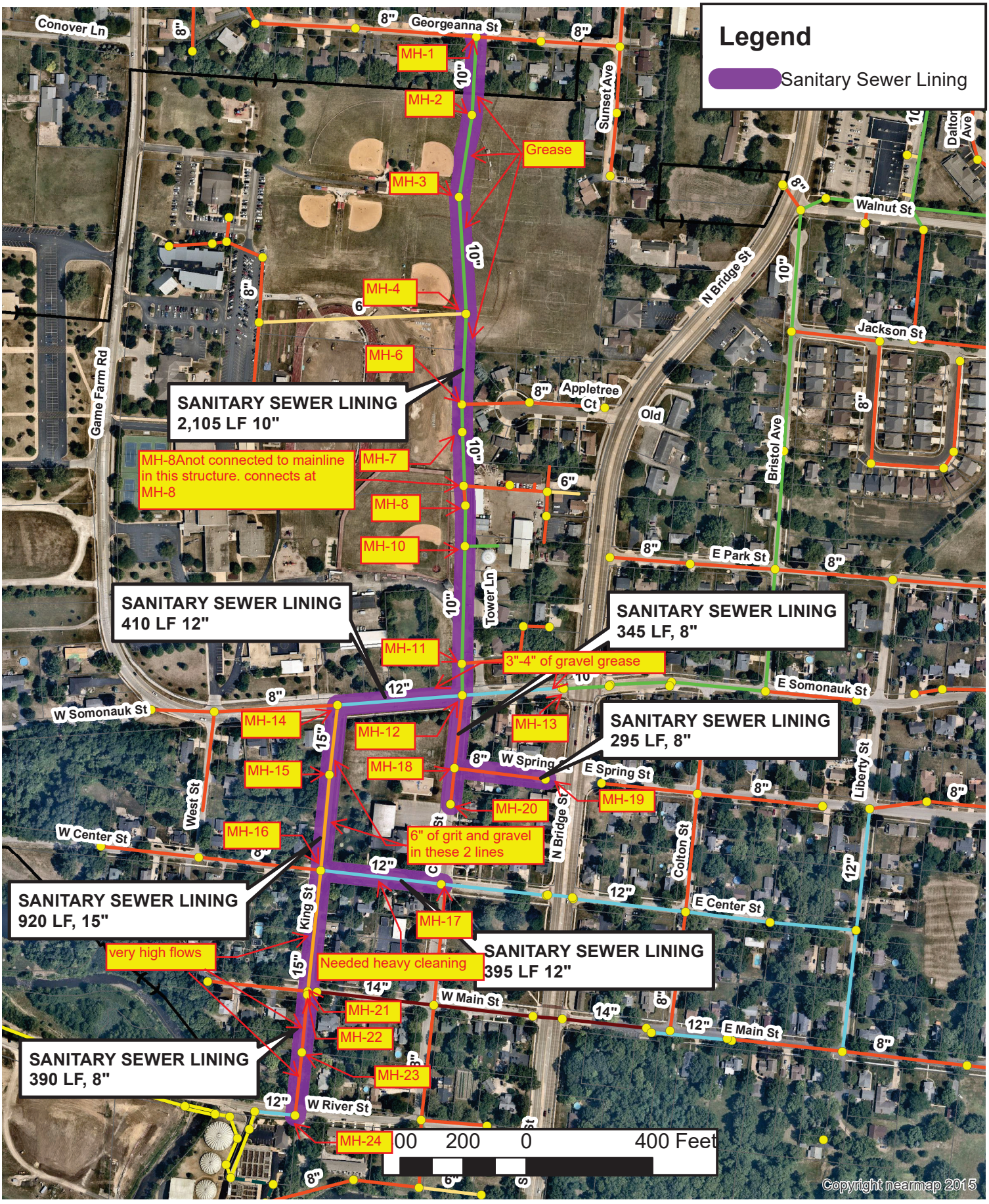
BID SUMMARY
2023 SANITARY SEWER LINING IMPROVEMENTS
UNITED CITY OF YORKVILLE

BID TABULATION BIDS RECEIVED 10:00 A.M. 8/31/2023	**Engineer's Estimate** 52 Wheeler Road Sugar Grove, IL 60554	**Insituform Technologies USA, LLC** 11948 Longmont Dr. Maryland Heights, MO-63043	**Visu-Sewer** W230 N4855 Betker Drive Pewaukee, WI-53072	**Hoerr Construction, Inc.** PO Box 65 Goodfield, IL-61742
BID TOTAL		$271,254.60	$324,885.75	$292,960.00
BID BOND	**N/A**	**X**	**X**	**X**
SIGNED BID	**N/A**	**X**	**X**	**X**
ADDENDUM NO. 1	**N/A**	**X**	**X**	**X**
BID TABULATION BIDS RECEIVED 11:00 A.M. 10/04/2022	**National Power Rodding Corp** 2500 W. Arthington Street Chicago, IL-60612-4108	**Performance Pipelining, Inc** 1551 W Norris Dr Ottawa, IL 61350	**Benchmark Construction** 2260 Southwind Blvd Bartlett, IL-60103	**SAK Construction, LLC** 864 Hoff Road O'Fallon, MO 63366
BID TOTAL	$280,825.00	$305,000.00	N/A	N/A
BID BOND	**X**	**X**		
SIGNED BID	**X**	**X**		
ADDENDUM NO. 1	**X**	**X**		
BID TABULATION BIDS RECEIVED 11:00 A.M. 10/04/2022	**Innovative Underground** PO Box 329 Yorkville, IL 60560			
BID TOTAL	$264,460.00			
BID BOND	**X**			
SIGNED BID	**X**			
ADDENDUM NO. 1	**X**			

BID TABULATION
2023 SANITARY SEWER LINING IMPROVMEMENTS
UNITED CITY OF YORKVILLE

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	BID TABULATION BIDS RECD 8/31/2023		**Insituform Technologies USA, LLC** 11948 Longmont Dr. Maryland Heights, MO-63043		**Hoerr Construction, Inc.** PO Box 65 Goodfield, IL-61742		**National Power Rodding Corp** 2500 W. Arthington Street Chicago, IL-60612-4108		**Visu-Sewer** W230 N4855 Betker Drive Pewaukee, WI-53072		**Performance Pipelining, Inc** 1551 W Norris Dr Ottawa, IL 61350		**Innovative Underground** PO Box 329 Yorkville, IL 60560		**ENGINEER'S ESTIMATE** 52 Wheeler Road Sugar Grove, IL 60554	
				UNIT PRICE		UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	CURED-IN-PLACE-HEAT CURED PIPE LINING, 8"	LF	1,030	$ 43.84	$ 45,155.20	$ 50.00	$ 51,500.00	$ 35.00	$ 36,050.00	$ 42.20	$ 43,466.00	$ 43.00	$ 44,290.00	$ 40.00	$ 41,200.00	$ 65.00	$ 66,950.00
2	CURED-IN-PLACE-HEAT CURED PIPE LINING, 10"	LF	2,105	$ 44.76	$ 94,219.80	$ 49.00	$ 103,145.00	$ 45.00	$ 94,725.00	$ 42.20	$ 88,831.00	$ 50.00	$ 105,250.00	$ 42.00	$ 88,410.00	$ 70.00	$ 147,350.00
3	CURED-IN-PLACE-HEAT CURED PIPE LINING, 12"	LF	805	$ 49.76	$ 40,056.80	$ 59.00	$ 47,495.00	$ 50.00	$ 40,250.00	$ 69.75	$ 56,148.75	$ 60.00	$ 48,300.00	$ 52.00	$ 41,860.00	$ 75.00	$ 60,375.00
4	CURED-IN-PLACE-HEAT CURED PIPE LINING, 15"	LF	920	$ 61.59	$ 56,662.80	$ 71.00	$ 65,320.00	$ 65.00	$ 59,800.00	$ 94.50	$ 86,940.00	$ 72.00	$ 66,240.00	$ 72.00	$ 66,240.00	$ 80.00	$ 73,600.00
5	GROUT JOINTS	EACH	5	$ 1,100.00	$ 5,500.00	$ 100.00	$ 500.00	$ 800.00	$ 4,000.00	$ 1,650.00	$ 8,250.00	$ 1.00	$ 5.00	$ 350.00	$ 1,750.00	$ 500.00	$ 2,500.00
6	HEAVY CLEANING	LF	500	$ 10.00	$ 5,000.00	$ 8.00	$ 4,000.00	$ 2.00	$ 1,000.00	$ 2.50	$ 1,250.00	$ 10.00	$ 5,000.00	$ 8.00	$ 4,000.00	$ 25.00	$ 12,500.00
7	BYPASS PUMPING	LSUM	1	$ 3,110.00	$ 3,110.00	$ 4,000.00	$ 4,000.00	$ 20,000.00	$ 20,000.00	$ 5,000.00	$ 5,000.00	$ 18,915.00	$ 18,915.00	$ 3,500.00	$ 3,500.00	$ 15,000.00	$ 15,000.00
8	TRAFFIC CONTROL AND PROTECTION	LSUM	1	$ 6,550.00	$ 6,550.00	$ 2,000.00	$ 2,000.00	$ 10,000.00	$ 10,000.00	$ 20,000.00	$ 20,000.00	$ 2,000.00	$ 2,000.00	$ 2,500.00	$ 2,500.00	$ 10,000.00	$ 10,000.00
9	ALLOWANCE - ITEMS ORDERED BY THE ENGINEER	UNIT	15,000	$ 1.00	$ 15,000.00	$ 1.00	$ 15,000.00	$ 1.00	$ 15,000.00	$ 1.00	$ 15,000.00	$ 1.00	$ 15,000.00	$ 1.00	$ 15,000.00	$ 1.00	$ 15,000.00
	BASE BID TOTAL				**$ 271,254.60**		**$ 292,960.00**		**$ 280,825.00**		**$ 324,885.75**		**$ 305,000.00**		**$ 264,460.00**		**$ 403,275.00**
	ABOVE/BELOW ENGINEERS ESTIMATE				-32.74%		-27.35%		-30.36%		-19.44%		-24.37%		-34.42%		-

CORRECTED NUMBERS FROM BID



Engineering Enterprises, Inc.
52 Wheeler Road
Sugar Grove, Illinois 60554
(630) 466-6700
www.eeiweb.com

United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560
630-553-4350

DATE:	APRIL 2023
PROJECT NO.:	YO2306
BY:	MJT
PATH:	H:\GIS\PUBLIC\YORKVILLE\2023\
FILE:	YO2218_Sanitary Lining Center-King.MXD

2023 SANITARY SEWER LINING LOCATION MAP

N

Reviewed By:	
Legal	☐
Finance	☐
Engineer	■
City Administrator	■
Community Development	☐
Purchasing	☐
Police	☐
Public Works	☐
Parks and Recreation	☐

Agenda Item Number

Public Works Committee #5

Tracking Number

PW 2023-77

Agenda Item Summary Memo

Title: Riverwalk / Route 47 Crossing - Preliminary Engineering

Meeting and Date: City Council – September 26, 2023

Synopsis: Please see the attached memo.

Council Action Previously Taken:

Date of Action: PW – 9/19/23 Action Taken: Moved forward to City Council agenda.

Item Number: PW 2023-77

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Bart Olson (Name) Administration (Department)

Agenda Item Notes:

Have a question or comment about this agenda item?
Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/320/City-Council

Memorandum

To: City Council
From: Bart Olson, City Administrator
CC:
Date: September 13, 2023
Subject: Riverwalk / Route 47 crossing – preliminary engineering

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Summary

Consideration of a preliminary engineering agreement with EEI for a new Route 47 crossing near Hydraulic Ave or a riverwalk.

Background

In the past several years, the City has seen an uptick in nightlife patrons in the City's downtown area. These patrons frequently choose to cross Route 47 at the unsignalized, unstriped area near Hydraulic Avenue. This area was specifically excluded for a crosswalk by IDOT during the Route 47 expansion design since it is unsignalized, close to the railroad tracks, and near the signalized intersection of Van Emmon St. IDOT planned for and encourages patrons throughout the downtown area to cross at the signalized intersections.

The Mayor has asked the staff to look at different options to provide another, separated pedestrian crossing near Route 47 and Hydraulic. This could take the form of our briefly discussed Riverwalk under the Fox River Bridge, or it could be a pedestrian overpass. These concepts have been floated by staff and residents over the years during various downtown planning initiatives but have never made it beyond brainstorming. To properly understand the feasibility of these options, the City needs various technical experts to discuss concepts with different entities:

1) Riverwalk
    a. Would require coordination with the IDNR (putting improvements within the footprint of the river), Army Corps of Engineers (same), IDOT (coordinating the improvements around the existing bridge structure), and maybe the IEPA (depending on brownfield impacts).
2) Pedestrian bridge over Route 47
    a. Would require coordination with IDOT (proper clearance over Route 47), the railroad company (proper separation from the railroad tracks), and maybe the IEPA (depending on brownfield impacts).

Accordingly, EEI has submitted a preliminary engineering agreement proposal to the City for a fixed fee of $29,700. This work is unbudgeted but can be authorized by the City Council without a budget amendment due to project deferrals within the City-Wide Capital Fund. The work would start in October and conclude in March 2024 with concept drawings and cost estimates for different options.

Recommendation

Staff recommends approval of the preliminary engineering agreement with EEI for a new Route 47 crossing near Hydraulic Ave or a riverwalk.

Downtown Riverwalk / Route 47 Crossing
United City of Yorkville
Professional Services Agreement – Preliminary Engineering

THIS AGREEMENT, by and between the United City of Yorkville, hereinafter referred to as the "City" or “OWNER” and Engineering Enterprises, Inc. hereinafter referred to as the "Contractor" or “ENGINEER” agrees as follows:

A. Services:

ENGINEER agrees to furnish to the City the following services: The ENGINEER shall provide any and all necessary engineering services to the City as indicated on the Scope of Services (Attachment B). Preliminary Engineering will be provided for the investigation of crossing Route 47 near Hydraulic Street via a bridge structure and extensions of sidewalk. Engineering will be in accordance with all City, Standard Specifications for Water and Sewer Construction in Illinois, Illinois Department of Transportation, and Illinois Environmental Protection Agency requirements.

B. Term:

Services will be provided beginning on the date of execution of this agreement and continuing, until terminated by either party upon 7 days written notice to the non-terminating party or upon completion of the Services. Upon termination the ENGINEER shall be compensated for all work performed for the City prior to termination.

C. Compensation and maximum amounts due to ENGINEER:

ENGINEER shall receive as compensation for all work and services to be performed herein, an amount based on the Estimate of Level of Effort and Associated Cost included in Attachment C. Preliminary Engineering will be paid for as a Fixed Fee (FF) in the amount of $29,700, of which direct expenses are estimated at $9,600. The hourly rates for this project are shown in the attached 2023 Standard Schedule of Charges (Attachment E). All payments will be made according to the Illinois State Prompt Payment Act and not less than once every thirty days.

D. Changes in Rates of Compensation:

In the event that this contract is designated in Section B hereof as an Ongoing Contract, ENGINEER, on or before February 1st of any given year, shall provide

written notice of any change in the rates specified in Section C hereof (or on any attachments hereto) and said changes shall only be effective on and after May 1st of that same year.

E. Ownership of Records and Documents:

ENGINEER agrees that all books and records and other recorded information developed specifically in connection with this agreement shall remain the property of the City. ENGINEER agrees to keep such information confidential and not to disclose or disseminate the information to third parties without the consent of the City. This confidentiality shall not apply to material or information, which would otherwise be subject to public disclosure through the freedom of information act or if already previously disclosed by a third party. Upon termination of this agreement, ENGINEER agrees to return all such materials to the City. The City agrees not to modify any original documents produced by ENGINEER without contractors consent. Modifications of any signed duplicate original document not authorized by ENGINEER will be at OWNER's sole risk and without legal liability to the ENGINEER. Use of any incomplete, unsigned document will, likewise, be at the OWNER's sole risk and without legal liability to the ENGINEER.

F. Governing Law:

This contract shall be governed and construed in accordance with the laws of the State of Illinois. Venue shall be in Kendall County, Illinois.

G. Independent Contractor:

ENGINEER shall have sole control over the manner and means of providing the work and services performed under this agreement. The City's relationship to the ENGINEER under this agreement shall be that of an independent contractor. ENGINEER will not be considered an employee to the City for any purpose.

H. Certifications:

Employment Status: The Contractor certifies that if any of its personnel are an employee of the State of Illinois, they have permission from their employer to perform the service.

Anti-Bribery: The Contractor certifies it is not barred under 30 Illinois Compiled Statutes 500/50-5(a) - (d) from contracting as a result of a conviction for or admission of bribery or attempted bribery of an officer or employee of the State of Illinois or any other state.

Loan Default: If the Contractor is an individual, the Contractor certifies that he/she is not in default for a period of six months or more in an amount of $600 or more on the repayment of any educational loan guaranteed by the Illinois State Scholarship Commission made by an Illinois institution of higher education or any other loan made from public funds for the purpose of financing higher education (5 ILCS 385/3).

Felony Certification: The Contractor certifies that it is not barred pursuant to 30 Illinois Compiled Statutes 500/50-10 from conducting business with the State of Illinois or any agency as a result of being convicted of a felony.

Barred from Contracting: The Contractor certifies that it has not been barred from contracting as a result of a conviction for bid-rigging or bid rotating under 720 Illinois Compiled Statutes 5/33E or similar law of another state.

Drug Free Workplace: The Contractor certifies that it is in compliance with the Drug Free Workplace Act (30 Illinois Compiled Statutes 580) as of the effective date of this contract. The Drug Free Workplace Act requires, in part, that Contractors, with 25 or more employees certify and agree to take steps to ensure a drug free workplace by informing employees of the dangers of drug abuse, of the availability of any treatment or assistance program, of prohibited activities and of sanctions that will be imposed for violations; and that individuals with contracts certify that they will not engage in the manufacture, distribution, dispensation, possession, or use of a controlled substance in the performance of the contract.

Non-Discrimination, Certification, and Equal Employment Opportunity: The Contractor agrees to comply with applicable provisions of the Illinois Human Rights Act (775 Illinois Compiled Statutes 5), the U.S. Civil Rights Act, the Americans with Disabilities Act, Section 504 of the U.S. Rehabilitation Act and the rules applicable to each. The equal opportunity clause of Section 750.10 of the Illinois Department of Human Rights Rules is specifically incorporated herein. The Contractor shall comply with Executive Order 11246, entitled Equal Employment Opportunity, as amended by Executive Order 11375, and as supplemented by U.S. Department of Labor regulations (41 C.F.R. Chapter 60). The Contractor agrees to incorporate this clause into all subcontracts under this Contract.

International Boycott: The Contractor certifies that neither it nor any substantially owned affiliated company is participating or shall participate in an international boycott in violation of the provisions of the U.S. Export Administration Act of 1979

or the regulations of the U.S. Department of Commerce promulgated under that Act (30 ILCS 582).

Record Retention and Audits: If 30 Illinois Compiled Statutes 500/20-65 requires the Contractor (and any subcontractors) to maintain, for a period of 3 years after the later of the date of completion of this Contract or the date of final payment under the Contract, all books and records relating to the performance of the Contract and necessary to support amounts charged to the City under the Contract. The Contract and all books and records related to the Contract shall be available for review and audit by the City and the Illinois Auditor General. If this Contract is funded from contract/grant funds provided by the U.S. Government, the Contract, books, and records shall be available for review and audit by the Comptroller General of the U.S. and/or the Inspector General of the federal sponsoring agency. The Contractor agrees to cooperate fully with any audit and to provide full access to all relevant materials.

United States Resident Certification: (This certification must be included in all contracts involving personal services by non-resident aliens and foreign entities in accordance with requirements imposed by the Internal Revenue Services for withholding and reporting federal income taxes.) The Contractor certifies that he/she is a: _x_ United States Citizen ___ Resident Alien ___ Non-Resident Alien The Internal Revenue Service requires that taxes be withheld on payments made to non resident aliens for the performance of personal services at the rate of 30%.

Tax Payer Certification : Under penalties of perjury, the Contractor certifies that its Federal Tax Payer Identification Number or Social Security Number is (provided separately) and is doing business as a (check one): ___ Individual ___ Real Estate Agent ___ Sole Proprietorship ___ Government Entity ___ Partnership ___ Tax Exempt Organization (IRC 501(a) only) _x_ Corporation ___ Not for Profit Corporation ___ Trust or Estate ___ Medical and Health Care Services Provider Corp.

I. Indemnification:

ENGINEER shall indemnify and hold harmless the City and City's agents, servants, and employees against all loss, damage, and expense which it may sustain or for which it will become liable on account of injury to or death of persons, or on account of damage to or destruction of property resulting from the performance of work under this agreement by ENGINEER or its Subcontractors, or due to or arising in any manner from the wrongful act or negligence of ENGINEER or its Subcontractors of any employee of any of them. In the event that the either party shall bring any suit, cause of action or counterclaim against

the other party, the non-prevailing party shall pay to the prevailing party the cost and expenses incurred to answer and/or defend such action, including reasonable attorney fees and court costs. In no event shall the either party indemnify any other party for the consequences of that party's negligence, including failure to follow the ENGINEER's recommendations.

J. Insurance:

The ENGINEER agrees that it has either attached a copy of all required insurance certificates or that said insurance is not required due to the nature and extent of the types of services rendered hereunder. (Not applicable as having been previously supplied)

K. Additional Terms or Modification:

The terms of this agreement shall be further modified as provided on the attachments. Except for those terms included on the attachments, no additional terms are included as a part of this agreement. All prior understandings and agreements between the parties are merged into this agreement, and this agreement may not be modified orally or in any manner other than by an agreement in writing signed by both parties. In the event that any provisions of this agreement shall be held to be invalid or unenforceable, the remaining provisions shall be valid and binding on the parties. The list of exhibits is as follows:

Attachment A:	Standard Terms and Conditions
Attachment B:	Scope of Services
Attachment C:	Estimate of Level of Effort and Associated Cost
Attachment D:	Estimated Schedule
Attachment E:	2023 Standard Schedule of Charges

L. Notices:

All notices required to be given under the terms of this agreement shall be given mail, addressed to the parties as follows:

For the City:

City Administrator and City Clerk
United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560

For the ENGINEER:

Engineering Enterprises, Inc.
52 Wheeler Road
Sugar Grove Illinois 60554

Either of the parties may designate in writing from time to time substitute addresses or persons in connection with required notices.

Agreed to this _____day of _____, 2023.

United City of Yorkville:

_____
John Purcell
Mayor

_____
Jori Behland
City Clerk

Engineering Enterprises, Inc.:

_____
Brad Sanderson, PE
Chief Operating Officer / President

_____
Angie Smith
Executive Assistant

STANDARD TERMS AND CONDITIONS

Agreement: These Standard Terms and Conditions, together with the Professional Services Agreement, constitute the entire integrated agreement between the OWNER and Engineering Enterprises, Inc. (EEI) (hereinafter "Agreement"), and take precedence over any other provisions between the Parties. These terms may be amended, but only if both parties consent in writing.

Standard of Care: In providing services under this Agreement, the ENGINEER will endeavor to perform in a matter consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under same circumstances in the same locality. ENGINEER makes no other warranties, express or implied, written or oral under this Agreement or otherwise, in connection with ENGINEER'S service.

Construction Engineering and Inspection: The ENGINEER shall not supervise, direct, control, or have authority over any contractor work, nor have authority over or be responsible for the means, methods, techniques sequences, or procedures of construction selected or used by any contractor, or the safety precautions and programs incident thereto, for security or safety of the site, nor for any failure of a contractor to comply with laws and regulations applicable to such contractor's furnishing and performing of its work.

The ENGINEER neither guarantees the performance of any contractor nor assumes responsibility for contractor's failure to furnish and perform the work in accordance with the contract documents.

The ENGINEER is not responsible for the acts or omissions of any contractor, subcontractor, or supplies, or any of their agents or employees or any other person at the site or otherwise furnishing or performing any work.

Shop drawing and submittal review by the ENGINEER shall apply to only the items in the submissions and only for the purpose of assessing if upon installation or incorporation in the project work they are generally consistent with the construction documents. OWNER agrees that the contractor is solely responsible for the submissions and for compliance with the construction documents. OWNER further agrees that the ENGINEER'S review and action in relation to these submissions shall not constitute the provision of means, methods, techniques, sequencing or procedures of construction or extend or safety programs or precautions. The ENGINEER'S consideration of a component does not constitute acceptance of the assembled items.

The ENGINEER'S site observation during construction shall be at the times agreed upon in the Project Scope. Through standard, reasonable means the ENGINEER will become generally familiar with observable completed work. If the ENGINEER observes completed work that is inconsistent with the construction documents, that information shall be communicated to the contractor and OWNER for them to address.

Opinion of Probable Construction Costs: ENGINEER'S opinion of probable construction costs represents ENGINEER'S best and reasonable judgment as a professional engineer. OWNER acknowledges that ENGINEER has no control over construction costs of contractor's methods of determining pricing, or over competitive bidding by contractors, or of market conditions or changes thereto. ENGINEER cannot and does not guarantee that proposals, bids or actual construction costs will not vary from ENGINEER'S opinion of probable construction costs.

Copies of Documents & Electronic Compatibility: Copies of Documents that may be relied upon by OWNER are limited to the printed copies (also known as hard copies) that are signed or sealed by the ENGINEER. Files in electronic media format of text, data, graphics, or of other types that are furnished by ENGINEER to OWNER are only for convenience of OWNER. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk. When transferring documents in electronic media format, ENGINEER makes no representations as to long term compatibility, usability, or readability of documents resulting from the use of software application packages, operating systems, or computer hardware differing from those used by ENGINEER at the beginning of the project.

Changed Conditions: If, during the term of this Agreement, circumstances or conditions that were not originally contemplated by or known to the ENGINEER are revealed, to the extent that they affect the scope of services, compensation, schedule, allocation of risks, or other material terms of this Agreement, the ENGINEER may call for renegotiation of appropriate portions of this Agreement. The ENGINEER shall notify the OWNER of the changed conditions necessitating renegotiation, and the ENGINEER and the OWNER shall promptly and in good faith enter into renegotiation of this Agreement to address the changed conditions. If terms cannot be agreed to, the parties agree that either party has the absolute right to terminate this Agreement, in accordance with the termination provision hereof.

Hazardous Conditions: OWNER represents to ENGINEER that to the best of its knowledge no Hazardous Conditions (environmental or otherwise) exist on the project site. If a Hazardous Condition is encountered or alleged, ENGINEER shall have the obligation to notify OWNER and, to the extent of applicable Laws and Regulations, appropriate governmental officials. It is acknowledged by both parties that ENGINEER's scope of services does not include any services related to a Hazardous Condition. In the event ENGINEER or any other party encounters a Hazardous Condition, ENGINEER may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the project affected thereby until OWNER: (i) retains appropriate specialist consultant(s) or contractor(s) to identify and, as appropriate, abate, remediate, or remove the Hazardous Condition; and (ii) warrants that the project site is in full compliance with applicable Laws and Regulations.

Consequential Damages: Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither the OWNER nor the ENGINEER, their respective officers, directors, partners, employees, contractors, or subcontractors shall be liable to the other or shall make any claim for any incidental, indirect, or consequential damages arising out of or connected in any way to the Project or to this Agreement. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of

profit, loss of business, loss of income, loss of reputation, or any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract, and breach of strict or implied warranty. Both the OWNER and the ENGINEER shall require similar waivers of consequential damages protecting all the entities or persons named herein in all contracts and subcontracts with others involved in this project.

Termination: This Agreement may be terminated for convenience, without cause, upon fourteen (14) days written notice of either party. In the event of termination, the ENGINEER shall prepare a final invoice and be due compensation as set forth in the Professional Services Agreement for all costs incurred through the date of termination.

Either party may terminate this Agreement for cause upon giving the other party not less than seven (7) calendar days' written notice for the following reasons:

(a) Substantial failure by the other party to comply with or perform in accordance with the terms of the Agreement and through no fault of the terminating party;

(b) Assignment of the Agreement or transfer of the project without the prior written consent of the other party;

(c) Suspension of the project or the ENGINEER'S services by the OWNER for a period of greater than ninety (90) calendar days, consecutive or in the aggregate.

(d) Material changes in the conditions under which this Agreement was entered into, the scope of services or the nature of the project, and the failure of the parties to reach agreement on the compensation and schedule adjustments necessitated by such changes.

Payment of Invoices: Invoices are due and payable within 30 days of receipt unless otherwise agreed to in writing.

Third Party Beneficiaries: Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the OWNER or the ENGINEER. The ENGINEER'S services under this Agreement are being performed solely and exclusively for the OWNER'S benefit, and no other party or entity shall have any claim against the ENGINEER because of this Agreement or the performance or nonperformance of services hereunder. The OWNER and ENGINEER agree to require a similar provision in all contracts with contractors, subcontractors, vendors and other entities involved in this Project to carry out the intent of this provision.

Force Majeure: Each Party shall be excused from the performance of its obligations under this Agreement to the extent that such performance is prevented by force majeure (defined below) and the nonperforming party promptly provides notice of such prevention to the other party. Such excuse shall be continued so long as the condition constituting force majeure continues. The party affected by such force majeure also shall notify the other party of the anticipated duration of such force majeure, any actions being taken to avoid or minimize its effect after such occurrence, and shall take reasonable efforts to remove the condition constituting such force majeure. For purposes of this Agreement, "force majeure" shall include conditions beyond the control of the parties, including an act of God, acts of terrorism, voluntary or involuntary compliance with any regulation, law or order of any government, war, acts of war (whether war be declared or not), labor strike or lock-out, civil commotion, epidemic, failure or default of public utilities or common carriers, destruction of production facilities or materials by fire, earthquake, storm or like catastrophe. The payment of invoices due and owing hereunder shall in no event be delayed by the payer because of a force majeure affecting the payer.

Additional Terms or Modification: All prior understandings and agreements between the parties are merged into this Agreement, and this Agreement may not be modified orally or in any manner other than by an Agreement in writing signed by both parties. In the event that any provisions of this Agreement shall be held to be invalid or unenforceable, the remaining provisions shall be valid and binding on the parties.

Assignment: Neither party to this Agreement shall transfer or assign any rights or duties under or interest in this Agreement without the prior written consent of the other party. Subcontracting normally contemplated by the ENGINEER shall not be considered an assignment for purposes of this Agreement.

Waiver: A party's waiver of, or the failure or delay in enforcing any provision of this Agreement shall not constitute a waiver of the provision, nor shall it affect the enforceability of that provision or of the remainder of this Agreement.

Attorney's Fees: In the event of any action or proceeding brought by either party against the other under this Agreement, the prevailing party shall be entitled to recover from the other all costs and expenses including without limitation the reasonable fees of its attorneys in such action or proceeding, including costs of appeal, if any, in such amount as the Court may adjudge reasonable.

Fiduciary Duty: Nothing in this Agreement is intended to create, nor shall it be construed to create, a fiduciary duty owed to either party to the other party. EEI makes no warranty, express or implied, as to its professional services rendered.

Headings: The headings used in this Agreement are inserted only as a matter of convenience only, and in no way define, limit, enlarge, modify, explain or define the text thereof nor affect the construction or interpretation of this Agreement.

Downtown Riverwalk / Route 47 Crossing
United City of Yorkville
Professional Services Agreement - Preliminary Engineering

Attachment B – Scope of Services

Preliminary Engineering:

1.1 Project Management and Coordination
- Management of Personnel and the Engineering Contract
- Coordination with IDOT, Army Corps & Sub-Consultants

1.2 Project Meetings
- Project Kick-Off Meeting and One Conceptual Design Progress Meeting between the City, EEI and Bridge Consultant

1.3 Site Investigation
- Conduct site investigation to determine riverwalk alternatives

1.4 Topographic Survey
- Field survey of area surrounding proposed Riverwalk
- Boundary Survey to establish right-of-way
- Drafting to Create Base File

1.5 Conceptual Drawings and Plans
- Preparation of Conceptual Engineering Exhibits for Riverwalk Alternatives

1.6 Preliminary Cost Estimate
- Preparation of Conceptual Engineer's Opinion of Probably Construction Cost

Exclusions:
- No Plat of Survey or ALTA survey
- No permit submittals
- No landscape or lighting design
- No detailed plans or bidding documents
- No wetland delineation, mitigation, or permitting
- No floodplain study or permitting
- No construction services
- No CCDD soils analysis or material testing

ATTACHMENT C: ESTIMATED LEVEL OF EFFORT AND ASSOCIATED COST
PROFESSIONAL ENGINEERING SERVICES

CLIENT	PROJECT NUMBER	
United City of Yorkville	YO2331-P	
PROJECT TITLE	**DATE**	**PREPARED BY**
Downtown Riverwalk / Route 47 Crossing - Preliminary Engineering	9/1/23	CJO/BPS

TASK NO.	TASK DESCRIPTION	ROLE	PIC	SPM	PM	SPE 2	PE	SPT 2	SPT 1	ST	ADMIN	HOURS	COST
		PERSON											
		RATE	$239	$227	$204	$192	$162	$167	$156	$135	$70		
PRELIMINARY ENGINEERING													
1.1	Project Management and Coordination		1		12							13	$ 2,687
1.2	Project Meetings		2		6							8	$ 1,702
1.3	Site Investigation				8		4					12	$ 2,280
1.4	Topographic Survey			8	4			8	8			28	$ 5,216
1.5	Conceptual Drawings and Plans				4		12		8	8		32	$ 5,088
1.6	Preliminary Cost Estimate				8	8						16	$ 3,168
	Insert Task Subtotal:		**3**	**8**	**42**	**8**	**16**	**8**	**16**	**8**	**-**	109	$ 20,141
	PROJECT TOTAL:		**3**	**8**	**42**	**8**	**16**	**8**	**16**	**8**	**-**	**109**	**20,141**

EEI STAFF

PIC	Principal In Charge
SPM	Senior Project Manager
PM	Project Manager
SPE 2	Senior Project Engineer II
PE	Project Engineer
SPT 2	Senior Project Technician II
SPT 1	Senior Project Technician I
ST	Senior Technician
ADMIN	Administrative Assistant

DIRECT EXPENSES		
Printing/Scanning =	$	100
Benesch (Structural Engineering) =	$	9,500
DIRECT EXPENSES =	**$**	**9,600**

LABOR SUMMARY		
EEI Labor Expenses =	$	20,141
TOTAL LABOR EXPENSES	**$**	**20,141**

TOTAL COSTS	**$**	**29,741**

ATTACHMENT D: ESTIMATED SCHEDULE

CLIENT	PROJECT NUMBER	
United City of Yorkville	YO2331-P	
PROJECT TITLE	**DATE**	**PREPARED BY**
Downtown Riverwalk / Route 47 Crossing	9/1/23	CJO

TASK NO.	TASK DESCRIPTION	2023							2024												
		JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
PRELIMINARY ENGINEERING																					
1.1	Project Management and Coordination																				
1.2	Project Meetings																				
1.3	Site Investigation																				
1.4	Topographic Survey																				
1.5	Conceptual Drawings and Plans																				
1.6	Preliminary Cost Estimate																				

Engineering Enterprises, Inc.

STANDARD SCHEDULE OF CHARGES ~ JANUARY 1, 2023

EMPLOYEE DESIGNATION	CLASSIFICATION	HOURLY RATE
Senior Principal	E-4	$239.00
Principal	E-3	$234.00
Senior Project Manager	E-2	$227.00
Project Manager	E-1	$204.00
Senior Project Engineer/Surveyor II	P-6	$192.00
Senior Project Engineer/Surveyor I	P-5	$179.00
Project Engineer/Surveyor	P-4	$162.00
Senior Engineer/Surveyor	P-3	$149.00
Engineer/Surveyor	P-2	$135.00
Associate Engineer/Surveyor	P-1	$122.00
Senior Project Technician II	T-6	$167.00
Senior Project Technician I	T-5	$156.00
Project Technician	T-4	$146.00
Senior Technician	T-3	$135.00
Technician	T-2	$122.00
Associate Technician	T-1	$107.00
GIS Technician II	G-2	$119.00
GIS Technician I	G-1	$110.00
Engineering/Land Surveying Intern	I-1	$ 79.00
Executive Administrative Assistant	A-4	$ 75.00
Administrative Assistant	A-3	$ 70.00

VEHICLES. REPROGRAPHICS, DIRECT COSTS, DRONE AND EXPERT TESTIMONY

Vehicle for Construction Observation		$ 15.00
In-House Scanning and Reproduction	$0.25/Sq. Ft. (Black & White) $1.00/Sq. Ft. (Color)	
Reimbursable Expenses (Direct Costs)	Cost	
Services by Others (Direct Costs)	Cost + 10%	
Unmanned Aircraft System / Unmanned Aerial Vehicle / Drone		$ 216.00
Expert Testimony		$ 271.00

Reviewed By:	
Legal	☐
Finance	☐
Engineer	☐
City Administrator	■
Community Development	☐
Purchasing	☐
Police	☐
Public Works	■
Parks and Recreation	☐

Agenda Item Number

Public Works Committee #6

Tracking Number

PW 2023-78

Agenda Item Summary Memo

Title: Small Dump Truck Price Increase

Meeting and Date: City Council – September 26, 2023

Synopsis: Proposed price increase due to manufacturer switching from 2023 model to 2024 model.

Council Action Previously Taken:

Date of Action: PW – 9/19/23 Action Taken: Moved forward to City Council agenda.

Item Number: PW 2023-78

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Eric Dhuse (Name) Public Works (Department)

Agenda Item Notes:

Have a question or comment about this agenda item?
Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/320/City-Council

Memorandum

To: Public Works Committee
From: Eric Dhuse, Director of Public Works
CC: Bart Olson, City Administrator
Date: September 6, 2023
Subject: Truck Price Increase

Summary

Proposed price increase of $3870 for a Ford F550 dump truck with plow and spreader that was approved by council on May 30th, 2023.

Background

The Mayor and Council voted to approve the purchase of a new Ford F550 dump truck on May 30, 2023. That vote approved the purchase of a 2023 model at a price of $121,114 including the body. The chassis price was $54,378. Since that time, Ford has stopped making 2023 models and is now making only 2024 models. Unfortunately, this comes with a price increase of $3870 for the new model. Our vendor has no control over this, and is holding their price for the fabrication and building of the body, plow, spreader, etc. The total new price will be $124,984.

I understand and share in your frustration regarding these increases, trust me, nobody is more frustrated than I am. Not only is this costing us more money, but it is also delaying our build while they set up for the 2024 model builds at the auto manufacturing plants.

At this point we are already ordering trucks 18 month in advance of expected delivery. Adding more time to seems to just add insult to injury.

I have looked at other manufacturers to see if there is any availability for a quicker delivery, but there is not. Dodge and GMC do not make a heavy duty truck like this, and Chevy does not seem to be any more available. In addition, The Chevy I did find for sale was a new 2022 model for $62,997. Even with our price increase, the Ford is two years newer and $4750 less expensive. Lastly, our entire fleet of pickups are Fords, we have the parts, supplies, and knowledge of the Fords versus the Chevy.

This increase will not have an impact on the PW capital budget. Originally the F550 purchase was proposed to be 2 smaller dump trucks at a budgeted amount of $140,000. With the price increase to $124,984 we are still well under the originally budgeted number.

Recommendation

I recommend approving the price increase of $3870 proposed by Lindco Equipment to order a 2024 model Ford F550 instead of a 2023 model. I have attached the new quote for your review.

Lindco Cives
2168 East 88th Drive
Merrillville, IN 46410
USA

Voice: (219)795-1448
Fax: (219)736-0892

SALES ORDER

Sales Order Number: 230620C-SWL
Sales Order Date: Jun 23, 2023
Ship By: Jun 23, 2023
Page: 1

To:
City of Yorkville 610 Tower Lane Yorkville, IL 60560 USA

Ship To:
Yorkville Public Works 610 Tower Lane Yorkville, IL 60560 USA

Customer ID	PO Number	Sales Rep Name
Yorkville-01		Daryl W. Lindesmith
Customer Contact	**Shipping Method**	**Payment Terms**
John Sleezer	Best Way	Net 30 Days

Quantity	Item	Description	Unit Price	Amount
		_____ SOURCEWELL CONTRACT: _____ CONTRACT HOLDER: Viking-Cives CONTRACT NUMBER: 062222-VCM CONTRACT MATURITY DATE: 08/15/2026 CONTRACT NUMBERS: NJ2500, SW-TK0556, SW-TK0554 _____ SOURCEWELL MEMBER: _____ MEMBER NUMBER: 99259 MEMBER: City of Yorkville CONTACT: John Sleezer TITLE: Street Department Foreman PHONE: (630)553-4370 E-MAIL: jsleezer@yorkville.il.us _____ TERMS OF QUOTE: _____ ***Due to the supply chain issues the following		

Subtotal	Continued
Sales Tax	Continued
Freight	Continued
TOTAL ORDER AMOUNT	**Continued**

Lindco Cives
2168 East 88th Drive
Merrillville, IN 46410
USA

Voice: (219)795-1448
Fax: (219)736-0892

SALES ORDER

Sales Order Number: 230620C-SWL
Sales Order Date: Jun 23, 2023
Ship By: Jun 23, 2023

To:
City of Yorkville 610 Tower Lane Yorkville, IL 60560 USA

Ship To:
Yorkville Public Works 610 Tower Lane Yorkville, IL 60560 USA

Customer ID	PO Number	Sales Rep Name
Yorkville-01		Daryl W. Lindesmith
Customer Contact	**Shipping Method**	**Payment Terms**
John Sleezer	Best Way	Net 30 Days

Quantity	Item	Description	Unit Price	Amount
		applies.*** * All quotes are only valid for thirty (30) days from date of quote. _____ CHASSIS PAYMENT TERMS: _____ * Ordered chassis must be paid for within 30 days of delivery to Lindco. * In stock chassis must be paid for within 30 days of receiving your purchase order. * All chassis are subject to price increases up until time of delivery to Lindco. _____ ESTIMATED DELIVERY TIME FRAME: _____ * Allow approximately 300-400 days for chassis to be in stock at Lindco after receiving your purchase order. ***Based on supply chain issues all of the above estimated time frames are subject to change.*** _____ SUMMARY OF QUOTE:		
		Subtotal		Continued
		Sales Tax		Continued
		Freight		Continued
		TOTAL ORDER AMOUNT		**Continued**

Lindco Cives
2168 East 88th Drive
Merrillville, IN 46410
USA

Voice: (219)795-1448
Fax: (219)736-0892

SALES ORDER

Sales Order Number: 230620C-SWL
Sales Order Date: Jun 23, 2023
Ship By: Jun 23, 2023

To:
City of Yorkville 610 Tower Lane Yorkville, IL 60560 USA

Ship To:
Yorkville Public Works 610 Tower Lane Yorkville, IL 60560 USA

Customer ID	PO Number	Sales Rep Name
Yorkville-01		Daryl W. Lindesmith
Customer Contact	**Shipping Method**	**Payment Terms**
John Sleezer	Best Way	Net 30 Days

Quantity	Item	Description	Unit Price	Amount
1.00		_____ ********** SOURCEWELL TOTAL PRICE: ********** _____ SOURCEWELL CHASSIS: _____ 2024 Ford F550 Regular Cab * 4 x 4 * 145" Wheelbase * 60" CA * DRW * 99N 7.3L Gas engine * 473 Snow plow prep package * 52B Trailer brake controller * 531 Trailer Tow Package * 62R PTO provision * 90 Power equipment group * 43C 100v/400w outlet * Lindco Stock Truck currently on order	58,248.00	58,248.00
		Subtotal		58,248.00
		Sales Tax		
		Freight		0.00
		TOTAL ORDER AMOUNT		**58,248.00**

LINDCO
Equipment Sales
DIVISION OF VIKING-CIVES GROUP

August 16, 2023

To Lindco Viking-Cives Customers,

Our industry has struggled over the past few years to manage through global pandemic, supply chain disruptions, material and labor shortages and high inflation. Even though we have seen improvements in our industry, we feel that the way business is being done now is the new normal.

Lindco Viking-Cives has done an excellent job maintaining our quoted prices to our customers once we have received an order. Other than the chassis increase we have not passed on to our customers any increases, except on service bodies, which we do not manufacture.

Currently any Ford chassis that have not made the 2023 order bank will be ordered as 2024 units. The new 2024 pricing on Ford F550 has increased between $2,700-$5,600. Price increase is based on options that were requested. This increase will also affect any quotes that we may have with your agency. This price increase is out of our control and unfortunately must be passed on to you, the customer.

I recognize the impact these additional costs may have on your agency and your current order or quote. We want to remain a good business partner and will provide the flexibility that allows you to make the needed decisions for your agency. We realize that you may choose to seek alternative solutions, so Lindco will waive any cancellation penalties.

All of us at Lindco Viking-Cives are committed to delivering the best equipment package for your agency's needs. Please contact your salesperson or me if you have any additional questions.

I appreciate your understanding and thank you for your business.

Sincerely,

Gary P. Lindenmuth

Branch Operations & Sales Manager

2168 East 88th Drive ♦ Merrillville, IN 46410 ♦ Phone (219) 795-1448 ♦ Fax (219) 736-0892

Reviewed By:	
Legal	☐
Finance	■
Engineer	☐
City Administrator	■
Community Development	☐
Purchasing	☐
Police	☐
Public Works	☐
Parks and Recreation	☐

Agenda Item Number

Administration Committee #1

Tracking Number

ADM 2023-37

Agenda Item Summary Memo

Title: Parks and Recreation Clothing Allowance Policy

Meeting and Date: City Council – September 26, 2023

Synopsis: Please see the attached memo.

Council Action Previously Taken:

Date of Action: ADM – 9/20/23 Action Taken: Moved forward to City Council agenda.

Item Number: ADM 2023-37

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Bart Olson (Name) Administration (Department)

Agenda Item Notes:

Have a question or comment about this agenda item?
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Memorandum

To: Yorkville Park Board
From: Tim Evans, Director of Parks & Recreation
CC: Bart Olson, City Administrator
Date: September 12, 2023
Subject: Parks & Recreation Non-Union Protective Clothing and Safety General Policy

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Purpose

Establish guidelines for Parks & Recreation non-union staff to purchase the necessary items of protective clothing and safety gear.

Background

Recognizing that non-union Parks & Recreation staff members are required to work outside, in a variety of weather types while providing support to Yorkville residents and customers for a functional, attractive, safe, and accessible parks and recreation experience, the Department has decided to provide these staff members the necessary items of protective clothing and safety gear.

Due to these outside work requirements, the Department will continue the practice of providing P&R logo staffed shirts, collared shirts, jackets, and personal protective equipment. Per approval of the City's Fiscal Year budget, in addition to the items provided by the Department, non-union staff will also receive a $500 check to purchase appropriate personal clothing items and safety equipment, such as shoes, boots winter/rain gear etc, needed to work outside in the required, year-round weather elements.

Please note, the checks are taxable income, and all clothing purchases must follow the City policy on staff uniforms.

General items that are expected to be purchased include the following:

a) Winter Months: Appropriate gloves, shoes/boots & hats, snow pants and hand warmers.
b) Spring Months: Appropriate rain gear (jacket, pants, shoes/boots, umbrella).
c) Summer Months: Appropriate shoes/boots, shorts, sunglasses, suntan lotion.

For the current fiscal year, the City Administrator approved a one-time clothing payment to the non-union staff members. Union staff members have a City Council approved contract with the City that provides a $750.00 yearly clothing payment to each union staff member. In both union and non-union clothing purchases, the items have been budgeted for in the Parks & Recreation operational budget.

Recommendation

Staff seeks Park Board approval on the non-union staff Parks & Recreation Protective Clothing and Safety Gear general policy.

Section 2.9 Uniforms and Dress Code

Section 2.9.1 Uniforms

The City provides uniforms for certain classifications of employees. Uniforms, and/or City purchased apparel are to be worn at all times during work hours and should not be worn on personal time. The uniform specifications are set by the Department Head.

Section 2.9.1.1 Taxation of Uniforms

The value of work clothing provided by the employer is not taxable to the employee if:

1. The employee must wear the clothing as a condition of employment, and

2. The clothes are not suitable for everyday wear.

If the clothing does not qualify as a deductible expense (i.e. as a uniform), then these payments must be treated as a taxable fringe benefit and are subject to income, social security, and Medicare taxes. Thus, a police officer uniform qualifies for exclusion from income. However, a detective's suit jacket and related clothing, since they are suitable for everyday wear, do not qualify as a uniform and are taxable to the employee.

Section 2.9.2 Dress Code

Employees of the United City of Yorkville are required to present a favorable personal appearance, and adhere to personal grooming and hygiene standards. The attire of employees on the job should be in good taste, neat, clean, and appropriate for the duties to be performed. In order to maintain and project a professional public image and create a positive working environment, the United City of Yorkville Human Resources Division has developed a dress code policy. The Human Resources Division recognizes that certain employees have job responsibilities that require attire other than business - casual. For those purposes, the policy is separated into two categories: Office Attire and Field Attire. Below is definition of those categories and proper and improper attire.

Section 2.9.2.1 Office Attire

The United City of Yorkville has adopted a business - casual dress code policy. Business - casual applies to all employees whose primary job responsibilities require them to be in an office setting. Articles of clothing not acceptable as business - casual include the following: Rubber-soled flip flops, halter tops, blue jeans (including shorts and capris), midriff baring tops, muscle shirts, spaghetti strap tops, sweatpants and sweatshirts, shorts more than three (3) inches above the knee, gym shoes, and clothing with potentially offensive words.

Section 2.9.2.2 Field Attire

For individuals whose job responsibilities require an outside work environment where comfort, safety and inclement weather is an important factor, appropriate safety field attire is required. Articles of clothing not acceptable as field attire include the following: Open -toed shoes and sandals, halter tops, midriff baring tops, muscle shirts, spaghetti strap tops, shorts more than three (3) inches above the knee, and clothing with potentially offensive words.

Section 2.9.2.3 Casual Friday

Employees are allowed to dress casually on Fridays with blue jeans, gym shoes and blue jean capris acceptable attire. Articles of clothing not acceptable on Casual Friday include halter tops, midriff baring tops, muscle shirts, spaghetti strap tops, shorts more than three (3) inches above the knee, and clothing with potentially offensive words that could be construed as a violation of our anti-harassment policy.

Section 2.9.2.4 Compliance

All United City of Yorkville employees are required to adhere to the Dress Code Policy as mandated by their job responsibilities and title. It is the responsibility of Department Heads within the United City of Yorkville to ensure staff is aware of, and remains compliant with the policy. However, there may be circumstances when an employee may need to deviate from the policy based on a particular job request or responsibility. In those circumstances, compliance of the policy will be waived with consent from the Department Head.

Section 2.9.2.5 Enforcement

The respective Department Head may conduct a personal, private discussion with any employee whose attire is questionable. When an obvious policy violation occurs, the Department Head will conduct a private discussion with the employee. The employee will also be asked to go home and change into proper attire and return to work. Employees who are paid on an hourly basis normally will not be paid during the time period that they are absent from work to change their attire. Repeated policy violations will result in disciplinary action, up to and including termination.

Section 2.9.2.6 Parks, Recreation and Public Works Department

In additional to the Dress Code set forth above as applied to Field employees, Full-Time employees in the Parks and Recreation and Public Works Department may be required to wear City issued t- shirts and/or long- sleeved shirts which may include the City logo or safety insignia, as appropriate, As a general rule, those employees will be issued t- shirts, long- sleeved shirts, concrete boots (5 buckle or 2 buckle), personal protective equipment and rain gear as needed to perform their job responsibilities.

- Employees who are covered by a collective bargaining agreement should consult their CBA for details of their uniform/boot policy and the details about City issued clothing and uniforms.

- Employees who work in recreation, parks or the public works department whose terms and conditions are not covered by a collective bargaining agreement also will be required to wear City issued uniform or clothing as determined by management. On May 1st of each calendar year, the City will provide each of those full-time employees a “uniform/clothing” allowance of $500 for each full fiscal year worked. This uniform allowance may be used by the employee to purchase clothing, work attire, safety, weather protective gear, winter gear and work boots/shotes that satisfy all safety requirements as determined by management. Section 2.9.1.1 Taxation of Uniforms

Section 2.9.3 Potential Tax Implications of City issued uniforms and clothing, etc.

IMPORTANT NOTE: Employees should not consider the contents of this Policy to constitute legal or tax advice. If you have questions about these issues, you are encouraged to seek counsel from your personal advisors.

As a general rule, the "economic value" or costs of work clothing/uniforms provided by the City is not taxable to the employee if both of these conditions are met: (1) the employee is required to wear the clothing/uniform as a condition of employment with the City, and (2) the clothes/uniform is not suitable for everyday wear outside of the workplace.

By contrast, If the clothing, shoes/boots, or other items do not qualify as a deductible expense (i.e., as a uniform that meets both prongs above in this Section), those payments must be treated as a taxable fringe benefit and income to the employee. As an example, a police officer uniform qualifies for exclusion from income. By contrast, a detective's suit jacket and related clothing (which is suitable for everyday wear even outside of work) do not qualify as a uniform and that benefit is generally taxable to the employee. Consult your tax or personal advisor if you have questions about these issues.

Reviewed By:	
Legal	■
Finance	□
Engineer	■
City Administrator	■
Community Development	■
Purchasing	□
Police	□
Public Works	■
Parks and Recreation	■

Agenda Item Number

Planning and Zoning Commission #1

Tracking Number

PZC 2023-09 & EDC 2023-36

Agenda Item Summary Memo

Title: Unified Development Ordinance (UDO)

Meeting and Date: City Council – September 26, 2023

Synopsis: Proposed draft Unified Development Ordinance (UDO)

Council Action Previously Taken:

Date of Action: PZC – 9/13/23 Action Taken: Moved forward to City Council agenda.

Item Number: PZC 2023-09 & EDC 2023-36

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Krysti J. Barksdale-Noble (Name) Community Development (Department)

Agenda Item Notes:

Have a question or comment about this agenda item?
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Memorandum

To: City Council
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: September 15, 2023
Subject: **Unified Development Ordinance**
Proposed Unified Development Ordinance

UDO PROPOSAL:

In March 2019, the City initiated the Unified Development Ordinance (UDO) project which began the process of taking various existing City ordinances and combining them into a cohesive, single-reference, graphic-based document. The City ordinances that were reviewed, updated, and merged included: the Zoning Ordinance (originally adopted 1974, amended 2014); Subdivision Control Ordinance and Standard Specifications for Improvements (adopted 2004); Landscape Ordinance (adopted 2009); and Appearance Code (adopted 2005).

The City retained a planning consultant, Houseal Lavigne Associates, to draft the new UDO and conduct the review process with an appointed Advisory Committee. Additionally, the City hired EnCode Plus to take the finished version of the code and create a unique online user-friendly version of the ordinance.

Over nearly four (4) years, Houseal Lavigne drafted new Chapters of the UDO and the Advisory Committee has reviewed the materials and provided comments and recommendations for revisions. Additional direction from the City Council was provided on the UDO at the August 8th meeting and that feedback was incorporated into the draft version presented to the public at an open house held on August 31st. The Advisory Committee also held its final meeting immediately after the open house and made additional recommendations. While these recommendations were not included in the final draft version of the UDO document previewed by the Economic Development Committee on September 5th, a summary memo of the Advisory Committee's recommendations were provided.

On September 13, 2023, a public hearing on the final draft version of the Unified Development Ordinance was conducted by the Planning and Zoning Commission where additional recommendations were made and are summarized below. Note, the recommendations from the Planning and Zoning Commission are not represented in the attached version of the draft Unified Development Ordinance (UDO), but select pages are provided in a red-lined version of the document attached.

STAFF COMMENTS:

The attached draft UDO has minor updates that were not reviewed by the Planning and Zoning Commission at the public hearing on September 13th. This includes a scrivener's error on Table 10-3-12 (B) Permitted and Special Uses which inadvertently missed listing "Professional services/offices" and "Preschool" as a permitted uses in the Public Institution (PI) district. Additionally, Resolution No. 2004-39 "Standard Specifications for Improvements" has been listed as an Appendix to this document. Finally, the draft Zoning Map has been updated to include the "Downtown Overlay" District, which was not called out on the previous version of the map.

PROPOSED MOTION:

In consideration of testimony presented during a Public Hearing on September 13, 2023 and discussions conducted at that meeting, the Planning and Zoning Commission recommends approval to the City Council a request to adopt the proposed Unified Development Ordinance (UDO) and supplemental Zoning Map as prepared and presented by consultant, Houseal Lavigne, dated

September 6, 2023 and summarized in a staff memorandum dated September 7, 2023 and further subject to the following:

1. ***Chapter 3 and Chapter 4 – Accessory Dwelling Units – attached accessory dwelling units are permitted outright, however detached accessory dwelling units shall be approved as a special use.***
2. ***Chapter 5 – Off Street Parking – revised off street parking to have all residential developments have a minimum of 2 spaces per dwelling unit, however townhomes shall have a minimum of 2.25 spaces per dwelling unit.***
3. ***Chapter 6 - Signs. Removed all regulations for yard signs in its entirety.***
4. ***Chapter 7 – Subdivision Standards. Removed the "Connectivity Index" in its entirety.***

ATTACHMENTS:

1. Draft Ordinance
2. Draft Redlined UDO pages with recommendations from the Planning and Zoning Commission
3. Planning and Zoning Commission memo dated 9-7-23
4. Supplemental Memo re: UDO Advisory Committee 8-31-23 Meeting
5. Public Hearing Notice
6. Draft UDO Document
7. Draft Zoning Map

Ordinance No. 2023-_____

AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, AUTHORIZING THE ADOPTION OF A NEW UNIFIED DEVELOPMENT ORDINANCE WITHIN THE YORKVLLE CITY CODE

WHEREAS, the United City of Yorkville (the "*City*") is a duly organized and validly existing non home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, Section 11-13-14 of the Illinois Municipal Code (65 ILCS 5/11-13-14) provides that a municipality may amend its zoning regulations by ordinance after holding a hearing before a commission or committee designated by the corporate authorities; and,

WHEREAS, pursuant to Section 11-13-2 of the Illinois Municipal Code (65 ILCS 5/11-13-2), the Mayor and City Council of the City (the "*Corporate Authorities*") appointed and confirmed an advisory committee (the "*Advisory Committee*") to recommend the boundaries of districts and appropriate regulations to be enforced therein; and,

WHEREAS, the Advisory Committee prepared a tentative report and a proposed new Unified Development Ordinance (the *"UDO"*) for the City; and,

WHEREAS, the Planning and Zoning Commission convened and held a public hearing on the 13th day of September, 2023 (the "*Hearing*"), to consider the tentative report of the Advisory Committee and the proposed new UDO; and,

WHEREAS, due notice in respect to the Hearing was given pursuant to 65 ILCS 5/11-13-2 and 65 ILCS 5/11-13-14 of the Illinois Municipal Code; and,

WHEREAS, within 30 days after the final adjournment of the Hearing, the Planning and Zoning Commission made a final report and submitted a proposed new UDO for the City to the Corporate Authorities; and,

WHEREAS, the Corporate Authorities have reviewed the Planning and Zoning Commission's final report and the proposed new UDO and hereby approves said new amended ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

Section 1. The above recitals are incorporated and made a part of this Ordinance.

Section 2. That Title 10 - Zoning and Title 11 – Subdivision Control of the Yorkville City Code is hereby amended by deleting said Titles in their entirety and replacing said Title 10: UDO with the language set forth in Exhibit A, attached hereto and made a part hereof.

Section 3. That Title 8 – Building Regulations of the Yorkville City Code is hereby amended by deleting Chapter 7 – Stormwater and Flooding Regulations, Chapter 12 – Landscape Ordinance, and Chapter 15 – Appearance Code, in their entirety, and which are now included within the new Title 10: UDO.

Section 4. The Advisory Committee shall cease to exist upon the passage, approval, and publication of this Ordinance.

Section 5. This Ordinance shall be in full force and effect on January 1, 2024 upon its passage, approval, and publication as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this ____ day of _____, A.D. 2023.

_____

CITY CLERK

KEN KOCH	_____	DAN TRANSIER	_____
ARDEN JOE PLOCHER	_____	CRAIG SOLING	_____
CHRIS FUNKHOUSER	_____	MATT MAREK	_____
SEAVER TARULIS	_____	RUSTY CORNEILS	_____

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois this ____ day of _____, A.D. 2023.

_____

MAYOR

Attest:

_____

CITY CLERK

Table 10-3-12(B) Permitted and Special Uses														
Use Category	Additional Regulation	Zoning Districts												
		Ag	Open Space	Residential					Business			Mfg.		Inst.
		A-1	OS	R-1	R-2	R-2D	R-3	R-4	B-1	B-2	B-3	M-1	M-2	PI
Antennae and Antennae Structures (other)	10-4-15(A)	P	P	P	P	P	P	P	P	P	P	P	P	P
Antennae and Antennae Structures (For Radio or Television Transmission)	10-4-15(A)	P	P	P	P	P	P	P	P	P	P	P	P	P
Community Garden		P	P	P	P	P	P	P	P	P	P	P	P	P
Daycare Facility, Part-Day		-	-	P	P	P	P	-	P	P	P	P	P	P
Domesticated Hens	8-19	-	-	P	P	-	-	-	-	-	-	-	-	-
Drive Throughs	10-4-16(D)	-	-	-	-	-	-	-	P	P	P	-	-	-
Dwelling, accessory (attached)	10-4-16(E)	P	-	P	P	P	P	-	-	-	-	-	-	-
Dwelling, accessory (detached)	10-4-16(E)	S	-	S	S	S	S	-	-	-	-	-	-	-
Recreational vehicle, trailer, and boat parking	10-4-16(F)	P	P	P	P	P	P	-	-	-	-	-	-	-
Home occupations	10-4-16(G)	P	-	P	P	P	P	P	-	P	-	-	-	-
Outdoor displays	10-4-16(H)	P	P	-	-	-	-	-	P	P	P	P	P	-
Towers	10-4-15(A)	P	-	P	P	-	-	-	P	P	P	P	P	-
Vehicle Charging Stations		P	P	P	P	P	P	P	P	P	P	P	P	-
Temporary Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Accessory Structures, Temporary	10-4-17(A)	T	T	T	T	T	T	T	T	T	T	T	T	T
Mobile food vendor vehicles and retail vendor vehicles	10-4-17(B)	T	T	T	T	T	T	T	T	T	T	T	T	T
Storage of roadway construction materials and equipment	10-4-17(C)	T	T	T	T	T	T	T	T	T	T	T	T	T
Portable Outdoor Storage Device	10-4-17(D)	T	T	T	T	T	T	T	T	T	T	T	T	T
Temporary and seasonal uses	10-4-17(E)	-	-	-	-	-	-	-	T	T	T	-	-	-
Tents		T	T	T	T	T	T	T	T	T	T	T	T	T

10-3-13. Downtown Overlay District

A. **Introduction.**

1. Titl**e.** This Section shall be known, cited, and referred to as the United City of Yorkville Downtown Overlay District Code. Any reference to this chapter following its effective date shall mean this entire chapter as it may hereafter be amended.

2. **Intent.** It is the intent of this chapter to provide development standards to the United City of Yorkville for downtown and adjacent redevelopment areas that promote public health, safety, and general welfare of the community, including, but not limited to the specific purposes set forth below.

   a. To guide the development of a mix of uses and a pedestrian-oriented environment as established in the United City of Yorkville 2016 Comprehensive Plan, adopted September 2016, and the 2019 Yorkville Downtown Overlay District Streetscape Master Plan.

Table 10-4-16(D) Drive Through Stacking Requirements		
Use	**Minimum Stack**	**Measure From**
Automated Teller Machine	3 per machine	teller machine
Bank Teller Lane	2 per lane	teller or window
Restaurant	6 per order box	order box [1]
Carwash Stall, Automatic	5 per stall	stall entrance
Carwash Stall, Manual	3 per stall	stall entrance
Oil Change Shop	3 per service bay	service bay entrance
Pharmacy	4 per lane	machine or window
Other	as determined by the Zoning Officer	
1. Four (4) of the required stacking spaces are to be located between the order-box and pick-up window, including the stacking space at the order box.		

E. **Dwelling, Accessory**.

1. One (1) accessory dwelling unit shall be permitted on a lot. The accessory dwelling shall only be allowed on a lot on which the sole principal use is a single-unit dwelling.

2. Detached accessory dwelling units shall be allowed as a special use and shall not exceed nine hundred (900) square feet or ten (10) percent of size of the lot, whichever is less.

3. Attached accessory dwelling units shall be allowed as a permitted use and shall not exceed nine hundred (900) square feet or thirty (30) percent of the size of the principal building, whichever is less.

4. Detached and attached secondary dwelling units shall be located to the rear of the primary building.

5. Only one (1) entrance shall be located on the front façade of the primary building. Entrances to secondary dwelling units must be located on the side or rear façade.

6. Both the principal structure and the accessory dwelling unit shall be served by one (1) common driveway connecting the principal and accessory dwelling units to a public or private road.

7. Parking for the accessory dwelling unit shall be in addition to the parking space(s) required for the primary dwelling unit. The parking for the accessory dwelling unit shall not be located in the required front yard setback. A tandem parking space, where one (1) car is parked behind another within the driveway, with the spaces required for the primary building shall be prohibited.

8. The accessory dwelling shall use the same mailbox, water meter, and trash containers as the principal dwelling unit. The use of additional mailboxes, water meters, and trash containers by the accessory dwelling unit separate from the principal dwelling unit shall be prohibited.

9. Accessory dwelling units shall be similar in character to the primary building and to abutting properties including roof pitch, eaves, exterior building cladding materials, windows, trim, color, and landscaping.

Figure 4.13. Accessory Dwelling Unit Standards

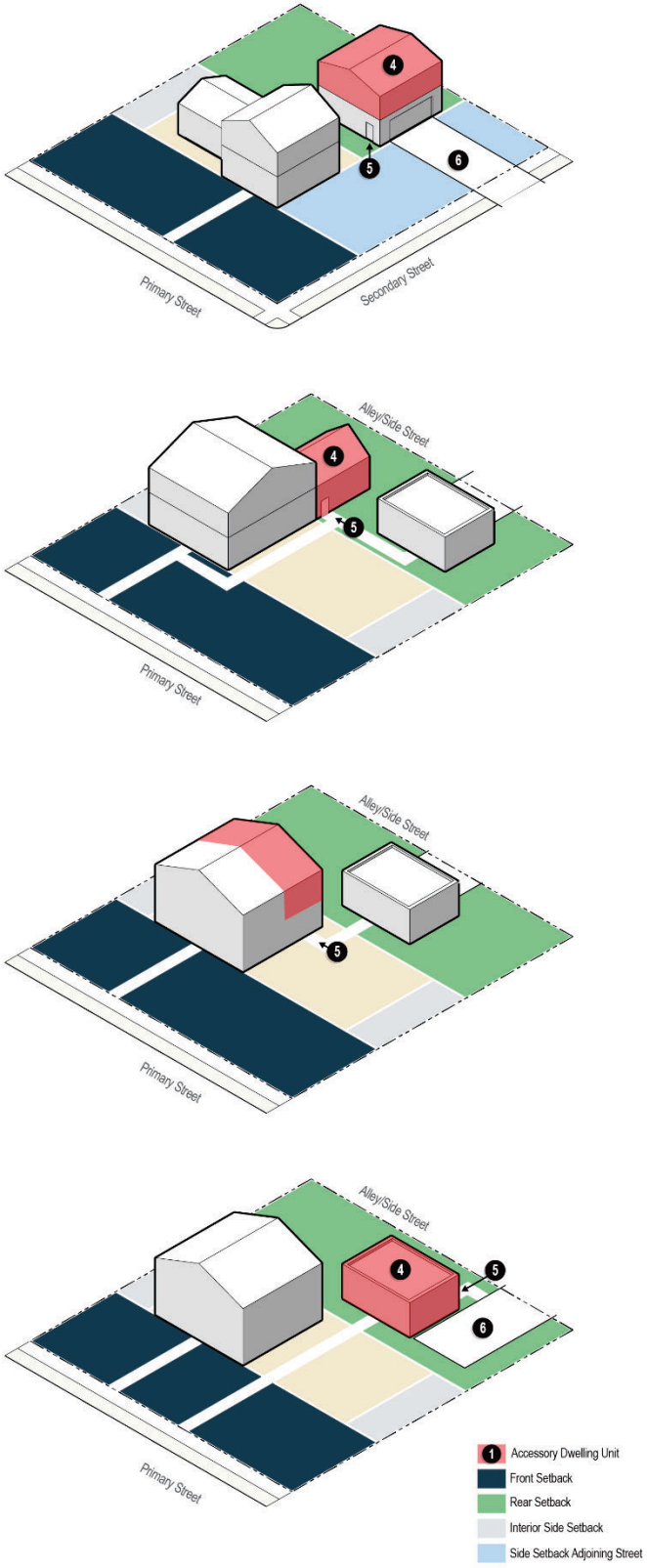


Table 10-5-1(H)(5) Minimum Parking Requirements

Use	Minimum Parking Requirement, 8,000 sq ft or less	Minimum Parking Requirement, more than 8,000 sq ft
Recreational camp - private	1/campsite	1/campsite
Riding academies with stables	1/6 stalls	1/6 stalls
Roadside stand	1/200 sq ft	1/200 sq ft
Stables or paddocks	n/a	n/a
Residential Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Dwelling, duplex	~~1~~2/unit	~~1~~2/unit
Dwelling, multi-unit	1.25/unit	1.25/unit
Dwelling, single-unit	~~1~~2/unit	~~1~~2/unit
Dwelling, accessory	1/unit	n/a
Dwelling, townhouse	2.25/unit	2.25/unit
Senior housing, dependent	0.25/unit	0.25/unit
Senior housing, independent	0.5/unit	0.5/unit
Lodging Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Bed and breakfast inn		
Hotel		
Motel		
Short-term rental	1/lodging unit	0.5/lodging unit
Commercial Retail Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Adult uses		
Building material sales		
Liquor store		
Pawnbrokers/pawnshops		
Retail store, general - less than one (1) acre		
Retail store, general greater than one (1) acre	3/1,000 sq ft	2/1,000 sq ft
Commercial Service Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Adult daycare facility		
Animal hospital		
Art galleries/art studio		
Auction house		
Bank		
Commercial laboratory		
Commercial/trade school		
Daycare facility		
Dry cleaning establishment		
Entertainment production studio		
Financial institutions and services		
Funeral home/mortuary/crematorium		
Health and fitness club/center		
Indoor shooting gallery/range	3/1,000 sq ft	2/1,000 sq ft

G. **Yard Signs**.

1. **Sign Area**. The maximum sign area of yard signs shall be as follows.

   a. Thirty-two (32) square feet for parcels that have frontage along a major arterial road.

   b. Sixteen (16) square feet for all other parcels.

2. **Sign Height**. The maximum height of a yard sign shall not exceed four (4) feet.

3. **Number of Signs**. A maximum of two (2) yard signs may be displayed concurrently. However, during the period sixty (60) days before and fifteen (15) days after a federal, state, or local election an unlimited number of yard signs may be displayed concurrently subject to all other applicable regulations of this section.

4. **Location**. Yard signs shall be located a minimum of five (5) feet from all property lines, rights-of-way, and utility easements, shall not block points of ingress or egress, shall not be placed in any sidewalk or pedestrian circulation system and shall not be located in a vision clearance area as detailed in Section 10-5-6.

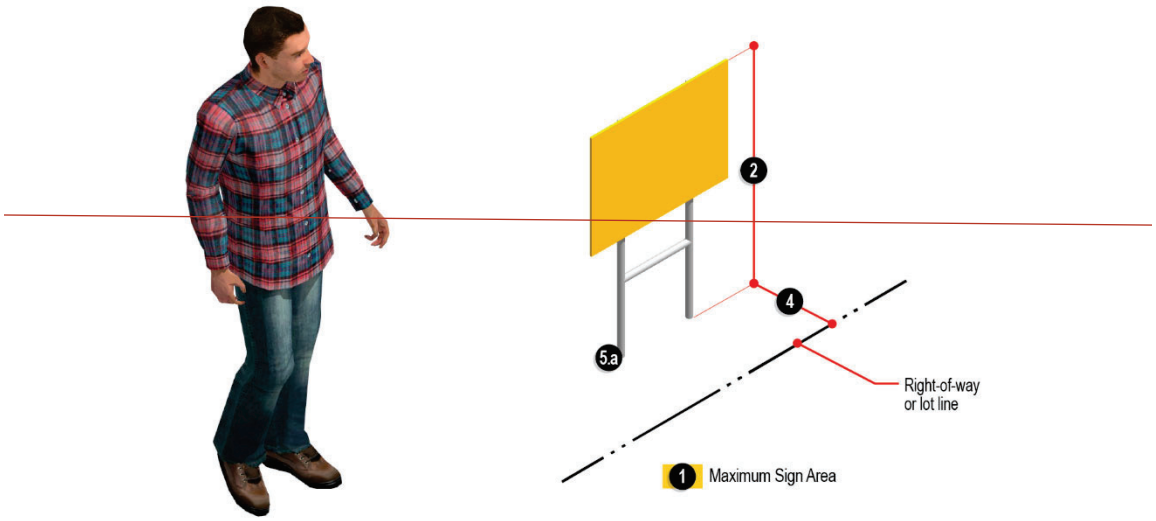
5. **Other Provisions**.

   a. Yard signs shall be securely anchored into the ground or secured in a portable base designed for such function.

   b. Yard signs shall be maintained in good condition and shall not sag, lie on the ground, be torn, or otherwise kept in a disorderly state.

   c. One (1) yard sign displayed for a period of up to seventy-two (72) hours shall be exempt from the requirements for this section.

Figure 6.17. Yard Sign Standards



10-7-3. Street Design and Improvements

A. **Street Network Design**

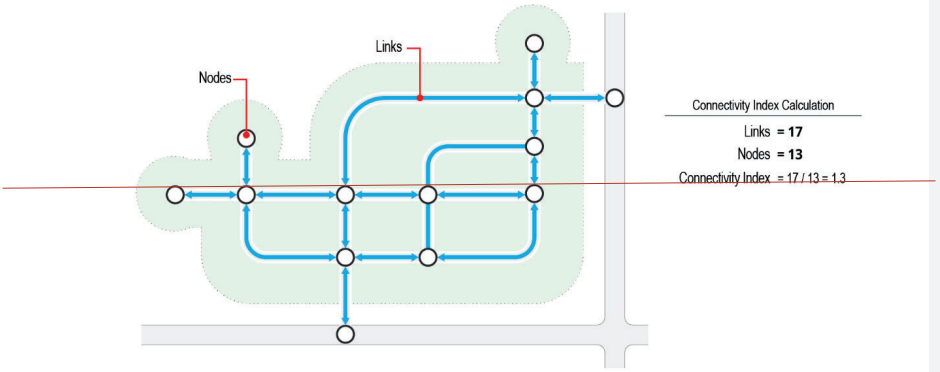
1. **General Street Layout**.

a. In general, streets should be designed and located so that they relate to the topography, preserve natural features such as streams and tree growth, and provide adequate public safety and convenience for motorists, cyclists, and pedestrians alike.

b. The proposed street layout shall also be coordinated with the existing street system of the surrounding area. Where a through street or a series of streets establishes a connection between two (2) public streets, such street shall be a public street.

c. ~~**Connectivity Index**. A connectivity index shall be used to determine the adequacy of street layout design. A connectivity index is calculated as the ratio of the number of street links (road sections between intersections) in the subdivision street layout divided by the number of street nodes (intersections and cul-de-sac heads). Streets within a subdivision shall have a minimum connectivity index measurement of one and two-tenths (1.2).~~

~~***Figure 7.1. Connectivity Index Calculation***~~



MINUTES OF UNIFIED DEVELOPMENT ORDINANCE ADVISORY COMMITTEE MEETING

Thursday, August 31, 2023 7:00pm
City Hall Council Chambers
651 Prairie Pointe Drive, Yorkville, Il

Meeting Called to Order
The meeting was called to order at 7:01pm by Chairman Chris Funkhouser and a quorum was established. He announced those committee members present.

Roll Call
Committee Members
Chris Funkhouser-Chairman/Alderman, Deborah Horaz-PZC Member, Dave Schultz-HR Green, Dan Transier-Alderman

City Members Present:
Krysti Barksdale-Noble-Community Development Director; Lynn Dubajic Kellogg-City Consultant; Jackie Berg-Consultant, Houseal Lavigne; Ruben Shell-Consultant, Houseal Lavigne

Also Present: Mike Krempski, Molly Krempski, Brynn Krempski, Briggs Krempski, Andrea Houdek, Joe Houdek, David Guss

Previous Meeting Minutes July 20, 2023
The minutes were approved as presented.

Citizens Comments None

1. INRODUCTION:
Ms. Noble gave a brief summary of the 3-year/15 meeting process for this review/revision of the city code.

2. REVIEW OF MATERIALS
a. Final Review of Revised Chapters 1-9

Chapter 1: General Provisions
There were no revisions for this chapter which deals with general provisions. It was recommended at the last meeting to make the revisions to the code effective January 1, 2024.

Chapter 2: Definitions
The definitions remained mostly the same with clarity added. Chairman Funkhouser would like the term "family unit" reinstated in place of "dwelling unit". All other committee members agreed.

Chapter 3: District Standards
Changes were suggested at the City Council level including keeping current regulations for R-1 and R-2 and removal of R-2-A zoning district. Salvage yards were added back as special use. Mr. Funkhouser noted some of the Aldermen are open to further discussion about the bulk regulations of R-1 and R-2. The R-2-A may also be further discussed at the full Council or this committee. It was decided to present the original recommendation to the City Council.

Chapter 4: Use Standards

The committee discussed ADU's and suggested attached units be permitted and detached units be special uses. After discussion and an informal vote, the vote failed in a tie. This action will be added to the notes for City Council.

Chapter 5: Development Standards

Development standards include parking, landscaping, screening, fencing and outdoor lighting. In the July 20th meeting, it was suggested to change language from **requiring** sod in a commercial land use and revising it to **encourage** instead. Electric vehicle charging stations were clarified, tree replacements and "fee in lieu of" were discussed along with parking stall dimensions and multi-unit dwelling parking. An unresolved issue was parking for multi-family units. After much discussion, the number of parking spaces that was recommended is as follows: 2 parking spaces for duplexes and single family and 1.25 parking spaces for townhomes and condos.

Chapter 6: Sign Standards

At the July 20th UDO meeting, murals and A-frame signs were discussed. After a legal review, it was recommended not to regulate murals as signs. Ms. Jackie Berg said a Supreme Court case clarified that sign copy is protected in the First Amendment. She said most cities do not regulate murals and Yorkville does not require permits for murals. Ms. Noble briefly discussed the city's "Facade Easement Program" where the city has some manner of involvement with the art/murals, however, it does not apply to private property. Alderman Transier suggested it could present problems if murals are called signs.

The second item considered was A-frame signs and it was recommended at the last meeting, to allow one per business and located within 750 feet of the business.

The topic of yard signs was unresolved, but after discussion, the proposal was to allow up to 32 sq. ft. with no limit on the number of signs and no time limits. Alderman Transier said enforcement of size and location of signs would be difficult for staff to monitor.

Chapter 7: Subdivision Standards

This chapter encompasses off-street parking, fencing, landscaping, outdoor light standards, etc. At the last meeting, there was a group consensus about block length and connectivity. Changes made were: eliminated bike trail connections for cul-de-sacs, cluster developments kept density as proposed, added cul-de-sac reduction, block length reduction as a density bonus in cluster developments which are PUD's, anti-monotony standards needs a change in the graphic on cluster developments--from one different appearing unit to two, in between units. A source for the data was also requested.

It was noted that City Council wants the cluster developments to be part of a PUD. Mr. Funkhouser wants cluster developments to be outright permitted, not part of a PUD. There is less infrastructure and tighter roads. Mr. Schultz said the committee was asked to streamline the code and he suggested keeping it as outright permitted, with Mr. Transier agreeing. The concept of prime farmland being a bonus was also discussed.

The committee wants the connectivity index calculations removed. They recommended removing the density bonus for block length. They wish to keep block lengths at 1,320 feet as a maximum and encourage lengths of 800 ft or less.

Chapter 8: Review & Approval Procedures

At the July 20th meeting, it was suggested that developers hold a required neighborhood meeting for PUD requests. A legal opinion said that if the city had any part in setting dates, times, etc., it then becomes a city meeting. The legal recommendation is to keep these meetings at staff level. Mr. Funkhouser commented that in other situations, projects don't advance without these meetings and they are very beneficial. Ms. Berg suggested that if the meetings do go forth, any public opinion from that meeting should become part of the application process. Ms. Noble said the goal of a neighborhood meeting is to reach out to the community before a Public Hearing process.

Chapter 9: Non-Conforming Building Structures and Uses
There were no revisions to this chapter.

Due to time constraints with agenda packets, Ms. Noble will prepare a supplemental document from tonight's meeting, for the upcoming EDC meeting. For PZC she will provide a cover memo with all recommendations. The actual UDO document will not change at this time due to the constraints.

Public Comment: The committee agreed to allow a Public Comment at this time. Ms. Molly Krempski commented on murals and the sign discussion. She cited Illinois Constitution Article 1, Section 4 freedom of speech or expression. She expressed frustration at no limitations for murals, but at the suggested limitations on signs. She said the argument does not flow.

b. Preview of Smart Code Website
Not discussed.

3. COMMITTEE COMMENTS AND QUESTIONS:
Ms. Horaz had a couple additional questions on chain link fences. She asked if chain link fences require slats on the front. Ms. Noble said they are required on the rear and side and must be vinyl coated. No privacy slats are required when there is an adjacent similar use. Regarding native species for landscaping, Ms. Horaz said the language should be "non-invasive clumping ornamental grasses". A full review of landscaping is done for project applications, said Ms. Noble. Ms. Horaz also asked about the dead tree replacement. She asked if there is a requirement to replace 12 if one dies. Twelve are only planted upon removal of trees.

The revised UDO document will go to City Council on September 26th.

4. Adjournment
There was no further business and the meeting adjourned at 8:39pm.

Minutes respectfully submitted by Marlys Young, Minute Taker

Memorandum

To: Planning and Zoning Commission
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: September 7, 2023
Subject: **Unified Development Ordinance**
Chapter Review of Proposed Unified Development Ordinance

PROJECT BACKGROUND:

In March 2019, the City initiated the Unified Development Ordinance (UDO) project which began the process of taking various existing City ordinances and combining them into a cohesive, single-reference, graphic-based document. The City ordinances that are being reviewed, updated, and merged are:

1. Zoning Ordinance (originally adopted 1974, amended 2014)
2. Subdivision Control Ordinance and Standard Specifications for Improvements (adopted 2004)
3. Landscape Ordinance (adopted 2009)
4. Appearance Code (adopted 2005)

The City retained a planning consultant, Houseal Lavigne Associates, to draft the new UDO and conduct the review process with an appointed Advisory Committee. Additionally, the City hired EnCode Plus to take the finished version of the code and create a unique online user-friendly version of the ordinance.

In 2019, Houseal Lavigne conducted an initial assessment of the City's ordinances, focus group interviews with local stakeholders, discussions with department heads, and drafted a diagnostic memo to evaluate what changes need to be made according to recommendations from the 2016 Comprehensive Plan. Due to the COVID-19 pandemic, the project was put on a one-year hiatus from May 2020 to May 2021. Prior to the project's hiatus, the UDO Advisory Committee met three (3) previous times to discuss the project and review materials from Houseal Lavigne. The materials included a project overview, diagnostic memo, and a review of Chapter 3 revisions. The comments and insights given at these meetings help in forming a code that is fit for Yorkville.

After restarting the project in the summer of 2021, the advisory committee was reduced from nine (9) members to five (5) due to a lack of quorum which resulted in cancelled meetings. Since that time, Houseal Lavigne drafted new Chapters of the UDO and the Advisory Committee has reviewed the materials and provided comments and recommendations for revisions. In all, the Advisory Committee met 15 times and held an open house for the public to review and provide feedback on the draft of the proposed changes on August 31, 2023.

The Economic Development Committee previewed the final proposed draft of the Unified Development Ordinance at their meeting on September 5, 2023.

CHAPTER REVIEWS:

As the Advisory Committee moved towards the final review and recommendation of the Unified Development Ordinance (UDO), there have been several rounds of material review conducted by staff and the committee. The following sections give an overview and description of the types of changes proposed to be made to the City's current ordinances:

CHAPTER 1. GENERAL PROVISIONS

Chapter Elements
Outlines the authority, applicability, intent, purpose, interpretation, and scope of regulations of the Unified Development Ordinance (UDO).

Major Revisions
- Effective date of the Unified Development Ordinance (UDO) will be January 1, 2024.

Minor Updates
- Title, including the adoption of the Zoning District map, now will be referred to as the "United City of Yorkville Unified Development Ordinance".
- When other ordinances or regulations regarding use of land, buildings, or bulk of buildings conflict, the more restrictive shall govern.
- When regulations of this title conflict with existing agreements (i.e., PUDs, Development agreements, etc.) are more restrictive, the existing agreement shall govern.
- Added "Severability" clause which states if any provision of this title is deemed invalid by a court of competent jurisdiction, it shall not affect the application of the provisions to other buildings, structures or parcel of land not included in the judgement.

CHAPTER 2. DEFINITIONS

Chapter Elements
Complete list of definitions of the terms referenced throughout the Unified Development Ordinance (UDO).

Major Revisions
- Structures vs. building are now clearly defined (gazebo/pergola = structure, pool house or detached garage = building)
- Artisan manufacturing is a new use.
- Auto sales & services was clearly defined to address sales occurring completely "enclosed" in a building or structure (e.g., Carvana) or "open sales" on lots.
- Data Center, Refrigerated Warehouse (Cold Storage), and Battery Storage Use definitions added.
- Term "family home" has been replaced with "dwelling unit" throughout.
- Net Floor Area (Floor Area, Net) was added in reference to parking requirements.
- Professional Services and Offices definition was amended to remove language that required such professional services to have a license.
- Animal Hospital and veterinarians are now defined separately.
- Tents are now defined as a temporary use.
- Vehicle Charging Stations are now defined.
- Public Storage facilities and temporary storage units at residences (e.g., PODs) are defined separately.
- Density is now referred to as "Gross Density".
- Group Home definition has been removed, as it is now considered the same as any other residential use.

- Building Line was removed since setbacks are defined to identify the limits of where the primary structure can be located in a parcel.
- New definition for "grain elevator" specifies that "grain bin/silo" is included.

Minor Updates

- Group definitions by alphabet per section of Chapter 2 (e.g., "A" Definitions), rather than just in alphabetical order under a single section.

CHAPTER 3. DISTRICT STANDARDS

Chapter Elements

Establishing Districts; Purpose of Districts; Bulk and Dimensional Standards; Permitted Obstructions; and Permitted and Special Uses.

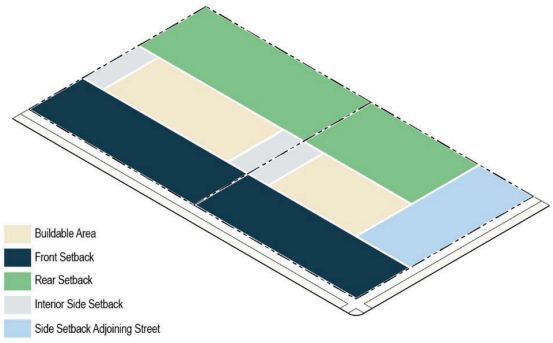
Major Revisions

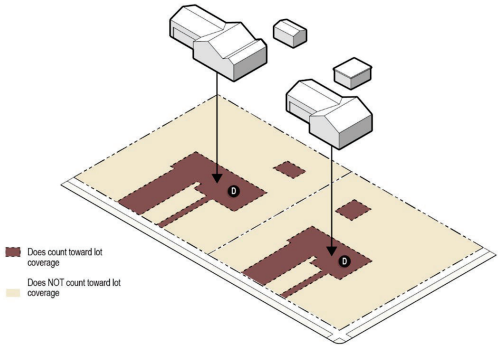
- Combining and streamlining similar zoning districts
    - Reduced number of zoning districts from fifteen (15) to fourteen (14).
    - Eliminated the E-1 Estate Residential District, O-Office District, and B-4 District due to underutilization or uses that can be accommodated in other existing zoning districts.
    - B-1 Local Business District will be consistent w
    - Repurposed the B-2 Retail Commerce Business District for a mixed-use district, as the properties of the current B-2 District are indistinguishable from B-1 or B-3 Districts.
    - Combined the current OS-1 Open Space (Passive) and OS-1 Open Space (Active) into a single OS Open Space District.
    - Created a new PI Public Institutional District to better accommodate institutional and civic uses throughout the city.
    - Creation of the Downtown Overlay District to coincide with the adopted form-based code regulations.
- Creation of a new Zoning Map (see attached)
- Modifying some bulk regulations to address the proposed consolidated zoning districts.
    - Reduced lot size for B-1 District from 10,000 square feet to 8,000 square feet to absorb the O-District and select B-2 designated parcels that are located in close proximity of residential neighborhoods and are of a scale and intensity most appropriate for neighborhood-oriented businesses.
    - Eliminated the minimum lot size requirement for the B-2 Retail Commerce District (10,000 square feet to 0) to which compromises the downtown overlay district and future PUD District designated for a transit-oriented development. Also, this eliminates the district's non-conforming parcels.
- Adjustment of Permitted and Special Uses
    - Massage establishments are special uses
    - Identified "outdoor self-storage facilities" as special uses in the M-1 and M-2 Districts.
    - Allowed indoor single-building climate-controlled self-storage facilities as permitted uses in the B-3, M-1, and M-2 Districts.
    - Modernized uses to include: "Commercial Entertainment Indoor/Outdoor" such as spectator sports, gymnastics, and outdoor golf driving ranges; Artisan Manufacturing in the business districts; and vehicle charging stations in all districts.
    - Allowed semi-truck repair, truck trailer sales/rental as a special use in the B-3 District.
- Identified Accessory Dwelling Units (ADU) as permitted uses in certain residential districts and Accessory Commercial Units (ACU) as special uses in certain residential districts.

- Created a new category and regulations for Temporary Uses such as "storage of roadway construction materials and equipment" and "portable outdoor storage containers" (i.e., PODS).
- Replaced Floor Area Ratio (FAR) with Maximum Lot Coverage.

Minor Updates

- Incorporates the previously approved Downtown Overlay District's Form-Based Code elements.
- Adjustments to Permitted Yard Obstructions
    - Permit uncovered front porches to extend from three (3) feet to five (5) feet into the required front yard.
    - Landscaping has been added as a "permitted obstruction" in all required yards with a note that landscaping within dedicated stormwater overflow routes may be limited or restricted, per the approval of the City Engineer.
- Added graphics to clearly visualize concepts such as lot widths, setbacks, lot coverage, and building height.

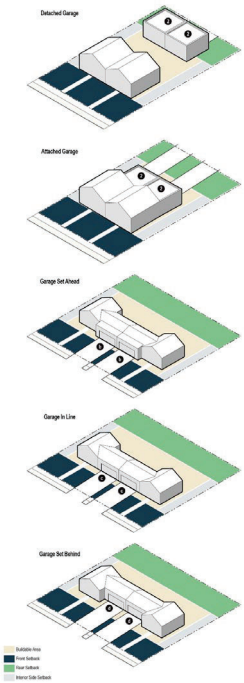




CHAPTER 4. USE STANDARDS

Chapter Elements

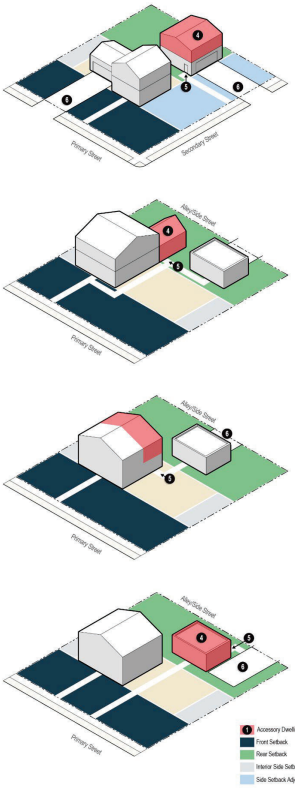
Standards for agricultural, residential, commercial, vehicle, industrial, transportation, alternative energy, cannabis, institutional, accessory, and temporary land uses.



Major Revisions

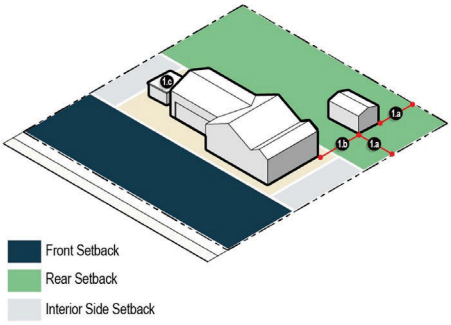
- Created residential appearance standards for duplex, townhome, and multi-dwelling units
    - Garage placement for duplexes, townhomes, and multi-unit dwelling developments
- Regulations for commercial entertainment uses which are currently unregulated.
    - Golf course and driving range regulations and netting requirements.
- Redefining industrial use standards
    - Added regulations for artisan manufacturing uses.
- Additional regulations in regard to solar and wind farms
- Allow private alleys for future development
- Instead of maximum townhome units, regulate the maximum length

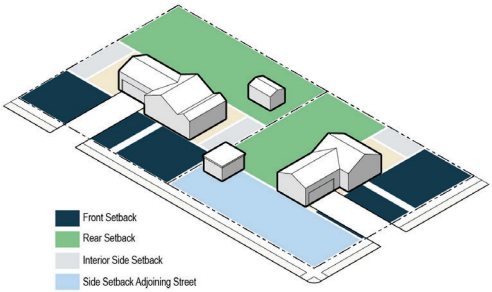
- Standards for Accessory Dwelling Units (ADUs) and Accessory Commercial Units (ACUs).
    - Regulates size, location, number, parking, and appearance of ADUs and ACUs.
    - Prohibits ADU's and ACU's from having separate water meters, mailboxes, and trash containers from the primary owner to address concerns of these units being utilized as rental properties.
- Regulations for outdoor displays on commercial and manufacturing districts.
    - Location on site, type, size, distance from adjacent residentially zoned parcels, vision clearance requirements, and maintenance.
- Clearly defines Temporary Use Standards and regulations
    - Formerly titled "Seasonal Uses" which regulated uses such as mobile food/retail vendors, sidewalk cafes, and parklets.
    - Regulations now includes uses such as "Storage of Roadway Construction Materials" and "Portable Outdoor Storage Devices".



Minor Updates

- Recategorized telecommunication tower and antennae uses under "Institutional, Public, and Utility Use Standards"
- Illustrations provided to visualize locations of permanent and temporary accessory uses on lots.





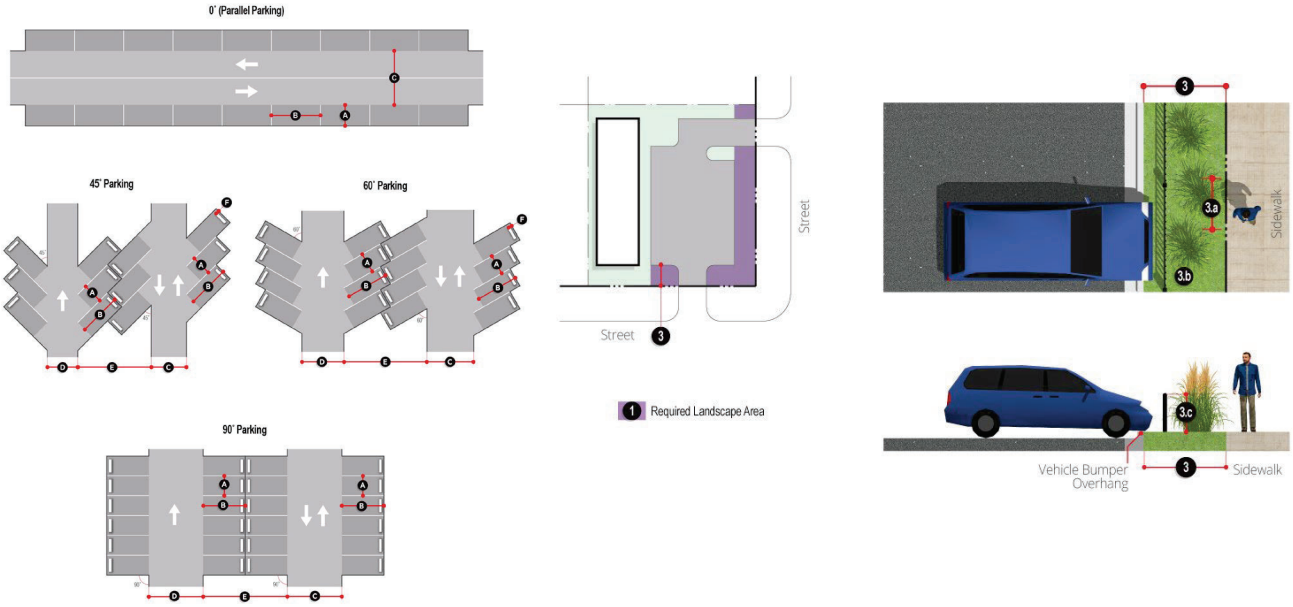
CHAPTER 5. DEVELOPMENT STANDARDS

Chapter Elements

Off-street parking standards; landscaping and screening standards; fencing standards; and outdoor lighting standards.

Major Revisions

- Parking Regulations
    - Dimensions of parking stalls and a variety of angles and driveway widths updated

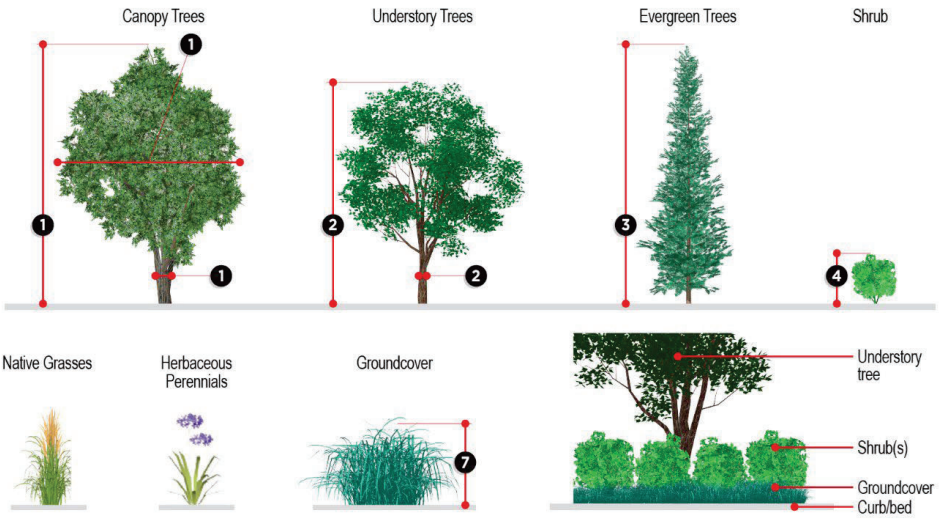


- Compact vehicle/motorcycle parking spaces for parking areas of more than ten (10) spaces up to 5% can be provided.

- Specifications for exact materials for off-street parking was revised to comply with the City of Yorkville's Standard Specifications requirements which will be now codified as an appendix to the UDO.
- Fee-In-Lieu of Off-Street Parking: An applicant may request to pay a fee-in-lieu of the off-street parking required in this Section The City will allocate the fee to construct and maintain public parking facilities.
  - All requests are subject to a maximum of 20% of the required parking and requires City Council approval.
  - Cost estimate of an average parking space will be provided by the developer and verified by the City Engineer.
  - Fee must be paid prior to issuance of building permit.
- Parking lot threshold for providing landscaped islands has been revised to ten (10) or more contiguous spaces in a row.

- Cross Access regulations
  - Facilitates internal vehicular access between adjoining developments, encouraging shared parking, and minimizing access points along streets for new multi-unit, nonresidential, and mixed-use developments, or redevelopments.
- Updated categories and table of land uses with parking standards
  - Such new parking standards included: Commercial Entertainment Uses, Energy Industrial uses, and Medical and Adult Cannabis Uses.
- Reserved Parking Space Standards
  - Curbside Pickup
    - Maximum 5% can be reserved for curbside pickup
    - May reduce the minimum number of parking spots required by one (1) space per parking spot reserved for curbside pickup.
  - Ride Share Pickup and Drop Off
    - Maximum 5% can be reserved for ride share pick up and drop off.
    - Must be located on the side or rear of the principal building, away from the main building entrance.

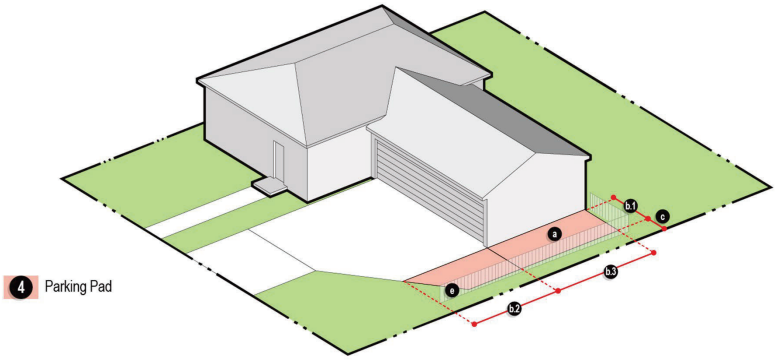
        - May reduce the minimum number of parking spaces required by 0.5 spaces per parking space reserved for ride share pickup and drop off.
- Electric Vehicle Charging Stations
    - Requires one (1) EV charging station per every fifty (50) parking station for any parking structure or parking area serving a multiunit use.
- Allowed Reductions to Required Parking
    - Pedestrian Access provided – 10% reduction
    - Public Parking Lots provided – 10% reduction
    - On-Street Parking available – Up to 2 spaces can be reduced for residential and 0.5 spaces can be reduced for nonresidential.
- New Pedestrian Circulation Standards
    - Requires on-site pedestrian circulation that is ADA compliant
    - Must be marked and connect to all building on site and to vehicle and bicycle parking spaces.
    - Must connect building entrances to adjacent public rights-of-way along direct routes.
    - Provide connections to existing and future planned trails.
- Completely new and detailed landscape ordinance standards
    - New Building foundation landscaping zone requires five (5) square feet of landscaping area per linear foot of building frontage facing the front and exterior side yards and shall be dispersed along the building foundation as approved by the Zoning Administrator.
    - The ground covering required for parking lot landscaping states "the surface area of every parking area island and median shall be planted with a mix of rocks, plant material, or other materials approved by the Zoning Administrator."
    - Fee-in-lieu options have been added for tree replacement and parking space requirements as follows:
        - Fee-In-Lieu of Tree Replacement Standards: A fee may be provided in lieu of replacement of trees of preservation of existing trees. These fees will be based upon wholesale pricing for a 2.5-to-3-inch tree. Money collected from the fee in lieu option shall be deposited into a Tree Bank to be used towards tree replacement and plantings throughout the City.
    - Landscape regulations now encourages new commercial developments to not use sod but seek alternatives for groundcover (such as seeding lots) for water conservation best management practices.
    - Added new Transition Zone Types for landscaping buffer areas between incompatible uses.
        - Creates four (4) transition zones which requires a different combination of elements including setback distances of separation, planting types, solid fencing,



green walls, vegetated stormwater management areas, living ground cover, or turf based upon the intensity of adjacent uses.

Minor Updates

- Illustrations provided to visually demonstrate the concepts of the new regulations.
- Driveways
    - Provides standards for single-unit driveways, garage access drive, and multi-unit and nonresidential driveways.
- Parking Pads
    - Allows for one (1) residential driveway extension for a parking pad a maximum of 10 ft. wide by 20 feet long. Length must include a minimum of 7 feet taper.
    - Cannot extend beyond the depth of the garage and can be located within the required side yard and setback at least 5 feet from the side property line.
    - When located in a required yard, must be screened from viewing to the adjoining property with material at least 50% opacity and a minimum height of 5 feet.
    - Parking pad may not be covered.



    - No vehicle over 10 feet in height may be parked on the parking pad.
    - Corner lots may not have parking pads.

- Fences
    - Revised fence materials that now eliminates vinyl coated chain-link fencing in all residential districts.
    - Allows galvanized chain-link fencing only on M-1 or M-2 properties adjacent to other M-1 or M-2 zoned properties.
- Outdoor Lighting
    - Codifies standards such as pole height, fixtures, light intensity, light level at property line, and the requirement for a photometric plan for outdoor lighting for nonresidential land uses and off-street parking areas.

CHAPTER 6. SIGN STANDARDS

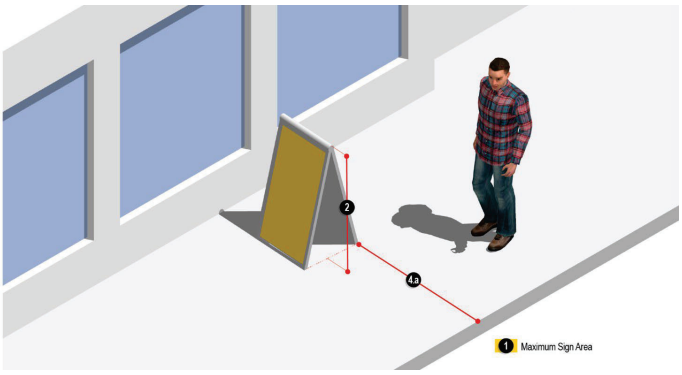
Chapter Elements

Purpose of standards; Measurements, permitted signs, temporary sign standards, general sign standards, prohibited signs, and maintenance standards

Major Revisions

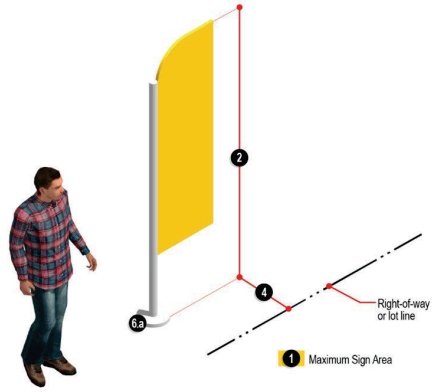
- Updating code to meet federal legal standards set by Reed v. Gilbert

    - Meaning signs are no longer regulated by content (e.g., real estate sign, garage sale sign, political sign), but rather by the type, location, size, and material.
- Expand material list for monument signs
    - Created a two-tiered sign material classification
        - Base Quality Materials (stone veneer, fiber cement, wood, EIFs, precast panels)
        - High Quality Materials (Masonry, Natural Stone, Steel/wrought iron)
            - The higher quality the sign material, the larger the sign area permitted.
            - Single Tenant Monument signs for base quality signs are 32 square feet and high-quality signs are 48 square feet.

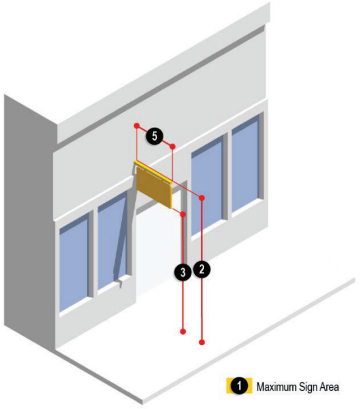


- A-Frame/Sandwich Board Signs
    - One (1) sign allowed.
    - Maximum sign area of 8 square feet and maximum height of 4 feet.
    - Allowed in the Downtown Overlay District to be located in the public right-of-way up to 750 feet from the entrance of the associated business.
    - May be displayed during the operating hours of the use the sign is associated.
- Post and Yard Signs are now allowed in the B-2 (Downtown Overlay) District.
    - Yard signs are allowed 16 square feet, but up to 32 square feet on parcels having frontage along a major arterial roadway.
    - One (1) yard sign displayed for a period up to 72 hours shall be exempt.
    - Maximum of two (2) yard signs may be displayed at any given time. However, during 60 days before and 15 days after an election, an unlimited number of signs may be displayed.
- Landscape Requirements
    - New landscaping regulations for monument sign bases require a minimum area of 0.5 square feet per square footage of the sign area (i.e., 32 square foot sign = 16 square feet of sign base landscaping).
    - Landscape areas shall be planted with one (1) shrub or native grass, per every 3 square feet of required landscape area.
    - Required shrubs and native grasses shall be approved by the Zoning Administrator as a landscape plan.
- Temporary Signs
    - Maximum of two (2) temporary signs may be displayed per lot at any given time, with the exception of feather signs.
    - Updated temporary sign standards to permit larger banners for larger establishments.
    - Banner signs have a maximum duration of 90 days per calendar year and one (1) wall mounted banner sign per tenant for all signs or one (1) ground-mounted banner sign per frontage for single tenant buildings.
        - Wall-mounted banners in residential districts, B-1, B-2, A-1, OS, and PI districts are allowed a maximum of 10% of the total area of the face of the wall it will be affixed.
        - Wall-mounted banners in the B-3, M-1, and M-2 districts are allowed a maximum of 7.5% of the total area of the face of the wall it will be affixed.

- Ground-mounted banner signs are allowed up to 32 square feet.

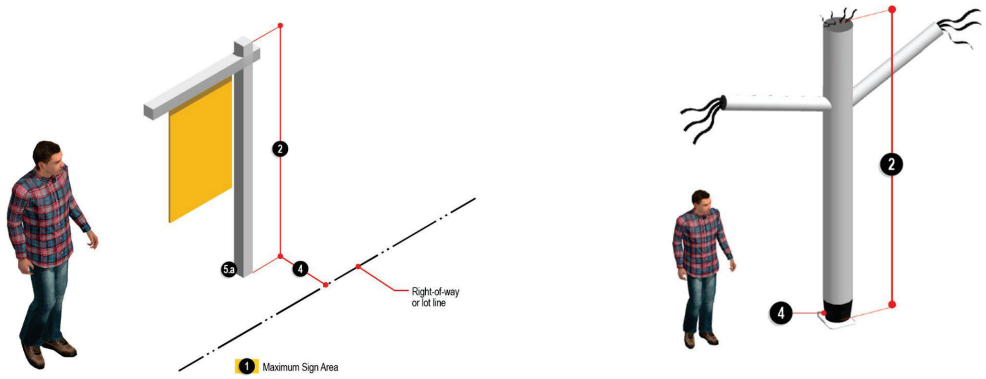


  - Feather signs have a maximum area of 26 square feet vs. no current size regulations.
  - Multi-tenant buildings are allowed one (1) flag per business, 25 feet apart.
  - Nonresidential post sign area permitted a maximum area of 32 square feet and residential post sign are permitted a maximum of 6 square feet.
  - Regulations revised to state "cold air inflatables signs shall not be installed below or interfere with any electrical conductors, phone conductors, CATV conductors, fire alarm conductors or any other similar installations".
- A projecting sign and wall sign may be displayed on the same building frontage. A projecting sign and an awning or canopy sign shall not be displayed on the same building frontage.



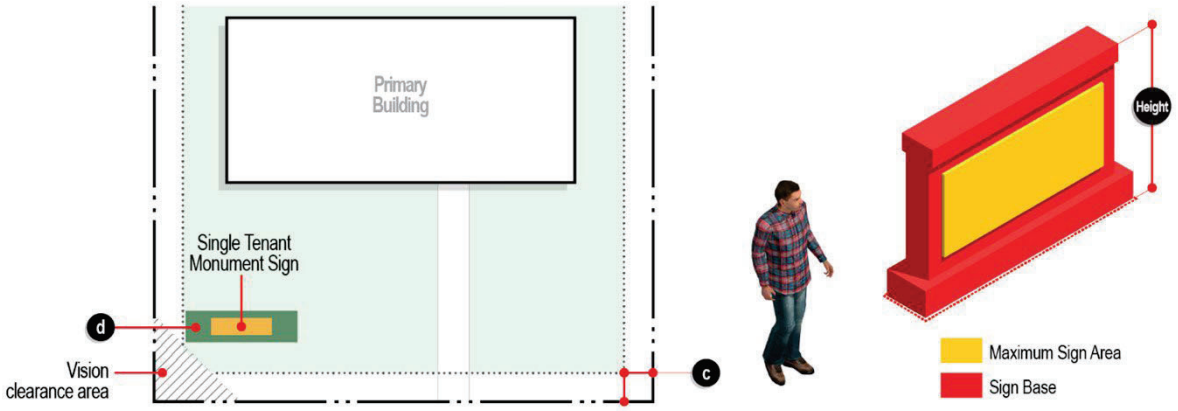
  - Projecting signs are permitted a maximum area of 16 square feet.
- Electronic Message Boards are revised to allow 80% of the message board available for electronic message and are not permitted as electronic message board signs as wall mounted signs.
- Comprehensive Sign Plan
  - Provides an alternative procedure under which signs can be designed, constructed, and erected. The objective of the comprehensive sign plan is to encourage a higher level of design than is possible under the regular sign regulations.
  - Approved by the Zoning Administrator based upon set conditions related to placement, quantity, and size (however, cannot exceed the sign area or height for the district).
  - Zoning Administrator can approve, approve with conditions, or deny comprehensive sign plan.

- Applicant can appeal the denial within 30 days to the Planning and Zoning Commission who will have final determination.



Minor Updates

- Created a list of permitted sign types by district table vs. a list.
- Updated graphics provided to illustrate the various sign types, measurements, and locations of the permitted signs.



CHAPTER 7. SUBDIVISION STANDARDS

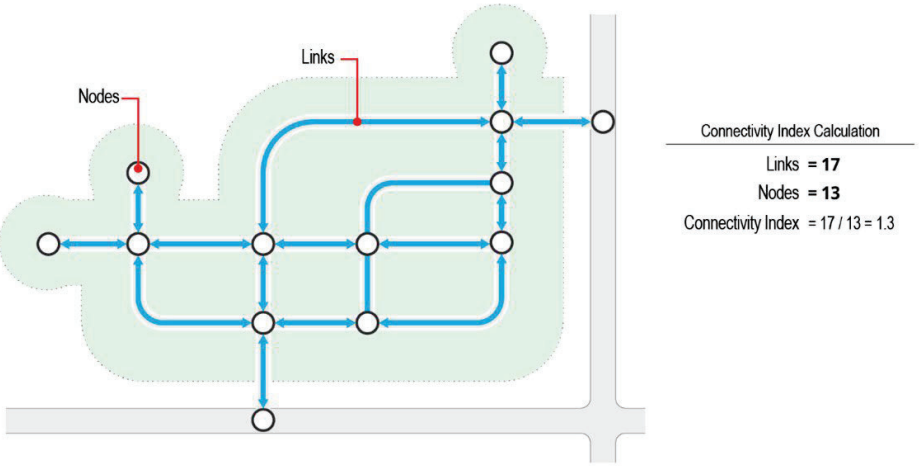
Chapter Elements

Lots; street design and improvements; circulation and connectivity standards; easements; water/sewer and stormwater regulations; cluster development; anti-monotony standards; and park and school land dedication.

Major Revisions

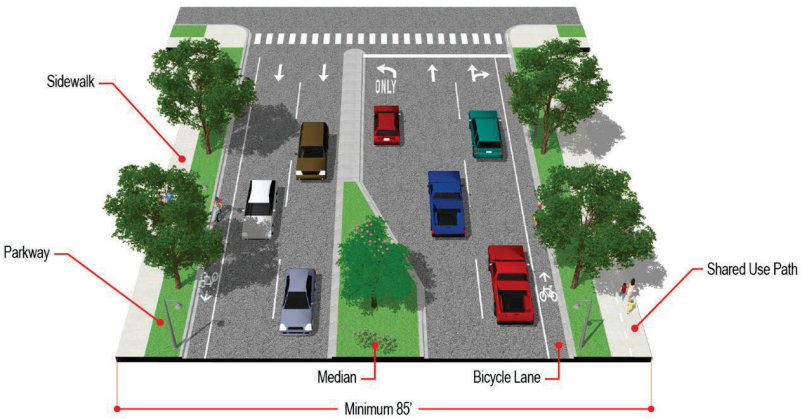
- Lots
  - Lot orientation has been revised to state "where appropriate, lot orientation along an east-west longitudinal axis is recommended for increased energy efficiency for potential solar panels."
  - Double Frontage Lots are discouraged, but when necessary due to topography and limited access, double frontage lots shall provide suitable screening with a transition yard or be subdivided and utilized as an outlot.
- Streets:

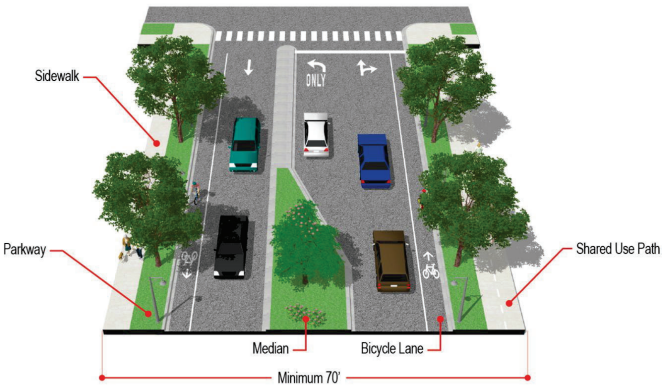
- Block length shall not exceed 1,320, but 800 feet or less block lengths are encouraged.
  - New "Connectivity Index Calculation" implemented which determines the



adequacy of street layout design.
    - Ratio of number of streets to intersections (streets ÷ intersections). Subdivisions should have a minimum index of 1.2.

- Street stubs shall conform to the City's adopted version of the International Fire Code.
- Right-of-Way width has been tiered based upon street type depending on various amenities offered such as sidewalks, shared use path, parkway, bicycle lane, on-street parking and/or median.
  - Arterial 85 ft.
  - Collector 70 ft.
  - Local Nonresidential 80 ft.
  - Local Residential 66 ft.
- Required Street Design Elements
  - Depending on the type of street, elements may include sidewalks, shared use





path, parkway, bicycle lane, shared bicycle and vehicle lanes, on-street parking and medians.

- Easements are to be centered on the rear or side lot lines, unless otherwise approved by the City Council.

- All alleys are to be privately maintained.
- Water, Sewer, and Stormwater
    - Codifying requirements for looped, double fed water systems and the extension of the utilities to the boundaries of the development.
- Cluster Development
    - Permitted for environmentally sensitive developments (wetland, flood zone, etc.) within the R-1, R-2 and R-2D residential districts as a Planned Unit Development (PUD).
    - A density bonus may be approved up to 30% of the maximum density approved by the district and dimensional standards (yard setbacks) may be reduced up to 30% if sensitive nature features are preserved (e.g., native landscapes, mature tree stands, prime farmland, critical habitat, etc.)

Zoning District	Maximum Density	Potential Density Bonus
R-1	3.63 dwelling units/acre	4.71 dwelling units/acre
R-2	4.36 dwelling units/acre	5.66 dwelling units/acre
R-2D	2.90 dwelling units/acre	3.77 dwelling units/acre

- Anti-Monotony Standards
    - Additional specifics have been provided related to roof pitch and slope, dimensions of front wall, shape of front elevation silhouette, location of windows on front elevation' location of garage doors and exterior cladding materials on front elevation, such as:
        - Depth of horizontal siding, brick facing, vertical siding, stone facing, stucco/staccato board and trim and color change.
        - When material changes are made for purposes of anti-monotony standards the change must occur throughout the front façade or elevation for a minimum of one story in height.

CHAPTER 8. UDO REVIEW AND APPROVAL PROCESS

Chapter Elements

Procedures, processes, and administrative authorities for special uses, planned unit developments, variations, appeals, map and text amendments, and annexations.

Major Revisions

- Administration Authorities codified for: Zoning Administrator, Zoning Officer, Plan Council, Economic Development Committee, and Planning and Zoning Commission to reflect actual duties performed and to ensure they do not conflict with duties listed in other titles of the City Code.
- Administration Review and Action codified regarding:
    - General Application Requirements
    - Permits, Certificates, and Administrative Review
    - Boards/Commission General Review and Action Procedures
    - Subdivision Procedures
    - Planned Unit Development process
    - Variations
    - Appeals
    - Text & Map Amendments

    - Annexations
    - Economic Incentive/Development Agreements
- Addition of a "Community Meeting" held by the developer with the area/neighborhood property owners explaining the purpose of the requested special use, subdivision, PUD, rezoning, and/or annexation, may be recommended by City Staff depending on the nature of the development.
- Planned Unit Development (PUD) can must justify site development allowances (increased density, modified/reduced bulk standards, etc.) if one of the following standards is met:
    - Landscape Conservation and Visual Enhancement
    - Sustainable Design
    - Public Gathering Space
    - Placemaking
    - Universal Design
    - High Quality Building Materials
    - Age-targeted Development
    - Affordability
    - Provision of a Public School
    - Provision of a Regional Park
    - Funding or Construction of Public Roadways
    - Regional Utility Improvements

Minor Updates

- Continue to have the Planning and Zoning Commisssion (PZC) make final decisions regarding Appeals to Zoning Administrator, however staff to notify City Council for informational purposes.
- Illustrative flow charts provided to guide the public through the approval process meeting steps.

CHAPTER 9. NONCONFORMING BUILDINGS, STRUCTURES, AND USES

Chapter Elements

Regulations for the continuous, elimination and exemptions of nonconforming uses and structures.

Major Revisions

None

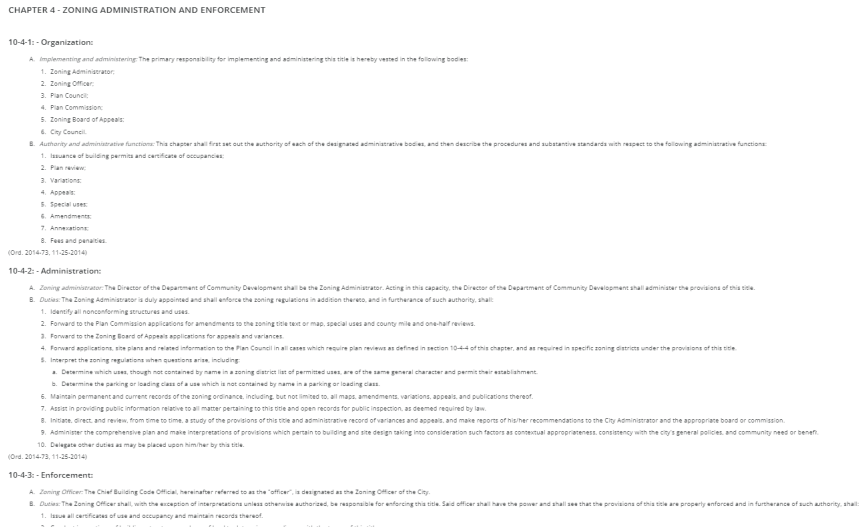
Minor Updates

- Establishes new effective date for any lawfully constructed building or use of land that shall be considered legal nonconforming and may be continued as January 1, 2024.

"SMART CODE" WEB PORTAL

The final component of the Unified Development Ordnance (UDO) is the creation of a digital "smart code" web portal. Once the UDO is codified, the code will be transformed from a static word on paper into a dynamic, interactive, and fully-featured platform with features such as embedded high-resolution images in text and tables; hover look-up tool for defined terms within the website; quick tables and links to view commonly referenced standards such as parking, landscaping, permitted uses; development calculators; and GIS integration. The "Smart Code" web portal is also designed to be user-friendly, easy to update and compatible with our current digital codification company, Municode. A link to the draft Smart Code is found here: https://online.encodeplus.com/regs/yorkville-il/index.aspx

Current Code



CHAPTER 4 - ZONING ADMINISTRATION AND ENFORCEMENT

10-4-1: - Organization:

A. *Implementing and administering:* The primary responsibility for implementing and administering this title is hereby vested in the following bodies:

1. Zoning Administrator;
2. Zoning Officer;
3. Plan Council;
4. Plan Commission;
5. Zoning Board of Appeals;
6. City Council.

B. *Authority and administrative functions:* This chapter shall first set out the authority of each of the designated administrative bodies, and then describe the procedures and substantive standards with respect to the following administrative functions:

1. Issuance of building permits and certificate of occupancies;
2. Plan review;
3. Variations;
4. Appeals;
5. Special uses;
6. Amendments;
7. Annexations;
8. Fees and penalties.

(Ord. 2014-73, 11-25-2014)

10-4-2: - Administration:

A. *Zoning administrator:* The Director of the Department of Community Development shall be the Zoning Administrator. Acting in this capacity, the Director of the Department of Community Development shall administer the provisions of this title.

B. *Duties:* The Zoning Administrator is duly appointed and shall enforce the zoning regulations in addition thereto, and in furtherance of such authority, shall:

1. Identify all nonconforming structures and uses.
2. Forward to the Plan Commission applications for amendments to the zoning title text or map, special uses and county mile and one-half reviews.
3. Forward to the Zoning Board of Appeals applications for appeals and variances.
4. Forward applications, site plans and related information to the Plan Council in all cases which require plan reviews as defined in section 10-4-4 of this chapter, and as required in specific zoning districts under the provisions of this title.
5. Interpret the zoning regulations when questions arise, including:
   a. Determine which uses, though not contained by name in a zoning district list of permitted uses, are of the same general character and permit their establishment.
   b. Determine the parking or loading class of a use which is not contained by name in a parking or loading class.
6. Maintain permanent and current records of the zoning ordinance, including, but not limited to, all maps, amendments, variations, appeals, and publications thereof.
7. Assist in providing public information relative to all matter pertaining to this title and open records for public inspection, as deemed required by law.
8. Initiate, direct, and review, from time to time, a study of the provisions of this title and administrative record of variances and appeals, and make reports of his/her recommendations to the City Administrator and the appropriate board or commission.
9. Administer the comprehensive plan and make interpretations of provisions which pertain to building and site design taking into consideration such factors as contextual appropriateness, consistency with the city's general policies, and community need or benefit.
10. Delegate other duties as may be placed upon him/her by this title.

(Ord. 2014-73, 11-25-2014)

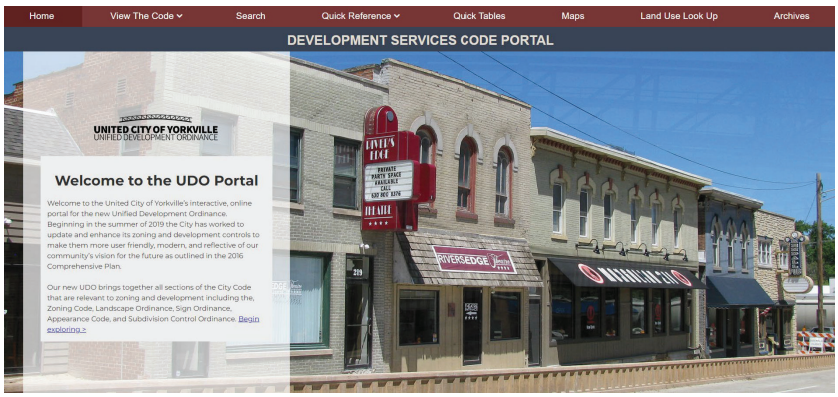
10-4-3: - Enforcement:

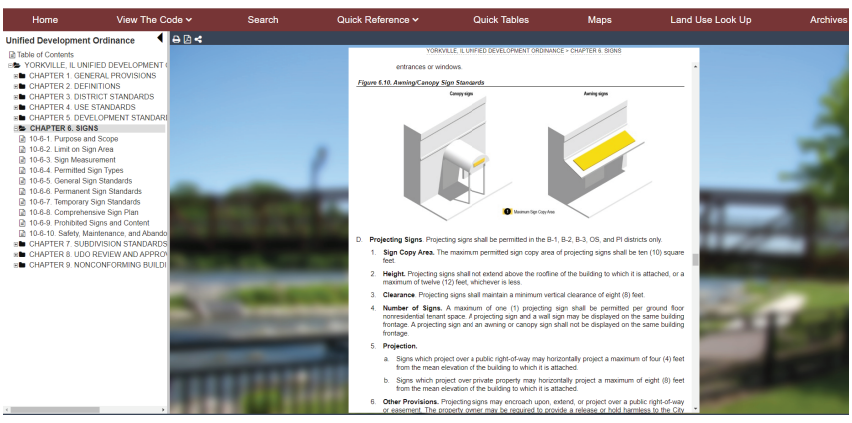
A. *Zoning Officer:* The Chief Building Code Official, hereinafter referred to as the "officer", is designated as the Zoning Officer of the City.

B. *Duties:* The Zoning Officer shall, with the exception of interpretations unless otherwise authorized, be responsible for enforcing this title. Said officer shall have the power and shall see that the provisions of this title are properly enforced and in furtherance of such authority, shall:

1. Issue all certificates of use and occupancy and maintain records thereof.

Future Code





UDO ADVISORY COMMITTEE MEETING UPDATE:

The Unified Development Ordinance (UDO) Advisory Committee held its final meeting on August 31, 2023 and made additional recommendations. While these recommendations have not been included in the submitted UDO document currently under review by the Planning and Zoning Commission, as directed by City Council at their August 8th meeting, they are being provided as a supplemental memo provided to the Economic Development Committee (EDC) at the request of the Advisory Committee.

PROPOSED MOTION:

In consideration of testimony presented during a Public Hearing on September 13, 2023 and discussions conducted at that meeting, the Planning and Zoning Commission recommends approval to the City Council a request to adopt the proposed Unified Development Ordinance (UDO) and supplemental Zoning Map as prepared and presented by consultant, Houseal Lavigne, dated September 6, 2023 and summarized in a staff memorandum dated September 7, 2023 and further subject to {insert any additional conditions of the Planning and Zoning Commission}…

ATTACHMENTS:

1. Supplemental Memo re: UDO Advisory Committee 8-31-23 Meeting
2. Public Hearing Notice
3. Draft UDO Document
4. Draft Zoning Map

Memorandum

To: Economic Development Committee
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: September 1, 2023
Subject: **Unified Development Ordinance**
Chapter Review of Proposed Unified Development Ordinance

UDO ADVISORY COMMITTEE MEETING UPDATE:

The Unified Development Ordinance (UDO) Advisory Committee held its final meeting on August 31, 2023 and made the following recommendations. While these recommendations have not been included in the submitted UDO document currently under review by the Economic Development Committee as directed by City Council at their August 8th meeting, they are being provided at the request of the Advisory Committee.

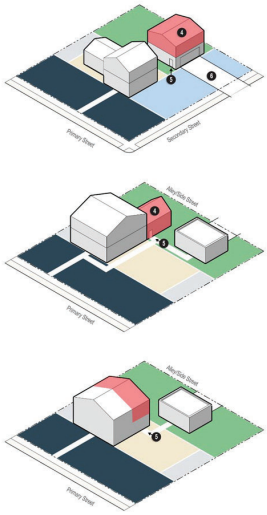
- **Chapter 2. Definitions**
  - Recommendation to retain the use of the term "Family Unit", as in single-family unit, instead of the proposed updated term of "Dwelling Unit".
    - *Funkhouser – aye; Transier – aye; Schultz – aye; Horaz – aye.*
- **Chapter 3. District Standards**
  - Recommendation to revise R-1 and R-2 Districts minimum lot size and lot widths as follows:

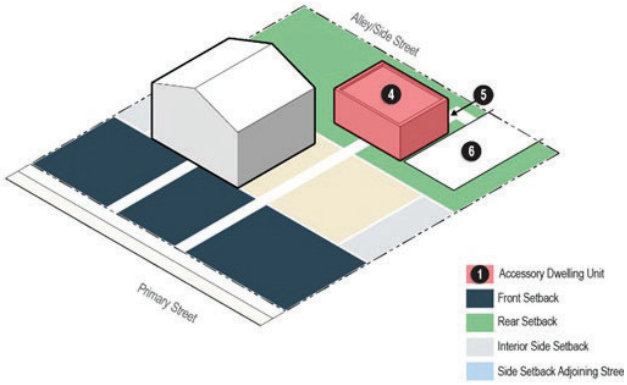
District	Regulation	Current Zoning	Proposed Zoning
R-1	Min. Lot Size	18,000 sq. ft.	12,000 sq. ft.
	Min. Lot Width.	100 ft.	80 ft.
	Front Yard	40 ft.	40 ft.
	Side Yard	15 ft.	15 ft.
	Rear Yard	50 ft.	50 ft.
R-2	Min. Lot Size	12,000 sq. ft.	10,000 sq. ft.
	Min. Lot Width.	80 ft.	70 ft.
	Front Yard	30 ft.	25 ft.
	Side Yard	10 ft.	10 ft.
	Rear Yard	40 ft.	30 ft.

  - Recommendation to create a new R-2A zoning district as follows:

District	Regulation	Proposed Zoning
R-2A	Min. Lot Size	6,000 sq. ft.
	Min. Lot Width.	65 ft.
	Front Yard	25 ft.
	Side Yard	10 ft.
	Rear Yard	25 ft.

    - *Funkhouser – aye; Transier-aye; Schultz-aye; Horaz-nay*
- **Chapter 4. Use Standards**
  - Recommendation to revise the proposed attached and detached Accessory Dwelling Units (ADUs) from an outright permitted uses to only the attached units as permitted and the detached units as special uses, illustrated on the following page.
    - *Funkhouser-nay; Schultz-nay; Transier-aye; Horaz-aye.*





Proposed Permitted **Proposed Special Use**

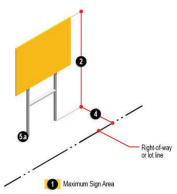
- **Chapter 5. Development Standards**
  - Recommendation to have the minimum off-street parking requirements for all residential developments to be increased from one (1) parking space per unit to two (2) parking spaces per unit as follows:

	Currently Proposed Regulations		*Advisory Committee Recommendation*	
Residential Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*	*8,000 sq ft or less*	*More than 8,000 sq ft*
Dwelling, duplex	1/unit	1/unit	2/unit	2/unit
Dwelling, multi-unit	1.25/unit	1.25/unit	1.25/unit	1.25/unit
Dwelling, single-unit	1/unit	1/unit	2/unit	2/unit
Dwelling, accessory	1/unit	1/unit	1/unit	N/A
Dwelling, townhouse	1/unit	1/unit	1.25/unit	1.25/unit
Senior housing, dependent	0.25/unit	0.25/unit	0.25/unit	0.25/unit
Senior housing, independent	0.5/unit	0.5/unit	0.5/unit	0.5/unit

    - *Funkhouser-nay ; Transier-aye; Schultz-aye; Horaz-aye*

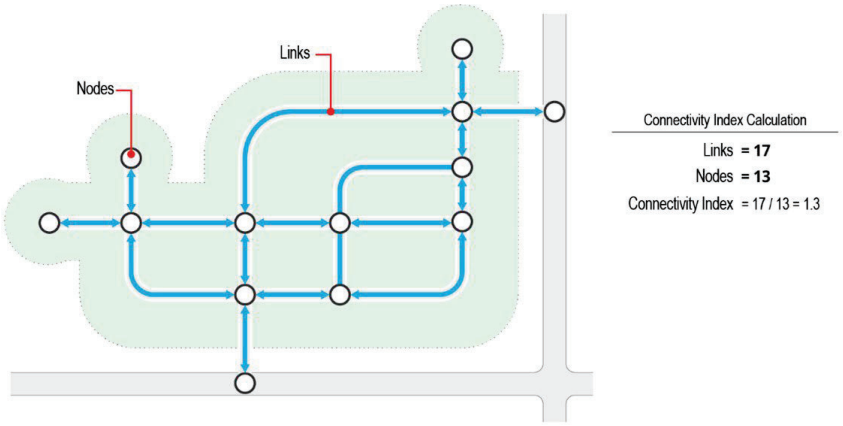
- **Chapter 6. Signs**
  - Recommendation to revise yard signs to have a maximum sign area of 32 square feet on all parcels and no maximum number of signs as redlined below.

    Yard Signs.
    - **Sign Area**. The maximum sign area of yard signs shall be as follows.
      - Thirty-two (32) square feet
    - **Sign Height**. The maximum height of a yard sign shall not exceed four (4) feet.
    -
    - **Location**. Yard signs shall be located a minimum of five (5) feet from all property lines, rights-of-way, and utility easements, shall not block points of ingress or egress, shall not be placed in any sidewalk or pedestrian circulation system and shall not be located in a vision clearance area as detailed in Section 10-5-6.

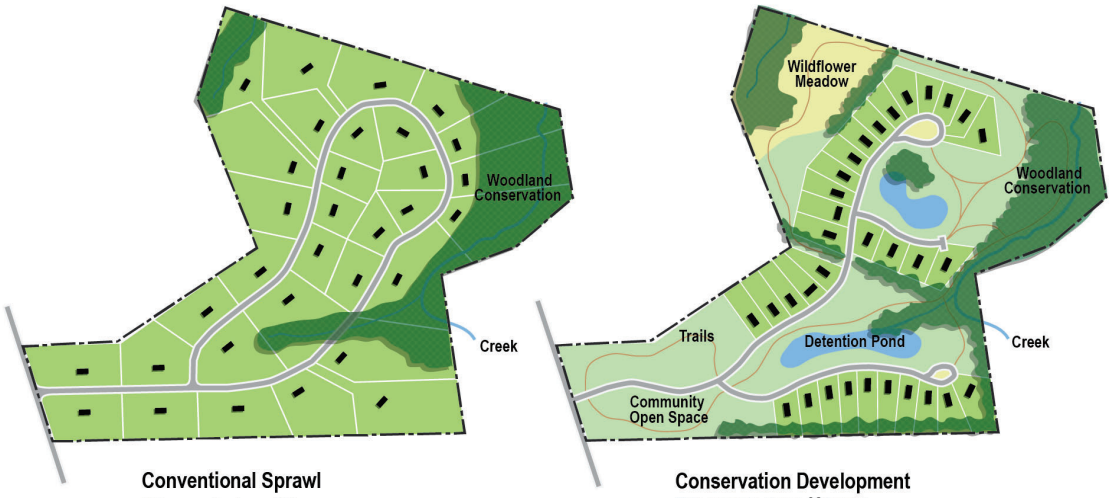


- Note, the City does not currently have recommendations for "yard signs" as this is a new category intended to discontinue classifying signs by content (e.g., real estate sign, garage sale sign, political sign), but by type. Currently, temporary signs on residential land uses, range in size from four (4) to sixteen (16) square feet.
    - *Funkhouser-aye; Transier-aye; Schultz-aye; Horaz-nay*

- **Chapter 7. Subdivision Standards**
    - Recommendation to remove the connectivity Index Calculation in its entirety as illustrated below.
        - *Funkhouser-aye; Transier-aye; Schultz-aye; Horaz-aye*



- Recommendation to keep the Cluster Development (shown below) as an outright land use, rather than a Planned Unit Development, per staff's feedback from the City Council.
    - *Funkhouser-aye; Transier-aye; Schultz-aye: Horaz-nay*



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This is to certify that a notice, a true copy of which is attached, was published 1 time(s) in the The Beacon-News, namely one time per week or on 1 successive weeks. The first publication of the notice was made in the newspaper, dated and published on 8/25/2023, and the last publication of the notice was made in the newspaper dated and published on 8/25/2023.

This notice was also placed on a statewide public notice website as required by 715 ILCS 5/2. 1.

PUBLICATION DATES: **Aug 25, 2023.**

The Beacon-News
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**PUBLIC NOTICE
OF A HEARING BEFORE THE
UNITED CITY OF YORKVILLE
PLANNING AND ZONING
COMMISSION ON THE
AMENDMENT OF THE CITY
CODE OF ORDINANCES AND
ZONING MAP
PZC 2023-09**

NOTICE IS HEREBY GIVEN THAT the United City of Yorkville has filed an Application for numerous amendments to the existing Yorkville City Code of Ordinances to adopt a new Unified Development Ordinance, including changes to the Zoning District Map, pursuant to section 11-13-14 of the Illinois Municipal Code (65 ILCS 5/11-13-14) and Section 10-4-10 of the Yorkville Zoning Ordinance.

A summary of the proposed amendments is that the existing Title 10 – Zoning, Title 11-Subdivision Control, and the following chapters of Title 8 – Buildings Regulations: Chapter 7 - Stormwater and Flooding Regulations, Chapter 12 – Landscape Ordinance and Chapter 15 – Appearance Code of the Yorkville City Code will be replaced in their entirety with a new Title 10: Unified Development Ordinance (UDO) for the United City of Yorkville.

The proposed changes are a complete rewrite and update of the text of the existing ordinances related to development and include a general update to the text, clarifying the intent and purpose, updating the terms and definitions, amending rules and regulations, creation of district and use standards, establishing administration and enforcement processes, modernizing lists of permitted and special uses, modifying lists of dimensional and bulk requirements, establishing a new R-2A Single-Unit Moderate Density residential district and PI – Public Institutional district, adjusting off-street parking requirements, amending the development standards related to landscaping, screening and fencing, revising the sign ordinance, establishing new subdivision standards and including the current nonconforming building, structures, and uses into the new Title 10: Unified Development Ordinance (UDO). The new UDO will also codify the park and school land cash ordinance and standard specifications for development.

Copies of the full text of the proposed new Unified Development Ordinance may be examined at the Office of the Department of Community Development during regular business hours at City Hall located at 651 Prairie Pointe Drive, Yorkville, Illinois.

The Planning and Zoning Commission for the United City of

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Yorkville will conduct a public hearing on said application on Wednesday, September 13, 2023 at 7 p.m. at the United City of Yorkville, City Council Chambers, located at 651 Prairie Pointe Drive, Yorkville, Illinois 60560.

The public hearing may be continued from time to time to dates certain without further notice being published.

All interested parties are invited to attend the public hearing and will be given an opportunity to be heard. Any written comments should be addressed to the United City of Yorkville Community Development Depatment, City Hall, 651 Prairie Pointe Drive, Yorkville, Illinois, and will be accepted up to the closing of the public hearing.

By order of the Corporate Authorities of the United City of Yorkville, Kendall County, Illinois.

JORI BEHLAND
City Clerk
8/25/23 7484502

City of Yorkville

Unified Development Ordinance

DRAFT FOR REVIEW ONLY

September 19th, 2023

Table of Contents

Page

Chapter 1. General Provisions 1

Chapter 2. Definitions 4

Chapter 3. District Standards 30

Chapter 4. Use Standards 123

Chapter 5. Development Standards 170

Chapter 6. Sign Standards 213

Chapter 7. Subdivision Standards 238

Chapter 8. UDO Review and Approval Procedures 257

Chapter 9. Nonconforming Buildings, Structures, and Uses 292

Appendix A. Standard Specifications For Improvements 296

Chapter 1. General Provisions

10-1-1. Title 1
10-1-2. Authority 1
10-1-3. Applicability 1
10-1-4. Intent and Purpose 1
10-1-5. Interpretation and Severability 2
10-1-6. Scope of Regulations 3
10-1-7. Severability 3

10-1-1. Title

A. This title, including the zoning district map made a part hereof and all amendments hereto, shall be known, cited and referred to as the United City of Yorkville Unified Development Ordinance.

10-1-2. Authority

A. This Unified Development Ordinance is adopted pursuant to the powers granted and the limitations imposed by Illinois State law.

10-1-3. Applicability

A. Unless otherwise expressly exempt, the Unified Development Ordinance applies to all land uses, structures, buildings, and development within the City's corporate boundaries and extending beyond the corporate limits as allowed by Illinois State law.

10-1-4. Intent and Purpose

A. This title is adopted with the intent to set forth regulations and standards for the following purposes:

1. To promote and protect the public health, safety, morals, comfort and general welfare of the people;
2. To divide the City into zoning districts regulating the location, erection, construction, reconstruction, alteration and use of buildings, structures and land for residence, business and manufacturing and other specified uses;
3. To protect the character and the stability of the residential, business and manufacturing areas within the City and to promote the orderly and beneficial development of such areas;
4. To provide adequate light, air, privacy and convenience of access to property;
5. To regulate the intensity of use of lot areas, and to determine the area of open spaces surrounding buildings necessary to provide adequate light and air to protect the public health;
6. To establish building lines and the location of buildings designed for residential, business, manufacturing or other uses within such areas;

7. To fix reasonable standards to which buildings or structures shall conform therein;

8. To prohibit uses, buildings or structures incompatible with the character of development or intended uses within specified zoning districts;

9. To prevent additions to, or alteration or remodeling of certain existing nonconforming buildings imposed hereunder;

10. To limit congestion in the public streets and protect the public health, safety, convenience and general welfare by providing for the off-street parking of motor vehicles and the loading and unloading of commercial vehicles;

11. To protect against fire, explosion, noxious fumes and other hazards in the interest of the public health, safety, comfort and general welfare;

12. To prevent the overcrowding of land and undue concentration of structures, so far as is possible and appropriate in each district, by regulating the use and bulk of buildings in relation to the land surrounding them;

13. To conserve the taxable value of land and buildings throughout the City;

14. To encourage innovative and low impact development techniques through the reduction of stormwater runoff, minimizing erosion control and preserving existing natural drainage systems in connection with the development of land;

15. To promote pedestrian circulation through a well designed system of shared use trails which allows access to local and regional destinations;

16. To promote, preserve and enhance those buildings and structures within certain areas of the City that are of historical importance;

17. To promote and regulate the use of alternative and renewable energy solutions;

18. To ensure the objectives of the comprehensive plan are considered;

19. To provide for the gradual elimination of nonconforming uses of land, buildings and structures which are adversely affecting the character and value of desirable development in each district;

20. To define and limit the powers and duties of the administrative officers and bodies as provided herein;

21. To prescribe penalties for the violation of the provisions of the zoning ordinance, or of any amendment thereto; and

22. To ensure the provisions of public improvements governing the subdivision and platting of land; street and roadway standards; availability of utilities; and schools and park development are applied to all properties within the city's corporate limits.

10-1-5. Interpretation and Severability

A. **Minimum Requirements.** The provisions of this title shall be held to be the minimum requirements for the promotion of public health, safety, morals, and welfare.

B. **Relationship With Other Laws.** Where the conditions imposed by any provisions of this title upon the use of land or buildings or upon the bulk of buildings are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this title or other law, ordinance, resolution, rule or regulation of any kind, the regulations which are more restrictive (or which impose higher standards or requirements) shall govern.

C. **Existing Agreements.** This title is not intended to abrogate any easement, covenant or any other private agreement; provided, that where the regulations of this title are more restrictive (or impose higher standards or requirements) than such easements, covenants or other private agreements, the requirements of this title shall govern.

10-1-6. Scope of Regulations

A. **Changes in Structures or Use.** Except as may otherwise be provided in Chapter 9 of this title, all buildings erected hereinafter, all uses of land or buildings established hereafter, all structural or relocation of existing buildings occurring hereafter, and all enlargements of or additions to existing uses occurring hereafter shall be subject to all regulations of this title which are applicable to the zoning districts in which such buildings, uses or land shall be located.

B. **Nonconforming Buildings, Structures and Uses.** Any lawful building, structure or use existing at the effective date hereof, January 1, 2024, may be continued, even though such building, structure or use does not conform to the provisions hereof for the district in which it is located, and whenever a district shall be changed hereafter, the then existing lawful use may be continued, subject to the provisions of Chapter 9 of this title.

C. **Building Permits.** When a building permit for a building or structure has been issued in accordance with law prior to the effective date hereof, January 1, 2024, and provided that construction is begun within six (6) months of such effective date and diligently prosecuted to completion, said building or structure may be completed in accordance with the approved plans on the basis of which the building permit has been issued, and further may, upon completion, be occupied under a certificate of occupancy by the use for which originally designated, subject thereafter to the provisions of Chapter 9 of this title.

D. **Existing Special Uses.** Where a use is classified as a Special Use under this title, and exists as a permitted use at the effective date hereof, January 1, 2024, it shall be considered as a legal Special Use without further action of the City Council or the Zoning Administrator.

10-1-7. Severability

A. **Severability.** If any court of competent jurisdiction shall adjudge invalid the application of any provision of this title, or any amendment hereto, to a particular building, structure or parcel of land, such judgment shall not affect the application of said provision to any other building, structure or parcel of land not specifically included in said judgment.

Chapter 2. Definitions

10-2-1. “A” Definitions 1
10-2-2. “B” Definitions 4
10-2-3. “C” Definitions 5
10-2-4. “D” Definitions 7
10-2-5. “E” Definitions 9
10-2-6. “F” Definitions 10
10-2-7. “G” Definitions 12
10-2-8. “H” Definitions 12
10-2-9. “I” Definitions 13
10-2-10. “J” Definitions 13
10-2-11. “K” Definitions 13
10-2-12. “L” Definitions 13
10-2-13. “M” Definitions 15
10-2-14. “N” Definitions 16
10-2-15. “O” Definitions 16
10-2-16. “P” Definitions 17
10-2-17. "Q” Definitions 19
10-2-18. “R” Definitions 19
10-2-19. “S” Definitions 20
10-2-20. “T” Definitions 24
10-2-21. “U” Definitions 25
10-2-22. “V” Definitions 25
10-2-23. “W” Definitions 26
10-2-24. "X” Definitions 26
10-2-25. “Y” Definitions 26
10-2-26. “Z” Definitions 26

10-2-1. “A” Definitions

A. **Abutting:** To have a common property line or zoning district.

B. **Accessory Commercial Unit:** Activities that are secondary to a principal use in the residential use category as established in this title. Accessory Commercial Units have use-specific standards that apply to ensure they will not deter from the

character or livability of the surrounding neighborhood, that they remain subordinate to the residential use, and that the residential viability of the dwelling is maintained.

C. **Accessory Building:** A subordinate building attached to or detached from the principal building or use, but located on the same zoning lot. Accessory buildings shall have a permanent foundation and include garages and storage sheds.

D. **Accessory Structure, Permanent:** A subordinate structure located on the same lot as a principal building or use and intended to be permanently affixed to the ground on the property. Permanent accessory structures are structures that do not have permanent foundations and include pools, gazebos, and sheds, and attached accessory structures such as a three-season room, covered porch, or roofed patio.

E. **Accessory Structure, Temporary:** A subordinate structure located on the same lot as a principal building or use and not intended to be permanently affixed to the ground on the property. Temporary accessory structures shall not have permanent foundations and shall include structures used for construction purposes, roadside stands, and other accessory structures established for a limited duration.

F. **Accessory Use:** A use on the same lot with, and a nature customarily incidental and subordinate to, the principal use or structure.

G. **Acre:** A measure of land containing forty-three thousand five hundred sixty (43,560) square feet.

H. **Addition:** An expansion of the principal or accessory building that is indistinguishable from the original building and utilizes the heating, cooling, electrical and plumbing systems from the original construction and has been incorporated into the original building thermal envelope. Any attached permanent accessory structure such as a three-season room, covered porch or roofed patio that does not have heating, ventilation or air-conditioned systems or enclosed by glass is not considered a building addition.

I. **Adult Day Care:** A program of services provided for functionally-impaired adults who do not require 24-hour institutional care, and yet who are in need of an adult day care program directed toward maintaining physical and mental health, and should be a structured, comprehensive program providing a variety of health, social, and related support services in a protective setting for a period of time less than twenty-four (24) hours.

J. **Adult Use:** A striptease club or pornographic movie theatre whose business is the commercial sale, dissemination, or distribution of sexually explicit material, shows, or other exhibitions or (ii) an adult bookstore or adult video store in which twenty-five (25) percent or more of its stock-in-trade, books, magazines, and films for sale, exhibition, or viewing on-premises are sexually explicit material.

K. **Aggregate Materials Extraction:** A use involving on-site extraction of surface or subsurface mineral products or natural resources. Typical uses are quarries, borrow pits, sand and gravel operation, mining, and soil mining.

L. **Agricultural Use:** The employment of land for the primary purpose of raising, harvesting, and selling crops, or feeding (including grazing), breeding, managing, selling, or producing livestock, poultry, furbearing animals or honeybees, or by dairying and the sale of dairy products, by any other horticultural, floricultural or viticulture use, by animal husbandry, or by any combination thereof. It also includes the current employment of land for the primary purpose of obtaining a profit by stabling or training equines including, but not limited to, providing riding lessons, training clinics and schooling shows.

M. **Airport:** Any area of land designated, set aside, used, or intended for use, for the landing and takeoff of passenger or commercial aircraft, and any appurtenant areas and uses such as airport buildings or other airport facilities, including approach zones.

N. **Alcoholic Beverage:** Any beverage that is the product of distillation of fermented liquids, whether rectified or diluted, whatever may be the origin thereof, and includes synthetic ethyl alcohol but does not include denatured alcohol or wood alcohol.

O. **Alley:** A private right-of-way primarily designed to serve as secondary access to the side or rear of properties whose principal frontage is on another street.

P. **Alternative Tower Structure:** Manmade trees, clock towers, bell steeples, light poles and similar alternative design mounting structures that camouflage or conceal the presence of antennas and towers.

Q. **Amusement Park:** A commercially operated park with a predominance of outdoor games and activities for entertainment, including motorized rides, water slides, miniature golf, batting cages, accessory food service, and similar activities.

R. **Animal Hospital:** Any building, or portion thereof, designed or used for the medical or surgical care, observation or treatment of domestic animals for an overnight duration or longer.

S. **Antenna:** Communications equipment that transmits or receives electromagnetic radio signals used in the provision of any type of wireless communications services not including small wireless facilities.

T. **Antenna Structures:** Those structures which include the radiating and/or receiving system, its supporting structures (see definition of tower), and any appurtenance mounted thereon as defined by the Federal Communications Commission or any successor agency.

U. **Apiary:** The place where one (1) or more bee colonies are kept.

V. **Artisan Manufacturing:** The production and assembly of finished products or component parts, typically by hand, and including design, processing, fabrication, assembly, treatment, and packaging of finished products, and incidental storage, on-site retail sale, and distribution of the associated goods. Artisan manufacturing may include but is not limited to food and bakery products, non-alcoholic beverages, printmaking, leather products, jewelry and clothing/apparel, metal work, woodwork, furniture and glass or ceramic production.

W. **Art Gallery/Art Studio:** An establishment engaged in the sale or exhibit of art works such as paintings, sculpture, macrame, knitted goods, stitchery, or pottery. Art studios are may also be engaged in the creations of such art works and often offer instruction in their creation.

X. **Assembly, Production, Manufacturing, Testing, Repairing, or Processing, Light**: An industrial facility at which all operations (with the exception of loading operations): Are conducted entirely within an enclosed building; not potentially associated with nuisances such as odor, noise, heat, vibration, and radiation which are detectable at the property line; and do not pose a significant safety hazard (such as danger of explosion).

Y. **Assembly, Production, Manufacturing, Testing, Repairing, or Processing, Heavy:** An industrial facility at which all operations (with the exception of loading operations): Are conducted entirely within an enclosed building and which generate odor, noise, heat, vibration, and radiation which are detectable at the property line; but do not pose a significant safety hazard (such as danger of explosion).

Z. **Attention-Getting Device:** Any flag(s), streamer, spinner, pennant, light, balloon, continuous string of pennants, or fringe, or similar device or ornamentation used primarily for the purpose of attracting attention for promotion or advertising a business or commercial activity which is visible by the general public from any public right-of-way or public area.

AA. **Auction House:** A structure, area, or areas within a building used for the public sale of goods, wares, merchandise, or equipment to the highest bidder.

BB. **Automobile Parts/Accessories Sales:** A retail establishment dedicated to the sale of automobile components, parts, and accessories but not including on-site repair or maintenance of automobiles.

CC. **Automobile Rental:** Leasing or renting of automobiles, motorcycles and light trucks and vans, including incidental parking and servicing of vehicles for rent or lease. This definition excludes commercial truck and trailer rental.

DD. **Automobile Repair:** Engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers; collision service, including body, frame or fender straightening or repair and painting of vehicles including incidental repairs, replacement of parts, and motor service to automobiles. Automobile repair excludes repair to semi-trucks.

EE. **Automobile Sales and Service, Enclosed:** An establishment engaged in the sale of automobiles where all operations take place entirely within an enclosed showroom in a primary building.

FF. **Automobile Sales and Service, Open Sales Lot:** An establishment engaged in the sale of automobiles where some operations, including but not limited the display of vehicles for sale take place outside of an enclosed building.

10-2-2. "B" Definitions

A. **Bakery, Wholesale:** A bakery in which there is permitted the production and/or wholesaling of baked goods, excluding retail bakery.

B. **Bank:** A building for the custody, loan, or exchange of money, for the extension of credit and for facilitating the transmission of funds. This definition includes credit unions, savings and loan facilities, payday loans, personal loan agencies.

C. **Basement:** That portion of a building that is partly or completely below grade.

D. **Battery Uses:** A use that enables battery manufacturing, charging, recycling, warehousing, storage, and related uses. This may also include uses that derive energy from renewable sources, such as wind and solar power, to be collected, stored, and then released for later use to an electric grid, power plant or private user.

E. **Bed and Breakfast Inn:** A private, owner/operator occupied residence with guestrooms, providing overnight accommodations and a morning meal for compensation to transients/travelers. A bed and breakfast inn is operated primarily as a business.

F. **Blacksmith or Welding Shop:** Shops where lathes, presses, grinders, shapers, and other wood- and metal-working machines are used such as blacksmith, tinsmith, welding, and sheet metal shops; plumbing, heating, and electrical repair shops; and overhaul shops.

G. **Block:** A tract of land bounded by streets or, in lieu of a street or streets, by public parks, cemeteries, railroad rights-of-way, bulkhead lines or shorelines of waterways or corporate boundary lines of municipalities.

H. **Boat Sales and Rental:** A marine retail sales and service use in which boats are rented or sold.

I. **Boat Storage:** A facility where boats are stored including indoor and outdoor.

J. **Brewery/Winery/Distillery:** An establishment primarily engaged in brewing fermented malt beverages including beer, ale, malt liquors, and nonalcoholic beer (brewery), manufacturing and bottling wine on the premises (winery), or manufacturing, by distillation, intoxicating spirits on the premises (distillery) but not including on-premises consumption by patrons.

K. **Brewpub:** A restaurant-brewery that brews beer primarily for sale in the restaurant and/or bar and is dispensed directly from the brewery's storage tanks. Total production capacity shall not exceed one-hundred fifty-five thousand (155,000) gallons per calendar year.

L. **Buffer:** A strip of land, including landscaping, berms, walls, and fences, that is located between land uses of different character and is intended to physically and visually separate one use area from another and mitigate visual and other off-site impacts.

M. **Building:** Any structure with substantial walls and roof having a permanent foundation on the land and entirely separated on all sides from any other structure by space or by walls in which there are not communicating doors, windows, or openings; and which is designed or intended for the shelter, enclosure or protection of persons, animals or chattels.

N. **Building, Detached:** A building surrounded by open space and not sharing a common wall with another building on the same zoning lot.

O. **Building Height:** The vertical distance measured from the sidewalk level or its equivalent established grade opposite the middle of the front of the building to the highest point of the roof in the case of a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and the ridge of a gable, hip or gambrel roof; provided, that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished lot grade at the front of the building.

P. **Building Material Sales:** Establishments or places of business primarily engaged in retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures.

Q. **Building Mounted Solar Energy System:** A solar energy collection system that is structurally mounted to the roof of a building or other permitted structure, including limited accessory equipment associated with system which may be ground mounted. It is installed parallel to the roof with a few inches gap.

R. **Building Mounted Wind Energy System:** A wind turbine that is structurally mounted to the roof of a principal building, including limited accessory equipment associated with the system which may be ground mounted.

S. **Building, Nonconforming:** Any building which does not conform to the regulations of this title including but not limited to the required yards, lot coverage, height and setbacks, minimum required spacing between buildings on a single lot, and minimum required usable open space for the district in which such building is located.

T. **Building, Principal:** A non-accessory building in which the principal use of the zoning lot on which it is located is conducted.

U. **Building Setback Line:** A parallel line across a lot or parcel of land, establishing the minimum open space to be provided between the line of a building or structure, and the lot line of the lot or parcel.

V. **Building, Temporary:** Any building not designed to be permanently located in the place where it is, or where it is intended to be placed or affixed.

W. **Bulk:** The term used to describe the size and mutual relationships of buildings and other structures, as to size, height, coverage, shape, location of exterior walls in relation to lot lines, to the centerlines of the streets, to other walls of the same buildings, and to other buildings or structures, and to all open spaces relating to the building or structure.

X. **Bumper Overhang:** The part of a motor vehicle which extends beyond the wheelbase in the front and rear of the vehicle.

Y. **Business:** Any occupation, employment, or enterprise wherein merchandise is exhibited or sold, or which occupies time, attention, labor, and materials, or where services are offered for compensation.

10-2-3. “C” Definitions

A. **Campground:** Any area that is occupied or intended or designed or improved for occupancy by transients using recreational vehicles, travel trailers, and/or tents.

B. **Carport:** An automobile shelter with two (2) or more sides open.

C. **Car Wash:** The primary or secondary use of a site for washing and cleaning of passenger vehicles, commercial vehicles, recreational vehicles, or other light duty equipment.

D. **Casino and Off-Track Betting Establishment:** An establishment intended to deal, operate, carry on, conduct, maintain, or expose for play any game, sports book, parimutuel, or any other form of wagering.

E. **Cemetery:** Land used or dedicated to the interment of human or animal remains or cremated remains, including mausoleums, necessary sales, and maintenance facilities. Mortuaries shall be included when operating within the boundary of such cemetery.

F. **City:** The United City of Yorkville or the City of Yorkville.

G. **City Council:** The City Council of the City of Yorkville.

H. **College, University, or Junior College:** A private or public college or technical institution which provides full-time or part-time education beyond high school that grants Associate, Baccalaureate, or higher degrees.

I. **Commercial Entertainment, Indoor:** Commercial indoor recreation facilities are conducted entirely indoors for commercial purposes, with or without seating for spectators, and providing accommodations for a variety of individual, organized, or franchised sports, including wrestling, gymnastics, basketball, soccer, tennis, volleyball, racquetball, handball, bowling, indoor golf driving ranges, skating, and ice skating.

J. **Commercial Entertainment, Outdoor:** Commercial outdoor recreation facilities are conducted entirely outdoor for commercial purposes, with or without seating for spectators, and providing accommodations for a variety of individual, organized, or franchised sports, including wrestling, basketball, soccer, tennis, volleyball, racquetball, handball, outdoor golf driving ranges, skating, and ice skating.

K. **Commercial Feeding of Fish, Poultry, Livestock:** A land use or facility used for the confined feeding operation for fish, poultry, swine, or livestock.

L. **Commercial Laboratory:** A laboratory, that performs analyses or tests for third parties for a fee or other compensation and provides chemical analyses, analytical results, or other test data to the department.

M. **Commercial/Trade School*:*** A school established to provide for the teaching of industrial, clerical, managerial, artistic skills or alternative education. This definition applies to schools that are owned and operated privately for profit or not for profit. Such schools may not contain an auditorium, gymnasium, or any other sort of recreational facilities.

N. **Community Garden:** A site on which residents collectively manage a garden for a shared benefit.

O. **Communications Use:** Any principal use that facilitates the origination, creation, transmission, emission, storage-retrieval, or reception of signs, signals, writing, images, sounds, or intelligence of any nature, by wire, optical, or other excluding radio and television towers as defined in this UDO.

P. **Conforming Building or Structure:** A building or structure which:

1. Complies with all the current regulations of this title or of any amendment hereto governing bulk of the district in which the building or structure is located; and

2. Is designed or intended for a permitted or special use as allowed in the district in which it is located.

Q. **Contractor Facility With Outdoor Storage:** A general contractor or builder engaged in the construction of buildings, either residences or commercial structures as well as heavy construction contractors engaged in activities such as paving, highway construction, and utility construction, which include the outdoor storage of equipment on-site.

R. **Court:** An open unoccupied space, other than a yard, on the same lot with a building or group of buildings and which is bounded on two (2) or more sides by such building or buildings.

S. **Crosswalk:** A strip of land ten (10) feet or more in width, dedicated to public use, which is reserved across a block to provide pedestrian access to adjacent areas, and may include utilities, where necessary.

T. **Cul-De-Sac:** A street having only one (1) outlet, and an appropriate terminal for the reversal of traffic movement, without the need to back up.

U. **Cultivation of Nonfood Crops and Seeds Used of Cellulosic Biofuels Production:** The cultivation of crops and seeds not intended for the eventual consumption of food, but rather for the use of the production of biofuels.

V. **Cannabis Craft Grower:** A facility operated by an organization or business that is licensed by the Department of Agriculture to cultivate, dry, cure, and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization. A craft grower may contain up to five-thousand (5,000) square feet of canopy space on its premises for plants in the flowering state. A craft grower may share premises with a processing organization or a dispensing organization, or both, provided each licensee stores currency and cannabis or cannabis-infused products in a separate secured vault to which the other licensee does not have access or all licensees sharing a vault share more than fifty (50) percent of the same ownership as allowed by the Cannabis Regulation and Tax Act (410 ILCS 705/1 et seq.) and regulations promulgated thereunder.

W. **Cannabis Cultivation Center:** A facility operated by an organization or business that is licensed by the Department of Agriculture to cultivate, process, transport (unless otherwise limited by this Act), and perform other necessary activities to provide cannabis and cannabis-infused products to cannabis business establishments as allowed by the Cannabis Regulation and Tax Act (410 ILCS 705/1 et seq.) and regulations promulgated thereunder.

X. **Cannabis Dispensing Organization**: A facility operated by an organization or business that is licensed by the department of financial and professional regulation to acquire cannabis from a state-licensed cultivation center, craft grower, processing organization, or another dispensary for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia, or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers as allowed by the Cannabis Regulation and Tax Act (410 ILCS 705/1 et seq.) and regulations promulgated thereunder.

Y. **Cannabis Infuser Organization:** A facility operated by an organization or business licensed by the state department of agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, as allowed by the Cannabis Regulation and Tax Act (410 ILCS 705/1 et seq.) and regulations promulgated thereunder.

Z. **Cannabis Processing Organization:** A facility operated by an organization or business that is licensed by the Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product as allowed by the Cannabis Regulation and Tax Act (410 ILCS 705/1 et seq.) and regulations promulgated thereunder.

AA. **Cannabis Transporting Organization:** An organization or business that is licensed by the Department of Agriculture to transport cannabis or cannabis-infused product on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program.

10-2-4. “D” Definitions

A. **Daycare Facility:** Any childcare facility licensed by the State Department of Children and Family Services (DCFS) which regularly provides daycare for less than twenty-four (24) hours per day for more than three (3) children under the age of twelve (12) in a facility other than a home, 225 ILCS 10/2.09.

B. **Daycare, In-Home:** Any in home childcare service licensed by the State Department of Children and Family Services (DCFS) which regularly provides care for less than twenty-four (24) hours per day for more than three (3) and up to a maximum of twelve (12) children under the age of twelve (12) in a home. The term does not include facilities which receive only children from a single household, 225 ILCS 10/2.09.

C. **Daycare Facility, Part-Day:** Any facility licensed by the State Department of Children and Family Services (DCFS) and which is conducted by a church, religious organization or social service agency in which individual children are provided care, on an intermittent basis, for up to ten (10) hours per seven (7) day week. Any facility which provides intermittent care for up to ten (10) hours per seven (7) day week shall not provide such care for more than eight (8) hours in any given day during the seven (7) day week. Any facility which provides intermittent care for up to ten (10) hours per seven (7) day week shall provide at least one (1) caregiver per twenty (20) children, 225 ILCS 10/2.10.

D. **Data Center:** A facility comprised of networked computers, storage systems, and computing infrastructure which organizations use to assemble, process, store and disseminate data. Cryptocurrency centers, which use networked computers, storage systems, and computing infrastructure to manage the flow of digital or virtual currencies, shall be included in the definition.

E. **Dead End Street:** A street having only one (1) outlet.

F. **Density, Gross:** A ratio of the total number of dwelling units on a site, divided by the acreage of the site, to include streets, schools, parks, etc., expressed as dwelling units per acre.

G. **Development:** Any manmade change to real estate, including:

1. Preparation of a plat of subdivision;
2. Construction, reconstruction, or placement of a building or any addition to a building;
3. Installation of a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer on a site for more than one hundred eighty (180) days;
4. Construction of roads, bridges, or similar projects;
5. Redevelopment of a site;
6. Filling, dredging, grading, clearing, excavating, paving, or other nonagricultural alterations of the ground surface;
7. Storage of materials, or deposit of solid or liquid waste;
8. Any other activity that might alter the magnitude, frequency, deviation, direction, or velocity of stormwater flows from a property.

H. **District:** A delineated section or part of the unincorporated portion of the City in which bulk, density, and use specific standards established in Chapter 4 apply.

I. **Domesticated Hens:** All life stages of the subspecies of the species Gallus Domesticus which are kept in an enclosure in the rear or side yard of a residentially zoned property as permitted and regulated in this title.

J. **Drive-Through:** A business or establishment which provides all or some of its services through a building opening or pickup window to its patrons who remain in their vehicles.

K. **Driveway:** A paved or unpaved private roadway providing vehicular access between the right-of-way of the street and a parking space, garage, dwelling or other structure.

L. **Dry Cleaning Plant:** An establishment used for cleaning fabrics, textiles, wearing apparel, or articles of any sort by immersion and agitation, or by immersions only, in volatile solvents including, but not by way of limitation, solvents of the petroleum distillate type, and/or the chlorinated hydrocarbon type, and the processes incidental thereto.

M. **Dry Cleaning Establishment:** An establishment or business maintained for the pickup and delivery of dry cleaning and/or laundry without the maintenance or operation of any laundry or dry-clean-ing equipment or machinery on the premises.

N. **Dwelling:** A building or portion thereof, but not including a house trailer or mobile home, designed or used exclusively for residential occupancy, including single-unit dwellings, duplex dwellings, townhomes and multi-unit dwellings, but not including hotels, motels, boarding or lodging houses.

O. **Dwelling, Accessory:** A dwelling that is an accessory use to a single-unit dwelling and that provides, independent of the principal single-unit dwelling:

1. A separate entrance that allows ingress and egress from the exterior of the property; and

2. Areas used for bathing, cooking, and sleeping.

P. **Dwelling, Duplex:** A building designed or altered to provide dwelling units for occupancy by two (2) families within a single structure on separate lots, each of which has independent living quarters with direct access to the outside.

Q. **Dwelling, Group:** A group of two (2) or more single-unit, duplex, townhome and/or multi-unit dwellings occupying a parcel of land under a single ownership and having a yard or court in common, excluding hotels and motels.

R. **Dwelling, Multi-Unit:** A building or portion thereof, designed or altered for occupancy by two (2) or more household living independently of each other within a single or attached structure on one (1) lot, which may or may not share common entrances or other spaces and includes apartments, group homes, and condominiums.

S. **Dwelling, Single-Unit:** A dwelling unit designed exclusively for use and occupancy by one (1) household which is detached from any other dwelling unit and surrounded on all sides by open space on the same lot.

T. **Dwelling, Townhouse:** A single-unit dwelling unit constructed in a group of three (3) or more attached units on separate lots in which each unit extends from foundation to roof and with a yard or public way on at least two (2) sides.

U. **Dwelling Unit:** A housing unit providing complete independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

10-2-5. "E" Definitions

A. **Easement:** A grant by a property owner for the use of a parcel of land by the general public, a corporation, or a certain person or persons for a specific purpose or purposes.

B. **Efficiency Unit:** A dwelling unit consisting of one (1) principal room, exclusive of bathroom, kitchen, hallway, closets or dining alcove, directly off the principal room.

C. **Electric Substation:** An assemblage of equipment and appurtenant facilities designed for voltage transformation, or voltage control of electricity in amounts of 115,000 volts or more.

D. **Enclosed:** A building separated on all sides from the adjacent open space, or from other buildings or other structures, by a permanent roof and by exterior walls or party walls, pierced only by windows and normal entrance or exit doors.

E. **Entertainment Production Studios:** A theater, audience area for motion pictures and television studios or other similar uses.

F. **Erect:** The act of placing or affixing a component of a structure upon the ground or upon another such component.

G. **Establishment, Business:** A separate place of business having the following three (3) characteristics:

1. The ownership and management of all operations conducted within such establishment is separate and distinct from the ownership and management of operations conducted within other establishments on the same or adjacent zoning lots.

2. Direct public access to such "business establishment" is separate and distinct from direct access to any other "business establishment".

3. There is no direct public access from within such establishment to any other such establishment.

4. When adjacent places of business lack any one (1) of the characteristics with respect to one another, they shall then be considered as a single "business establishment" for the purpose of this title.

10-2-6. “F” Definitions

A. **FAA:** The Federal Aviation Administration.

B. **FCC:** The Federal Communications Commission.

C. **Farming/Cultivation:** The cultivation of berries, flowers, fruits, grains, herbs, mushrooms, nuts, ornamental plants, seedlings, or vegetables for use on-site or sale or distribution on-site or off-site.

D. **Fence:** A structure, including gates, or tree or shrub hedge which is a barrier and used as a boundary or means of protection or confinement.

E. **Fence, Open:** A fence which has over its entirety at least fifty (50) percent of the surface area in open space as viewed at right angles from the fence; except, that the required open space in louver type fences may be viewed from any angle.

F. **Fence, Solid:** A fence which conceals from view, from adjoining properties, streets or alleys, activities conducted behind it.

G. **Filtration Plant:** A facility that works to filter and purify water by removing chemicals, hazardous materials, and toxic matters from a water source.

H. **Financial Institutions and Services:** A financial institution, or bank, is a structure that is open to the public and engaged in deposit banking, and that performs closely related functions such as making loans, investments, and fiduciary activities.

I. **Fire Station:** A building used for the storage and maintenance of fire-fighting equipment.

J. **Floodplain:** See Title 8, Chapter 7 of this Code.

K. **Floor Area, Gross:** The sum of the gross horizontal areas of the all building floors, including the basement floor, measured from the exterior faces of the exterior walls or from the centerlines of walls separating two (2) buildings. The floor area shall also include the horizontal areas on each floor devoted to:

1. Elevator shafts and stairwells.

2. Mechanical equipment, except if located on the roof, when either open or enclosed, i.e., bulkheads, water tanks and cooling towers.

3. Habitable attic space as permitted by the building code.

4. Interior balconies and mezzanines.

5. Enclosed porches.

6. Accessory uses.

7. The floor area of structures used for bulk storage of materials, i.e., grain elevators and petroleum tanks, shall also be included in the floor area and such floor area shall be determined on the basis of the height of such structures with one (1) floor for each ten (10) feet of structure height and if such structure measures less than ten (10) feet but not less than five (5) feet over such floor height intervals, it shall be construed to have an additional floor. The horizontal area in each floor of a building devoted to off-street parking and off-street loading facilities shall not be included in the "floor area".

8. Floor area when prescribed as the basis of measurement for off-street parking spaces and off-street loading spaces for any use shall be the sum of the gross horizontal area of the several floors of the building, excluding areas used for accessory off-street parking facilities and the horizontal areas to the basement floors that are devoted exclusively to uses accessory to the operation of the entire building. All horizontal dimensions shall be taken from the exterior of the walls.

L. **Floor Area, Net:** The sum of the gross horizontal areas of the all building floors, including the basement floor, measured from the exterior faces of the exterior walls or from the centerlines of walls separating two (2) buildings. The "floor area" shall not include the horizontal areas on each floor devoted to:

1. Elevator shafts and stairwells.
2. Mechanical equipment, except if located on the roof, when either open or enclosed, i.e., bulkheads, water tanks and cooling towers.
3. Habitable attic space as permitted by the building code.
4. Interior balconies and mezzanines.
5. Enclosed porches.
6. Accessory uses.
7. The floor area of structures used for bulk storage of materials, i.e., grain elevators and petroleum tanks, shall also be included in the floor area and such floor area shall be determined on the basis of the height of such structures with one (1) floor for each ten (10) feet of structure height and if such structure measures less than ten (10) feet but not less than five (5) feet over such floor height intervals, it shall be construed to have an additional floor. The horizontal area in each floor of a building devoted to off-street parking and off-street loading facilities shall not be included in the "floor area".
8. Floor area when prescribed as the basis of measurement for off-street parking spaces and off-street loading spaces for any use shall be the sum of the gross horizontal area of the several floors of the building, excluding areas used for accessory off-street parking facilities and the horizontal areas to the basement floors that are devoted exclusively to uses accessory to the operation of the entire building. All horizontal dimensions shall be taken from the exterior of the walls.

M. **Foot-Candle:** A unit of illumination, equivalent to the illumination at all points which are one (1) foot distant from a uniform point source of one (1) candlepower.

N. **Forestation:** The cultivation or keeping of existing mature trees as a principal use.

O. **Freestanding Solar Energy System, Accessory Use:** A solar energy collection system and associated mounting hardware that is affixed to or placed upon the ground including but not limited to fixed, passive, or active tracking racking systems, constructed as the accessory use on a parcel, and not intended for the distribution and sale to a third party off-site.

P. **Freestanding Solar Energy System, Principal Use:** A single solar energy collection system and associated mounting hardware that is affixed to or placed upon the ground including but not limited to fixed, passive, or active tracking racking systems, constructed as the principal use on an individual parcel, intended to serve consumers located off the parcel.

Q. **Freestanding Wind Energy System, Accessory Use:** A wind turbine that is that is affixed to or placed upon the ground on a parcel with an existing principal use, to which the wind energy system is accessory and provides electricity to and not intended for the sale and distribution off-site.

R. **Freestanding Wind Energy System, Principal Use:** A wind turbine that is that is affixed to or placed upon the ground on a parcel as the parcel's principal use but which does not distribute and sell energy to customers off-site.

S. **Frequency:** The number of oscillations per second in a sound wave, measuring the pitch of the resulting sound.

T. **Frontage:** The property on one (1) side of a street, between two (2) intersecting streets (crossing or terminating), measured along the line of the street; or, with a dead end street, all property abutting one (1) side of such street, measured from the nearest intersecting street and the end of the dead end street.

U. **Frontage Street:** A public or private marginal access roadway, generally paralleling and contiguous to a street or highway, and designed to promote safety by eliminating unlimited ingress and egress to such street or highway by providing points of ingress and egress at relatively uniform spaced intervals.

V. **Funeral Home/Mortuary/Crematorium:** A building used for the preparation of the deceased for burial and display of the deceased and rituals connected therewith before burial or cremation. A funeral home, as defined for purposes of this code, includes a funeral chapel.

10-2-7. "G" Definitions

A. **Garage, Bus or Truck:** Any building used or intended to be used for the storage of three (3) or more passenger motor buses or motor coaches used in public transportation, excluding school buses.

B. **Garage, Private:** An accessory building or an accessory portion of the principal building which is intended for and used to store the private passenger vehicles of the family or families resident upon the premises, and in which no business, service or industry connected directly or indirectly with automotive vehicles is carried on.

C. **Gasoline Service Station:** A place where gasoline, stored only in underground tanks, kerosene, lubricating oil or grease, for operation of automobiles, are offered for sale directly to the public on the premises, and including minor accessories and the services of automobiles, mechanical or manual washing of automobiles, but not including major automobile repairs. Gasoline service stations shall not include sale or storage of automobiles or trailers (new or used).

D. **Golf Course, Miniature:** A novelty version of golf played with a putter and golf ball on a miniature course, typically theme oriented with artificial playing surfaces and including obstacles such as bridges and tunnels.

E. **Golf Course:** A facility providing a private or public golf recreation area designed for regulation play along with accessory golf support facilities including golf related retail sales, restaurant, golf driving range but excluding miniature golf.

F. **Golf Driving Range:** An area equipped with distance markers, clubs, balls and tees for practicing golf drives and putting which may include incidental retail sales and food services, but excludes miniature golf.

G. **Grain Elevator and Storage:** A building designed to stockpile or store grain. Grain silos, which are vertical buildings, typically circular, used for the storage of grain, as well as grain elevators, which are used to convey grain to the top of a silo or storage building shall be included.

H. **Grade:** The established grade of the street or sidewalk. Where no such grade has been established, the grade shall be the elevation of the sidewalk at the property line. Where no sidewalks exist, the grade shall be the average elevation of the street adjacent to the property line. Except in cases of unusual topographic conditions, as determined by the Zoning Administrator or their designee, grade shall be the average elevation of the finished surface of the ground adjoining the exterior walls of a building at the base of a structure based upon any technical advice that the Zoning Administrator or their designee deems necessary.

10-2-8. "H" Definitions

A. **Health and Fitness Club/Center:** A facility which provides for individual or group exercise activities. Programs may include, but are not limited to aerobics, calisthenics, weight training, running, swimming, court games, studio lessons and all types of instructional classes related to physical fitness. Health and fitness clubs/centers may offer a variety of recreational and fitness amenities such as weightlifting machines, free weights, swimming pools, gymnasiums, studios, sport courts, shower and changing areas and may include incidental uses such as childcare facilities, food services, saunas, and pro shops oriented towards customers during their use of the club/center.

B. **Heavy Machinery and Equipment Sales Rental:** An establishment engaged in the sale or rental of equipment, dump trucks, tractor and trailer rigs, and similar vehicles not ordinarily used for personal transportation.

C. **Height:** When referring to a tower or other structure, the distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and antenna structures.

D. **Home Occupation:** An accessory use of a residential dwelling unit which complies with the requirements of Section 10-4-15(F) of this title.

E. **Hospital:** An institution devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, or care, for not less than twenty-four (24) hours in any week, of three (3) or more nonrelated individuals suffering from illness, disease, injury, deformity, or other abnormal physical conditions. The term "hospital", as used in this title, does not apply to institutions operating solely for the treatment of mentally ill or chemically dependent persons, or other types of cases necessitating restraint of patients, and the term "hospital" shall not be used for convalescent, nursing, shelter, or boarding homes.

F. **Hotel:** An establishment containing lodging accommodations designed for use by temporary guests in which access to guest rooms is through a common entryway or lobby. Facilities provided may include maid service, laundering of linen used on the premises, telephone and secretarial or desk service, restaurants, cocktail lounges, meeting rooms and ancillary retail uses, provided access to such uses are from the exterior of the principal use.

G. **Household:** All the people that occupy a single dwelling unit regardless of their relationship to one another.

10-2-9. "I" Definitions

A. **Improvements:** All facilities constructed or erected by a subdivider within a subdivision, to permit and facilitate the use of lots or blocks for a principal residential, business, or manufacturing purpose.

B. **Interlocking Standard Parking Spaces:** A configuration of off-street parking in columns in which the parking spaces in each individual column are angled to create an interlocking pattern with the angled off-street parking spaces in the adjoining column.

C. **Invasive Species:** An invasive species means any species non-native to the ecosystems of northeast Illinois whose introduction will or may cause economic or environmental harm to the function of the natural ecosystem.

10-2-10. "J" Definitions

RESERVE

10-2-11. "K" Definitions

A. **Kennel, Commercial or Private Dog Kennel:** Any lot or premises or portion thereof on which more than four (4) dogs, cats, and other household domestic animals, over four (4) months of age, are kept for sale, or on which more than two (2) such animals are boarded for compensation.

10-2-12. "L" Definitions

A. **Laboratory, Commercial:** A place devoted to experimental study such as testing and analyzing. Manufacturing assembly or packaging of products is not included within this definition.

B. **Land Banking:** Land that is part of a single lot or development that is set aside or reserved for a later approved use or development.

C. **Land Improvement:** All required on-site and off-site subdivision improvements including, but not limited to, any sanitary sewage system, water distribution system, storm drainage systems, public utility systems, sidewalk systems, public or private streets, street lighting, street signs, grading and drainageway facilities, pedestrian ways, and retention and detention basins.

D. **Library:** A public facility for the use, but not sale, of literary, musical, artistic, or reference materials.

E. **Liquor Store:** A business engaged primarily in the retail sale of beer, wine, spirits or other alcoholic beverages for off-premise consumption.

F. **Loading and Unloading Space, Off-Street:** An open, hard surfaced area of land other than a street or public way, the principal use of which is for the standing, loading and unloading of motor vehicles, tractors and trailers to avoid undue interference with public streets and alleys. Such space shall not be less than ten (10) feet in width, twenty-five (25) feet in length and fourteen (14) feet in height, exclusive of access aisles and maneuvering space.

G. **Lookout Basement:** A story having more than one-half (½) of its height below the curb level or below the highest level of the adjoining grade. A lookout basement shall not be counted as a story for the purposes of height measurement.

H. **Lot:** A portion of a subdivision or other parcel of land, intended for transfer of ownership, or for building developments.

I. **Lot Area:** The area of a horizontal plane bounded by the front, side and rear lot lines.

J. **Lot, Corner:** A lot situated at the junction of and abutting on two (2) or more intersecting streets; or a lot at the point of deflection in alignment of a single street, the interior angle of which is one hundred thirty-five (135) degrees or less.

K. **Lot Coverage:** The area of a zoning lot occupied by the principal building or buildings, accessory buildings and all other impervious areas such as driveways, roads, sidewalks, parking lots and structures, and any area of concrete or asphalt.

L. **Lot Depth:** The distance between the midpoint of the front lot line and the midpoint of the rear lot line.

M. **Lot, Double Frontage:** A lot, two (2) opposite lot lines of which abut upon streets which are more or less parallel.

N. **Lot, Flag:** A lot not fronting or abutting a public roadway and where access to the public roadway is limited to a narrow driveway or strip of land between abutting lots, thereby not meeting the minimum lot frontage requirements.

O. **Lot Frontage:** The front of a lot shall be that boundary of a lot along a public or private street; for a corner lot, the front shall be the narrowest side of the lot fronting upon a street; provided that the owner may orient the building toward either street but once frontage is established it shall be maintained.

P. **Lot, Interior:** A lot other than a corner lot or reversed corner lot.

Q. **Lot Line:** A property boundary line of any lot held in single or separate ownership; except, that where any portion of the lot extends into the abutting street or alley, the lot line shall be deemed to be the street or alley line.

R. **Lot Line, Front:** A lot line which abuts a street shall be the front lot line. For corner lots, the narrowest side of the lot fronting upon a street shall be considered the front of the lot; provided that the owner may orient the building toward either street but once frontage is established it shall be maintained.

S. **Lot Line, Interior:** A side lot line common with another lot.

T. **Lot Line, Rear:** The rear lot line is the lot line or lot lines most nearly parallel to and more remote from the front lot line.

U. **Lot line, Side:** Lot lines other than front or rear lot lines are side lot lines.

V. **Lot of Record:** A lot which is a part of a subdivision or a parcel of land described by deed and where both the map and the deed were recorded in the Office of the County Recorder.

W. **Lot, Reversed Corner:** A corner lot, the rear of which abuts upon the side of another lot, whether across an alley or not.

X. **Lot, Through:** A lot having frontage on two (2) parallel or approximately parallel streets, and which is not a corner lot. On a through lot, both street lines shall be deemed front lot lines.

Y. **Lot Width:** The mean horizontal distance between the side lot lines measured within the lot boundaries, or the minimum distance between the side lot lines within the buildable area.

Z. **Lot, Zoning:** A plot of ground made up of one (1) or more contiguous parcels which are under single ownership and may be occupied by a use, building or buildings, including the yards and open spaces required by this title.

10-2-13. "M" Definitions

A. **Manufacturer, Firearms and Ammunition:** Any person or entity in: a) the business of transporting, shipping and receiving firearms and ammunition for the purpose of sale or distribution, b) selling firearms at wholesale or retail, c) repairing firearms or making or fitting special barrels, stocks or trigger mechanisms to firearms and operating under the provisions of the applicable local, state and federal licenses.

B. **Manufacturing:** An establishment, the principal use of which is manufacturing, fabricating, processing, assembly, repairing, storing, cleaning, servicing or testing of materials, goods or products.

C. **Massage Establishment:** Any establishment having a source of income or compensation derived from the practice of "massage" as defined in section 10 of the Massage Licensing Act, 225 ILCS 57/10 and which has a fixed place of business where any person, firm, association or corporation engages in or carries on any of the activities defined in title 3, chapter 9, "Massage Establishments", of this Code.

D. **Medical Clinic / Office:** An establishment where patients are admitted for study and treatment by two (2) or more licensed physicians, dentists, psychologists, or similar professional healthcare practitioners and their professional associates. The term shall include but not be limited to offices of physicians, chiropractors, dentists, and acupuncturists.

E. **Microbrewery/Microwinery:** A combination retail, wholesale, and/or small-scale artisan manufacturing business that brews, ferments, processes, packages, distributes, and serves either beer or wine for sale on- or off-site. A microbrewery shall produce no more than one-hundred fifty-five thousand (155,000) gallons of beer per year for sale on the premises for either on-premises or off-premises consumption. These facilities may include an ancillary tasting room and retail component in which guests/customers may sample and purchase the product. Off-site distribution of the beverages shall be consistent with state law.

F. **Microdistillery:** A small scale artisan manufacturing business that blends, ferments, processes, packages, distributes and serves alcoholic spirits on and off the premises and produces no more than fifteen thousand (15,000) gallons per calendar year on-site. The microdistillery facility may include an ancillary tasting room and retail component in which guests/customers may sample and purchase the product. Off-site distribution of the alcoholic beverages shall be consistent with state law.

G. **Mobile Food Vendor Vehicles and Retail Vendor Vehicles:** A motorized vehicle used to conduct a mobile food preparer business, a mobile food dispenser, or mobile desserts vendor business.

H. **Mobile Home:** A manufactured home structure transportable in one (1) or more sections, which in the traveling mode is eight (8) body feet or more in width and forty (40) body feet or more in length or when erected on-site is three hundred twenty (320) square feet or more and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems that may be contained therein; except that such term shall include any structure that meets all the requirements of this definition except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary (HUD) and complies with the standards established under this title. For manufactured homes built prior to June 15, 1976, a label certifying compliance to the standard for mobile homes, NFPA 501, in effect at the time of manufacture is required.

I. **Mobile Home Park:** A lot, parcel or tract of land developed with facilities for accommodating two (2) or more mobile homes, provided each mobile home contains a kitchen, flush toilet and shower or bath; and such park shall be for use only by nontransient dwellers remaining continuously for more than one (1) month, whether a charge is made. It shall not include a sales lot in which automobiles or unoccupied mobile homes or other trailers are parked for the purpose of inspection or sale, except mobile homes located on a site in the mobile home park which are occupied or vacant for not more than ninety (90) days after occupancy may be sold or offered for sale.

J. **Modular Construction:** A structure not built on-site, but which is placed on a permanent foundation and meets building code requirements.

K. **Motel:** A building or group of buildings on the same lot containing guest units consisting of individual sleeping quarters, detached or in connecting rows, with or without cooking facilities, for short-term rental, in which each guest unit is accessed through the building's exterior rather than through a common lobby.

L. **Motor Freight Terminal:** A building in which freight, brought to said building by motor truck, is assembled and sorted for routing in intrastate and interstate shipment by motor truck.

M. **Motor Vehicle:** A passenger automobile/vehicle, truck, truck trailer, trailer or semitrailer propelled or drawn by mechanical power.

10-2-14. "N" Definitions

A. **Native Species:** A plant or animal species that originates from the ecosystems of northeast Illinois. Non-invasive species of ornamental plants shall be included within the definition for the purposes of this UDO.

B. **Newspaper Publishing:** An establishment in which the principal business consists of duplicating and printing services of newspapers using photocopy, blueprint, or offset printing equipment, including publishing, binding, and engraving.

C. **Nonconforming Use:** Any building, structure or land lawfully occupied by use or lawfully established which does not conform to the current regulations of the zoning ordinance.

D. **No-Impact Antenna and Towers:** A tower or antenna which is either: a) virtually invisible to the casual observer, such as an antenna behind louvers on a building, or inside a steeple or similar structure, or b) camouflaged so as to blend in with its surroundings to such an extent that it is no more obtrusive to the casual observer than the structure on which it is: 1) placed, such as a rooftop, lighting standard, or existing tower, or 2) replacing, such as a school athletic field light standard.

E. **Noxious Matter:** Material which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the physical, social or economic well-being of human beings.

F. **Nursery/Greenhouse:** Retail business whose principal activity is the selling of plants and having outdoor storage, growing and/or display of plants.

10-2-15. "O" Definitions

A. **Odorous Matter:** Any material that produces an olfactory response among human beings.

B. **Office:** A place, such as a building, room, or suite, in which services, clerical work, professional duties or the like are carried out.

C. **Open Space:** Ground area of a lot, landscaping and recreational facilities may qualify as open space provided that it is an area unobstructed from the ground to the sky and which:

1. Is not devoted to public or private roadways or driveways and off-street parking and loading;
2. Is accessible and available only to occupants of dwelling units on the premises, except balconies;
3. Is not covered by buildings, except not more than five (5) percent of the required open space may be recreational facilities enclosed within a building for the use of occupants of the dwelling units on the premises;
4. Has not less than ten (10) feet its narrowest dimension between either a lot line and an area not qualifying as usable open space; and
5. Is developed, landscaped, and maintained suitable for pedestrian, recreational and leisure use.

D. **Outdoor Displays:** Areas where the majority of items for sale to the general public are displayed outdoors, such as garden nurseries, vehicle and equipment sales lots, mobile home sales, play equipment sales and other similar uses.

E. **Outdoor Music Venue:** A property where sound equipment is used to amplify sound that is not fully enclosed by permanent, solid walls or roof.

F. **Outline Lighting:** An arrangement of incandescent lamps or electric discharge tubing that outlines or calls attention to certain features of a building or sign including but not limited to its shape not to include temporary holiday decor.

10-2-16. "P" Definitions

A. **Parapet:** An architectural feature of a building where that portion of an exterior wall extends above the roof deck.

B. **Parcel:** Shall refer broadly to a lot, tract, or any other piece of land.

C. **Park:** An area open to the general public and reserved for recreational, educational, or scenic purposes.

D. **Parking Area or Lot:** An open, hard-surfaced area, designed, arranged and made available for the storage of private passenger automobiles only of occupants of the building or buildings for which the parking area is developed and is accessory.

E. **Parking Space:** Space within a public or private parking area designed in conformance with Section 10-5-1(E) of this title, exclusive of access drives, or aisles, ramps, columns or office and work areas, for the storage of one (1) passenger automobile or commercial vehicle under one and one-half (1½) tons' capacity.

F. **Parking Structure:** An attached or detached structure that is fully or partially enclosed with one (1) or more levels and is used exclusively for the parking or storage of motor vehicles. This does not include private one-story garages for single-, two-, or multi-unit residential uses. Parking structures may either be above or below grade.

G. **Parkway:** A strip of land situated within the dedicated street right-of-way, either located between the roadway and right-of-way line, or a median located between the roadways.

H. **Pawnbroker/Pawnshop:** Any person who lends money on deposit or pledge of personal property, or deals in the purchase of personal property on condition of selling the same back at a stipulated price, or who publicly displays at his or her place of business the sign generally used by pawnbrokers to denote the pawnbroker's business, or who publicly displays a sign which indicates, in substance, a business on the premises which "loans money for personal property, or deposit or pledge". The business of a pawnbroker shall not include the lending of money on deposit or pledge of title to property.

I. **Place of Worship/Assembly:** A building, together with its accessory buildings and uses, where persons regularly assemble for religious purposes and related social events and which building and accessory buildings and uses are maintained and controlled by a religious body organized to sustain religious ceremonies and purposes.

J. **Plan Council:** The Plan Council of the City of Yorkville.

K. **Planning and Zoning Commission:** The Planning and Zoning Commission of the City of Yorkville.

L. **Plan, Concept:** A tentative map or drawing which indicates the subdivider's proposed layout of a subdivision, including a site plan indicating existing off-site roadway connections.

M. **Plan, Final:** The final engineering plan, map or drawing, plus all accompanying information required by this title.

N. **Plan, Preliminary:** The preliminary engineering plan, map, or drawing, plus all accompanying information required by this title.

O. **Plat:** A subdivision as it is represented as a formal document by drawing and writing.

P. **Plat, Final:** The final map drawing or chart, on which the subdivider's layout of a subdivision is presented to the City Council for approval, and which, if approved, will be submitted to the County Recorder for recording.

Q. **Plat, Preliminary:** A tentative map or drawing, which indicates the subdivider's proposed layout of a subdivision, including all proposed improvements.

R. **Playground**: An area open to the public for recreational use primarily for children.

S. **Police Station:** Protection centers operated by a governmental agency, including administrative offices, storage of equipment, temporary detention facilities, and the open or enclosed parking of patrol vehicles, excluding correctional institutions.

T. **Porch:** A roofed over structure, projecting out from the wall or walls of a main structure and commonly open to the weather in part.

U. **Portable Outdoor Storage Device:** Any item designed and used as follows: a container which is delivered to a property, which is filled with household items or other nontrash materials, and which the container and its contents are subsequently transported to another location.

V. **Post Office:** A facility that contains service windows for mailing packages and letters, post office boxes, offices, vehicle storage areas, and sorting and distribution facilities for mail.

W. **Preexisting Towers or Antennas:** Existing towers and existing antennas which predated this title, shall not be required to meet the requirements of this chapter other than the requirements of Section 10-4-14(A)(2)(f), (A)(2)(h), and (A)(2)(r) of this chapter. All preexisting towers and antennas shall be subject to the tower and antenna administrative fee.

X. **Prepared Food Service Establishment:** An establishment that makes prepared food available for sale to the general public for immediate consumption on or off the premises.

Y. **Preschool:** A school for children primarily between the ages of three (3) and five (5), providing preparation for elementary school.

Z. **Principal Use:** The main use of land or buildings as distinguished from a subordinate or accessory use.

AA. **Professional Care Services:** Establishments which provide individual services on a frequent or recurrent basis to the consumer at the site of the business. The term shall include, but shall not be limited to, beauty salons, hair salons, microblading, nail salons, and similar establishments.

BB. **Professional Services/Offices:** A business which is engaged in the processing, manipulation, or application of business information or professional expertise. The use shall include but not be limited to professional offices for nonprofit organizations, accounting, insurance, investment services, computer services, architecture, engineering, legal services, real estate services.

CC. **Public Open Space:** Any publicly owned open area, including, but not limited to, the following: parks, playgrounds, forest preserves, beaches, waterways, parkways and streets.

DD. **Storage, Indoor Single-Building Climate Controlled:** A facility consisting of a single building where individual self-contained units are leased or rented to the general public for dead storage and where the individual storage units are accessed from the interior of the building.

EE. **Storage, Outdoor Self-Storage:** A facility consisting of a building or group of buildings in which individual self-contained units are leased or rented to the general public for storage and where the individual storage units are accessed from the exterior of the building.

FF. **Public Utility:** Any person, firm, corporation or municipal department duly authorized to furnish, under public regulation, to the public, electricity, gas, steam, telephone, sewers, transportation or water.

GG. **Public Utility Facility (other)**: A public utility as defined in this UDO engaged activities other than electric substations or distribution centers, gas regulation centers, and underground gas holder stations.

10-2-17. "Q" Definitions

RESERVE

10-2-18. "R" Definitions

A. **Railroad Passenger Station:** A facility for the boarding of passengers and related ticketing sales and offices.

B. **Railroad Repair Shop, Maintenance Building, and Switching Yard:** The use of land, buildings and structures for equipment and supplies related to the repair of rail railroad facilities or an area used for the storing and switching of freight and passenger rolling stock.

C. **Railroad Right-of-Way:** A strip of land with tracks and auxiliary facilities for track operation, but not including depot loading platforms, stations, train sheds, warehouses, car shops, car yards, locomotive shops, water towers, etc.

D. **Radio and Television Towers, Commercial:** Any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antennas for commercial radio or television purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes the structure and any support thereto.

E. **Recreation Center:** A building or structure used as a place of recreation, generally open to the public and designed to accommodate and serve significant segments of the community.

F. **Recreational Camp, Private:** An establishment consisting of permanent buildings used periodically by an association of persons where seasonal accommodations for recreational purposes are provided only to the members of such association and not to anyone who may apply.

G. **Recreational Vehicle Sales and Service:** An establishment engaged in the sale of recreational vehicles, including motorhomes and pickup campers, travel trailers, tent trailers, and similar vehicles that are designed and constructed for permit sleeping or housekeeping in an outdoor or an showroom enclosed in a primary building.

H. **Recreational Vehicle, Trailer, and Boat Parking:** A site intended for the semi-permanent parking of recreational vehicles, trailers, or boats.

I. **Refrigerated Warehouse (Cold Storage):** A facility which is artificially or mechanically cooled in order to maintain the integrity and quality of perishable goods.

J. **Refuse:** All waste products resulting from human habitation, except sewage.

K. **Research Laboratory:** A building or group of buildings in which are located facilities for scientific research, investigation, testing or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

L. **Restaurant:** An establishment whose food is available to the general public typically for consumption on the premises. The term may include fast food restaurants in which food is available through drive-throughs as defined in this UDO, has a limited menu of items consisting of prepackaged or quickly prepared items; where food is ordered and picked up at a counter with no table service provided; where food is served in a limited dine-in area; or which is usually part of a chain or franchise establishment. The term may also include fast casual dining with one or more of the following characteristics; a limited menu items are made to order and are prepared only upon request; food is either ordered and picked up at a counter or served at the patron's table in a limited dine in area; and is usually part of a chain or franchise establishment.

M. **Residence:** The act or condition of residing or dwelling in a place.

N. **Retail Store:** A building or portion of a building providing area for the selling of new or used goods, wares, and merchandise directly to the consumer for whom the goods are furnished.

O. **Riding Academies With Stables:** An establishment including associated stables where horses are boarded and cared for, and where instruction in riding, jumping, and showing is offered, and where horses may be hired for riding.

P. **Right-of-Way:** A strip of land occupied or intended to be occupied by a road, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use. The usage of the term "right-of-way" for land platting purposes in the United City of Yorkville shall mean that every right-of-way hereafter established and shown on a final recorded plat is to be separate and distinct from the lots or parcels adjoining such right-of-way, and not included within the dimensions or areas of such lots or parcels. Rights-of-way intended for roads, crosswalks, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established.

Q. **Riding Academy:** An establishment where horses are boarded and cared for, and where instruction in riding, jumping, and showing is offered, and where horses may be hired for riding.

R. **Roadside Stand:** A temporary structure which is used solely for the display or sale of farm produce and related materials. No roadside stand shall be more than three hundred (300) square feet in ground area and there shall be no more than one (1) roadside stand on any one (1) premises.

S. **Roadway:** That portion of a street which is used or intended to be used for the travel of motor vehicles.

10-2-19. “S” Definitions

A. **Salvage Yard.** Any location whose primary use is where waste or scrap materials are stored, bought, sold, accumulated, exchanged, packaged, disassembled, or handled, including but not limited to materials such as scrap metals, paper, rags, tires, and bottles.

B. **Sanitary Landfill:** A lot or part thereof used primarily for the disposal by abandonment, dumping, burial, burning, or other means and for whatever purpose, of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles, or parts thereof, or nontoxic waste material of any kind.

C. **School, Public or Private:** Elementary, high school or college, public or private, or nonprofit junior college, college or university, other than trade, commercial and business schools, including instructional and recreational uses, with or without living quarters, dining rooms, restaurants, heating plants and other incidental facilities for students, teachers and employees. These schools typically contain an auditorium, gymnasium, cafeteria, or other recreational facilities.

C. **Senior Housing, Dependent:** A building or collection of buildings, of any building type, containing dwelling units for senior adults or persons with disabilities. Dependent senior housing includes on-site support services and amenities assisted by staff. The daily amenities and services provided in dependent senior housing include meals, day care, personal care, medical support, nursing or therapy, and any service to the senior adult or disabled population of the community that is an ancillary part of one of these operations. Support services may be located either in the same structure as the dwelling units or in a structure physically separated from the dependent living dwelling units.

D. **Senior Housing, Independent:** A building or collection of buildings, of any building type, containing dwelling units for senior adults or persons with disabilities. Independent senior housing may include on-site support services such as meal preparation and service, day care, nursing or therapy, or any service to the senior adult or disabled population of the community that is an ancillary part of one of these operations. Support services may be located either in the same structure as the dwelling units or in a structure physically separated from the independent living dwelling units.

E. **Semi-Truck:** A tractor unit which is used to tow or move semi- trailers. A semi-truck typically has two (2) or three (3) axles and is built for hauling large amounts of products, goods, and heavy machinery.

F. **Semi-Truck Repair:** Engine rebuilding or major reconditioning of worn or damaged semi-trucks; collision service, including body, frame or fender straightening or repair and painting including incidentals repairs, replacement of parts and motor service to semi-trucks.

G. **Service Drive:** A public street, generally paralleling and contiguous to a main traveled way, primarily designed to promote safety by eliminating promiscuous ingress and egress to the right-of-way, and providing safe and orderly points of access at fairly uniformly spaced intervals.

H. **Setback:** The minimum distance maintained between a street right-of-way and the nearest supporting member of any structure on the lot, except where otherwise regulated in this title.

I. **Setback, Established:** When forty (40) percent or more of the lots fronting on one (1) side of a street within a block are improved, the average of all the existing front setbacks of such improved lots shall be the "established setback" for determining the depth of the minimum required front setbacks for the remainder of the lots along such street frontage, as regulated in this title.

J. **Setback Line, Building:** See definition of building setback line.

K. **Sewage Disposal System, Central:** A system of sanitary sewers, serving ten (10) or more lots that discharge either into an interceptor sewer or an approved sewage treatment plant.

L. **Sewage Disposal System, Individual:** A sewage disposal system, or any other sewage treatment device approved by the Kendall County Department of Public Health, and servicing only one (1) lot.

M. **Sewage Treatment Plant:** A facility which operates a sewerage system and sewage treatment facilities that collect, treat, and disposal of human waste.

N. **Shooting Gallery/Gun Range, Indoor:** An enclosed facility, public or private, specifically for the purpose of providing a place in which to discharge various types of firearms, shoot air guns and/or archery equipment at designated targets and designed to contain all projectiles fired within the confines of the building. Auxiliary training and instructional classroom facilities may also be provided, as well as ancillary retail sales of firearms, ammunition, and associated products upon proof of applicable local, state, and federal licensure.

O. **Short-Term Rental:** A home occupation of a single-unit dwelling that is used as a primary residence by owners or renters, or a portion of such a dwelling unit that is rented for less than thirty (30) days at a time to transients and temporary guests.

P. **Sidewalk:** That portion of street or crosswalk way, paved or otherwise surfaced, intended for pedestrian use only.

Q. **Sign:** Any identification, illustration, means of communication, or device, illuminated or non-illuminated, that is visible from any public place or is located on private property and exposed to the public and that is intended to direct attention, advertise, announce, communicate, declare, demonstrate, or display a particular use, product, service, idea, interest, or message.

R. **Sign Area**. Sign area shall apply to single-tenant monument signs, multi-tenant monument signs, on-site traffic directional signs, a-frame/sandwich board signs, and/or yard signs only. Sign area shall be computed by means of the smallest square, rectangle, circle, triangle or combination thereof that shall encompass the extreme limits of the sign copy area and the sign base area. Sign area shall not include any supporting framework, bracing, decorative fence, or wall when such fence or wall otherwise meets UDO regulations and is clearly incidental to the display itself. A double faced sign shall count as a single sign. Sign area for wall signs on buildings with multiple exterior walls shall be calculated as provided in Section 10-6-3(B).

S. **Sign, Awning/Canopy:** A sign wholly supported by a canopy projecting from a building or an extended roof or pitched roof and which does not extend above the mean height level of the roof of the building.

T. **Sign, A-Frame/Sandwich Board:** An advertising or business ground sign constructed in such a manner as to form an “A” or a tent-like shape, hinged or not hinged at the top; each angular face held at an appropriate distance by a supporting member.

U. **Sign, Cold Air Inflatable:** A sign designed to be airborne and tethered to the ground, a vehicle or any other structure and shall include balloons and any other inflatable advertising device.

V. **Sign, Feather:** A flexible or rigid pole to which one side of a flexible fabric, generally in the shape of a feather or similar shape, is attached, and which upon which temporary sign copy is displayed. Such banners are also known and sold under names which include, but are not limited to, "quill sign," "banana banner," "blade banner," "flutter banner," "flutter flag," "bowflag," "teardrop banners," and others. The definition includes functionally similar display devices.

W. **Sign, Banner:** A temporary advertising sign which is not attached to a permanently mounted backing. Banner signs may be ground-mounted or wall-mounted.

X. **Sign, Billboard:** Any sign advertising a land use, business, product or service, not located or available upon the premises whereon the sign is located.

Y. **Sign, Feather:** A flexible or rigid pole to which one side of a flexible fabric, generally in the shape of a feather or similar shape, is attached, and which upon which temporary sign copy is displayed. Such banners are also known and sold under names which include, but are not limited to, "quill sign," "banana banner," "blade banner," "flutter banner," "flutter flag," "bowflag," "teardrop banners," and others. The definition includes functionally similar display devices.

Z. **Sign, Monument:** A freestanding sign in which the entire bottom is in contact with or close to the ground.

AA. **Sign, On-Site Traffic Directional:** A sign on a lot that directs the movement or placement of pedestrian or vehicular traffic with or without reference to, or inclusion of, the name of a product sold or service performed on the lot or in a building, structure or business enterprise occupying the same.

BB. **Sign, Post:** A temporary sign, the face of which is affixed to a post installed on the ground.

CC. **Sign, Projecting:** A sign that projects perpendicular from a building more than twelve (12) inches from the building's supporting wall.

DD. **Sign, Roof:** A sign which is affixed to a roof, extended roof, pitched roof or canopy and which extends above the mean height of the roof.

EE. **Sign, Wall:** A sign affixed to a building wall which does not project horizontally more than twelve (12) inches from the wall nor extend above the height of the wall. The term shall include painted wall signs, which are painted on the wall, as well as primary and secondary wall signs that are an component separate from but mounted on or fastened to the wall.

FF. **Sign, Window:** A sign which is applied or attached to the exterior of a window, or applied to, attached to, or located within one (1) foot of the interior of a window, which can be seen through the window from the exterior of the structure.

GG. **Sign, Yard:** A temporary portable sign constructed of paper, vinyl, plastic, wood, metal or other comparable material, and designed or intended to be displayed for a short period of time.

HH. **Skating Rink:** An establishment that provides facilities for participant skating.

II. **Small Wireless Facility:** A wireless facility that meets both of the following qualifications: a) each antenna is located inside an enclosure of no more than six (6) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six (6) cubic feet; and b) all other wireless equipment attached directly to a utility pole associated with the facility is cumulatively no more than twenty-five (25) cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services. Small wireless facilities are permitted uses if they are collocated in right-of-way in any zoning district or outside rights-of-way in property zoned exclusively for commercial or industrial use.

JJ. **Smoke:** Small gas borne particles other than water that form a visible plume in the air.

KK. **Solar Farm:** An installation that includes a large number of solar panels arranged contiguously on a parcel for the collection of solar energy and intended for the sale and distribution of electricity to customers located off-site.

LL. **Solid Waste Disposal Site:** A facility for the purpose of treating, compacting, composting, storing, or disposing of solid waste.

MM. **Stable/Paddocks:** A building and grounds which are designed, arranged, used or intended to be used for the storage, boarding or breeding of horses, including accessory uses which may include riding and horsemanship instructions and the hire of riding horses.

NN. **Stacking Requirements:** The specified number of cars that must be accommodated in a reservoir space while awaiting ingress or egress to specified business or service establishments.

OO. **Stadium:** Any facility, building, corral, arena, or structure of any kind designed for use as either a sports facility (including animal sports, i.e., rodeos, horseraces, etc.), entertainment facility, whether for profit or not, where activities are to be undertaken generally for the entertainment of others. Said description includes ball fields, when any type of structure is involved, skating rinks, racetracks, football or soccer fields, softball fields, gymnasiums, swimming facilities, music halls, theaters, stages or any other type of field or facility.

PP. **Storage of Roadway Construction Materials and Equipment:** A facility that stores any equipment which is used in connection with the construction, alteration, excavation or repair of a building or of real property, including, but not limited to front loaders, trailers, cranes, plows, bulldozers and other similar equipment.

QQ. **Story:** That portion of a building included between the surface of any floor and the surface of the floor above it, or if there is no floor above, then the space between the floor and ceiling next above it. Any portion of a story exceeding fourteen (14) feet in height shall be considered as an additional story for each fourteen (14) feet or fraction thereof.

RR. **Story, Half:** That portion of a building under a gable, hip or mansard roof, the wall plates of which on at least two (2) opposite exterior walls are not more than four and one-half (4½) feet above the finished floor of each story. In the case of single-unit dwellings, duplex dwellings and multi-unit dwellings less than three (3) stories in height, a half story in a sloping roof shall not be counted as a story for the purpose of this title. In the case of multi-unit dwellings three (3) or more stories in height, a half story shall be counted as a story.

SS. **Street:** A public or private right-of-way which affords a primary means of access to abutting properties, whether designated as a street, avenue, highway, road, boulevard, lane, throughway, or however otherwise designated, but excepting driveways to buildings.

TT. **Street, Collector:** A street that collects and distributes traffic, primarily within residential areas. This street carries between two thousand five hundred (2,500) and twelve thousand (12,000) ADT.

UU. **Street, Estate Residential:** A street of limited continuity, used for access to abutting rural residential properties and local needs of a neighborhood. This street carries less than one thousand (1,000) ADT.

VV. **Street or Alley Line:** A line separating an abutting lot, piece or parcel from a street. The street line shall be the back of the curb where curbing exists or the edge of the street pavement if no curb is present.

WW. **Street, Local Residential:** A street of limited continuity, used primarily for access to abutting rural residential properties and local needs of a neighborhood. This street carries less than one thousand (1,000) ADT.

XX. **Street, Major Collector:** A street that serves as a main traffic thoroughfare, both within and outside of the City, carrying heavy volumes of traffic. This street carries more than two thousand five hundred (2,500) ADT.

YY. **Street, Minor Collector:** A street that collects and distributes traffic within intensively developed areas, and is used primarily for internal trips within the planning area. This street carries between one thousand (1,000) and two thousand five hundred (2,500) ADT.

ZZ. **Street Width:** The shortest distance between the backs of the curb or edge of pavement of a roadway.

AAA. **Structural Alterations:** Any change other than incidental repairs which would prolong the life of the supporting members of a building or structure such as bearing walls, columns, beams and girders.

BBB. **Structure:** Anything constructed or erected which requires at least semi-permanent location on the ground or is attached to something having location on the ground.

CCC. **Subdivider:** Any person or corporation or duly authorized agent who undertakes the "subdivision" or "development" of land as defined herein. Also referred to as developer.

DDD. **Subdivision:** A described tract of land which is to be or has been divided into two (2) or more lots or parcels. The term subdivision includes resubdivision and, where it is appropriate to the context, relates to the process of subdividing or to the land subdivided.

EEE. **Swimming Pool, Indoor:** A structure, whether designed to hold water more than thirty (30) inches deep to be used for recreational purposes and entirely enclosed within a building.

10-2-20. "T" Definitions

A. **Tattoo and Body Piercing Establishments:** Any establishment which performs or provides services for tattooing and/or body piercing as defined in title 3, Chapter 10 of this Code.

B. **Tavern – Nightclub or Lounge:** A building where liquors are sold to be consumed on the premises, but not including restaurants where the principal business is serving food.

C. **Tent:** A structure, enclosure, or shelter constructed of fabric or other pliable material supported by any manner except by air or the contents protected by the material. The horizontal area covered by the fabric or other pliable material shall be considered building floor area. Tents shall be considered detached accessory structures.

D. **Temporary and Seasonal Uses.** A use intended for a limited duration on a site as allowed through the temporary use permit process in Section 10-8-3 (F)or a use which is associated with a holiday or special event, or which is accessory to a permitted use and transitory in nature

E. **Temporary Use Permit.** A permit for a Temporary Use designated in this UDO which is to be established for a fixed period of time, with the intent to discontinue such use upon the expiration of that timeframe.

F. **Terrace, Open:** A level and rather narrow plane or platform which, for the purpose of this title, is located adjacent to one (1) or more faces of the principal structure and which is constructed not more than four feet (4') in height above the average level of the adjoining ground.

G. **Theater, Live Performance:** A building used for dramatic, operatic, music, or other live performance purposes for which attendees are charged admission an admission fee to view.

H. **Theater, Motion Picture:** A building used for the display of motion pictures for which attendees are charged an admission fee to view.

I. **Title:** Reference to "title" herein shall be construed to be the Yorkville Unified Development Ordinance.

J. **Tower:** Any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antennas for telephone, radio and similar communications purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures, and the like. The term includes the structure and any support thereto.

K. **Trailer:** A vehicle without motive power, designed to be towed by another vehicle but not designed for human occupancy and which may include a utility trailer, boat trailer, camping trailer, travel trailer, horse trailer or cargo trailer.

L. **Treatment Center:** One (1) or more buildings designed and used for the medical and surgical diagnosis and treatment. This definition excludes hospitals and nursing homes.

M. **Tree Root Zone:** Area of the ground around the base of the tree measured from the trunk to five (5) feet beyond the outer base of the branching system.

N. **Truck and Trailer Sales/Rental:** Leasing or renting of trucks and trailers, including incidental parking and servicing of vehicles for rent or lease.

O. **Truck, Truck-Tractor, Truck Trailer, Car Trailer or Bus Storage Yard:** A site intended for the semi-permanent storage of trucks, truck-tractors, truck trailers, car trailers, buses, and other similar vehicles. motor freight terminals shall not be included.

P. **Turnaround:** An area at the closed end of a street or parking lot, within which vehicles may reverse their direction.

10-2-21. "U" Definitions

A. **Underground Dog Fences:** A fence constructed beneath the site's natural grade constructed solely to prevent household pets from leaving the property.

B. **Unified Development Ordinance, City of Yorkville:** The Unified Development Ordinance of the City of Yorkville as established in this title including the Zoning District Map as amended.

C. **Use:** The purpose for which land or a building thereon is designed, arranged or intended, or for which it is occupied or maintained, let or leased.

D. **Use, Lawful:** The use of any building, structure or land that conforms with all of the regulations of this title and which conforms with all of the codes, ordinances and other legal requirements as existing when the structure or land is being examined.

E. **Use, Nonconforming:** See definition of *Nonconforming use.*

F. **Use, Permitted:** Any use which is or may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations, and when applicable, performance standards of this title for the district in which such use is located.

G. **Use, Principal:** The dominant use of land or buildings as distinguished from a subordinate or accessory use.

H. **Use, Special:** A use that has unusual operational, physical or other characteristics that may be different from those of the predominant permitted uses in a district, but which is a use that complements and is otherwise, or can be made, compatible with the intended overall development within a district. Compliance with special standards not necessarily applicable to other permitted or conditional uses in the district shall be required as regulated in this title.

10-2-22. "V" Definitions

A. **Vacant Land:** A lot or parcel of land on which no improvements or structures have been constructed or actively used for any land use purpose.

B. **Variation:** A limited relief from the requirements of this title granted to a particular property in an instance in which the strict application of the requirements would create a practical difficulty or particular hardship prohibiting the use of the property in a manner otherwise allowed under this title. Such limited relief shall not change the underlying zoning of the subject property.

C. **Vehicle Charging Station:** A permitted accessory use serving another principal use that is located in a parking structure or parking lot and used for the charging of electric motor vehicles. The vehicle charging station shall not result in the reduction of parking spaces to less than what is required to serve the principal use.

D. **Veterinary Clinic:** An establishment for the care and treatment of the diseases and injuries of animals and where animals may be boarded only during their convalescence.

10-2-23. “W” Definitions

A. **Wholesaling and Warehousing:** A structure, part thereof, or an area used principally for the storage of goods and merchandise for wholesale or distribution, excluding bulk storage of materials that are inflammable or explosive or that present hazards.

B. **Wetlands:** As defined by the Illinois Department of Natural Resources.

C. **Wind Farm:** An installation including a cluster of wind turbines on one parcel for the collection of wind energy and sale of electricity to customers located off-site.

10-2-24. "X” Definitions

RESERVE

10-2-25. “Y” Definitions

A. **Yard:** An open area on a lot which is unobstructed from its lowest level to the sky, except as otherwise provided in this title.

B. **Yard, Corner Side:** A yard adjoining a street line which is bounded by the front lot line and rear lot line, and is opposite the interior side yard.

C. **Yard, Front:** A yard extending along the full width of a front lot line between the side lot lines and has a depth between the front lot line and the front yard line.

D. **Yard, Interior Side:** A side yard which adjoins another lot or an alley separating such side yard from another lot.

E. **Yard Line:** A line in a lot that is parallel to the lot line along which the applicable yard extends and which is not nearer to such lot line at any point than the required depth or width of the applicable yard. A building, structure or other obstruction shall not encroach into the area between the "yard line" and such adjacent lot line, except for such permitted obstructions in yards as are set forth in Section 10-3-11 of this chapter.

F. **Yard, Rear:** A yard extending along the width of the rear lot line between the side lot lines, and from the rear lot line to the rear yard line in depth.

G. **Yard, Side:** A yard extending along the length of a side lot line between the rear yard line and front yard line, from the side yard line to the side lot line in width.

10-2-26. “Z” Definitions

A. **Zone:** A "district", as defined in this section.

B. **Zoning Administrator:** The designated City of Yorkville staff person(s) in the Community Development Department designated to undertake the administration and interpretation of this UDO, including but not limited to the Community Development Director.

C. **Zoning Officer:** The Building Code Official shall be the Zoning Officer and be responsible for enforcing this Title, including the responsibilities defined in Section 10-8-1(B).

Chapter 3. District Standards

10-3-1. Establishment of District 1
10-3-2. District Map and Boundaries 2
10-3-3. Zoning of Streets, Alleys, Public Ways, Waterways, and Railroad Rights-of-Way 2
10-3-4. Zoning of Annexed Land 2
10-3-5. Purpose of Residential Districts 3
10-3-6. Purpose of Business and Manufacturing Districts 4
10-3-7. Purpose of Open Space and Institutional Districts 5
10-3-8. Overlay Districts 5
10-3-9. Bulk and Dimensional Standards 6
10-3-10. Calculating Bulk and Dimensional Standards 7
10-3-11. Permitted Yard Setback Obstructions 10
10-3-12. Permitted and Special Uses 11
10-3-13. Downtown Overlay District 17

10-3-1. Establishment of District

A. For the purpose and provisions of this title, Yorkville is organized into thirteen (13) base districts and one (1) overlay district.

B. **Residential Districts**.

1. R-1 Single-Unit Suburban Residence District
2. R-2 Single-Unit Traditional Residence District
3. R-2D Duplex, Two-Unit Attached Residence District
4. R-3 Multi-Unit Attached Residence District
5. R-4 General Multi-Unit Residence District

C. **Business and Manufacturing Districts**.

1. B-1 Local Business District
2. B-2 Mixed Use District
3. B-3 General Business District
4. M-1 Limited Manufacturing District
5. M-2 General Manufacturing District

D. **Institutional and Open Space Districts**.

1. PI Public Institutional District
2. A-1 Agricultural District
3. OS Open Space District

E. **Overlay Districts**.

1. D-O Downtown Overlay District
2. PUD Planned Unit Development

10-3-2. District Map and Boundaries

A. **Zoning Map**. The boundaries of the zoning districts designated in Section 10-3-1 of this chapter are hereby established as shown on the latest edition of the map entitled "Zoning Map: The United City Of Yorkville", which said map shall have the same force and effect as if the zoning map, together with all notations, references and other information shown on the zoning map, were fully set forth and described in this title.

B. **District Boundaries**. When uncertainty exists with respect to the boundaries of the various districts shown on the zoning map, the following rules shall apply:

1. District boundary lines are either the centerlines of railroads, highways, streets, alleys or easements or the boundary lines of sections, quarter sections, divisions of sections, tracts or lots, or such lines extended or otherwise indicated.
2. In areas not subdivided into lots and blocks, wherever a district is indicated as a strip adjacent to and paralleling a street or highway, the depth of such strips shall be in accordance with the dimensions shown on the map measured at right angles from the centerline of the street or highway, and the length of frontage shall be in accordance with dimensions shown on the map from section, quarter sections or division lines, or centerlines of streets, highways or railroad rights of way unless otherwise indicated.
3. Where a lot held under single ownership and of record on the effective date hereof is divided by a district boundary line, the entire lot shall be construed to be within the less restricted district; provided, that this construction shall not apply if it increases the lot width of the lot by more than twenty-five (25) feet.

10-3-3. Zoning of Streets, Alleys, Public Ways, Waterways, and Railroad Rights-of-Way

All streets, alleys, public ways, waterways, and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting upon such alleys, streets, public ways, or waterways and railroad rights-of-way. Where the centerline of a street, alley, public way, waterway, or railroad right-of-way serves as a district boundary, the zoning of such areas, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such centerline.

10-3-4. Zoning of Annexed Land

Any territory or land annexed to the city after the adoption of this title shall automatically, upon such annexation, be classified within the R-1 Single-Unit Suburban Residential District and be subject to all conditions and regulations applicable to land in such district until such land is subsequently rezoned.

10-3-5. Purpose of Residential Districts

A. **General Purpose of Residential Districts**. Residential zoning districts are established, designed, and intended to provide a comfortable, healthy, safe, and pleasant environment in which to live and shall:

1. Provide appropriately located areas for residential development that are consistent with the Comprehensive Plan, as amended; and

2. Ensure adequate light, air, privacy, and open space for residents; and

3. Provide for a variety of neighborhoods with a range of housing types with varying characters and patterns of development; and

4. Protect neighborhoods from the harmful effects of excessive noise, traffic congestion, and other potential adverse impacts; and

5. Provide amenities while protecting residents from incompatible uses and activities.

B. **R-1 Single-Unit Suburban Residence District**. The R-1, single-unit suburban residence zoning designation is intended to create a spacious suburban residential neighborhood. To protect the character of the district, permitted uses are limited to single-unit detached housing yet accommodate other compatible and complementary cultural, religious, educational, and public uses.

C. **R-2 Single-Unit Traditional Residence District**. The R-2, single-unit traditional residence zoning designation is intended to accommodate smaller, more conventional suburban residential neighborhoods. The primary permitted uses are single-unit detached housing in addition to compatible and complementary cultural, religious, educational, and public uses.

D. **R-2D Duplex, Two-Unit Attached Residence District**. The R-2D, duplex, two-unit attached residence zoning designation is intended for moderate density duplex dwelling structures. This district is primarily located off of a major thoroughfare or as a transitional land use adjacent to single-unit residences. Therefore, the R-2D, duplex district is intended to accommodate single-unit attached dwelling structures of a size and character that are compatible with the surrounding single-unit detached residential districts and adjacent to commercial, office and retail space.

E. **R-3 Multi-Unit Attached Residence District**. The R-3, multi-unit attached residence zoning designation is intended for moderate density residential developments near commercial areas and transportation corridors, and to promote economically mixed housing developments and the provision of a range housing types including multi-unit buildings such as duplexes or townhomes.

F. **R-4 General Multi-Unit Residence District**. The R-4, general multi-unit residence zoning designation is intended for moderate to high density multi-unit buildings and complexes. This district may accommodate other compatible and complementary cultural, religious, educational, and public uses.

10-3-6. Purpose of Business and Manufacturing Districts

A. **General Purpose of Business and Manufacturing Districts**. Business and Manufacturing Districts are established, designed, and intended to provide a comfortable, healthy, safe, and pleasant environment in which to work, shop, dine, recreate, and shall:

1. Accommodate retail, commercial, service, and mixed uses needed by Yorkville residents, businesses, visitors, and workers; and

2. Maintain and enhance the City's economic base and provide employment opportunities, shopping, entertainment, restaurant, service and other nonresidential uses close to where people live and work; and

3. Create suitable environments for various types of business and manufacturing uses and protect them from the adverse effects of incompatible uses; and

4. Allow flexibility to encourage redevelopment and positive improvements to existing uses; and

5. Help ensure that the appearance and operational impacts of business and manufacturing developments do not adversely affect the character of the areas in which they are located.

B. **B-1 Local Business District**. The B-1, local business district zoning designation is intended for the location of commercial and professional facilities that are especially useful in proximity to residential areas. The district is designed to provide convenient shopping and services that meet the needs and enhance the quality of life for surrounding residential neighborhoods. This district also encourages dwelling units located above the first floor of a permitted use to create mixed use buildings.

C. **B-2 Mixed-Use Business District**. The B-2, mixed-use business zoning designation is intended to accommodate pedestrian oriented mixed-use corridors and districts with a range of business, service, office, and residential uses including the Downtown.

D. **B-3 General Business District.** The B-3, general business district zoning designation is intended for the location of a broad range of commercial uses, including small-scale and large-scale businesses. These uses are usually oriented toward automobile access and visibility; therefore, they are typically set along major arterial roads. The businesses in this district are meant to serve regional as well as local customers. This district also encourages dwelling units located above the first floor of a permitted use to create mixed use buildings.

E. **M-1 Limited Manufacturing District**. The M-1 limited manufacturing district zoning designation is intended to provide for the location of a broad range of warehousing, manufacturing, and industrial uses of minimal environmental impact. The intensity and impact of uses shall be controlled through the special use permitting process to ensure compatibility with adjacent land uses through the minimization of off-site impacts. Related uses such as indoor event or recreation conversions or employee supporting educational, service or limited commercial uses may also be appropriate.

F. **M-2 General Manufacturing District.** The M-2 general manufacturing district zoning designation is intended to provide for the location of manufacturing, industrial, and related uses that have greater off-site impacts than those in the M-1 limited manufacturing district. The district is intended to ensure the compatibility of the manufacturing and industrial uses with surrounding residential and commercial uses and to minimize off-site impacts such as noise, traffic, and visual qualities.

10-3-7. Purpose of Open Space and Institutional Districts

A. **A-1 Agricultural District**. The A-1, Agricultural district zoning designation is intended to accommodate areas where the conditions are best suited for agricultural pursuits or where essential community facilities or utilities do not yet or are not reasonably expected to serve the property.

B. **OS Open Space District**. The OS, open space district designation is intended to govern the use of city owned green space and park land in the city of Yorkville. This zoning district shall apply to all existing and newly annexed land currently used or intended for use as open space, recreational areas, and parks identified in Yorkville's park and recreation master plan. These regulations are also intended to provide for the protection, conservation and utilization of high quality natural resources; preservation of wildlife habitats; creation of scenic vistas; provision of public gathering areas or facilities for safe and accessible outdoor space; connectivity between other green infrastructure via bike and hiking trails and paths; and to maintain or establish appropriate buffers between differing land use types or intensities.

C. **PI Public Institutional District**. The PI, Public Institutional district zoning designation is intended to provide for the location of properties used or operated by a public entity or private institution. The purpose of the PI District is to recognize that public and institutional facilities provide necessary services to the community.

10-3-8. Overlay Districts

A. All provisions of this title, to the extent that they do not conflict with the standards delineated in this section, shall remain in full force and effect for all properties subject to the provisions of this section.

B. The standards found in this section shall be used by property owners, developers, City staff members, the Planning and Zoning Commission and the City Council during the design and review of development and redevelopment proposals within the overlay districts. These standards and criteria complement and add to those contained within the City's Comprehensive Plan, as amended, Yorkville Downtown Overlay District Form-Based Code, this title and other land use regulations.

C. **D-O Downtown Overlay District**. The D-O, Downtown Overlay district designation is intended to guide the development of a mix of uses and a pedestrian oriented environment, to provide for a mix of housing types for people of all ages and lifestyles, and to achieve development that is appropriate in scale and intensity for the overlay district and adjacent neighborhoods.

D. **Planned Unit Development**. The Planned Unit Development designation signifies that a Planned Unit Development has been approved as provided in Section 10-8-8.

10-3-9. Bulk and Dimensional Standards

A. Table 10-3-9(A) Bulk and Dimensional Standards establishes the requirements applicable to the development or use of a lot in a given district.

Table 10-3-9(A) Bulk and Dimensional Standards

Zone	Min. Lot Size	Min. Lot Size per DU (For Single-Unit Attached Uses)	Maximum Density (For Multi-Unit Uses)	Min. Lot Width	Max. Lot Coverage	Setbacks			Max. Building Height	Dwelling Unit Max. Height
						Min. Front	Min. Side* [5]	Min. Rear [5]		
A-1	-	-	-	-	-	100' [1]	50'	-	80' [3]	30'
R-1	18,000 sq. ft.	-	-	100'	50%	40'	15' (40')	50'	30'	30'
R-2	12,000 sq. ft.	-	-	80'	45%	30'	10' (30')	40'	30'	30'
R-2D	15,000 sq. ft.	9,000 sq.ft.	-	100'	50%	30'	10' (30')	30'	30'	30'
R-3	9,000 sq. ft. [2]	7,000 sq.ft.	5 dwelling units/acre [2]	70' (90' for attached units)	70%	30'	10' (20')	30'	80'	30'
R-4	15,000 sq. ft. [2]	5,000 sq.ft.	8 dwelling units/acre	70' (90' for attached units)	70%	30'	12' or 60% of building height (20')	40'	80'	40'
B-1	8,000 sq. ft.	-	-	-	80%	30'	20'	20'	80'	-
B-2	-	-	-	-	85%	0'	-	20'	80'	-
B-3	10,000 sq. ft.	-	-	-	80%	50'	20' (30')[4]	20'	80'	-
M-1	-	-	-	-	85%	25'	Min. 10% of lot and max. 20'	-	-	-
M-2	-	-	-	-	85%	25'	Min. 10% of lot and max. 20'	-	-	-
PI	-	-	-	-	85%	25'	20' (25')	20'	80'	-
OS	-	-	-	-	-	30'	10'	20'	80'	-

Notes:

* Dimensions within ( ) = requirement for side yards adjoining a street.

1. 200 feet along Illinois Routes 34, 47, 71 and 126.

2. Nonresidential principal uses shall have a minimum lot size of 15,000 square feet and 100 foot width. A one-story structure shall have a minimum of 1,200 square feet and a two-story structure shall have a minimum of 1,400 square feet of livable space.

3. 100 foot structure height shall be allowed for silos on sites with agricultural uses.

4. Parking lots in the B-3 district located adjacent to an arterial roadway, as defined in the city's comprehensive plan, must maintain a minimum setback of 20 feet from the property line and 10 feet from nonarterial roadways.

5. The minimum setback required may be less than the width of the transition yard required by use as specified in Section 10-5-3(F)(3), in which instance, the more stringent width required by the transition yard shall apply.

B. Minimum building separations in the R-3 District shall be as detailed in Table 10-3-9(B) below.

Table 10-3-9(B) Building Separation Requirements in R-3	
Separation Type	*Requirement*
Side to side	20 feet
Side to rear	40 feet
Rear to rear	60 feet
Front to side	50 feet
Front to front	50 feet
Rear to front	100 feet

10-3-10. Calculating Bulk and Dimensional Standards

A. **Lot Width**. Minimum lot width shall be measured at the required front yard setback line.

Figure 3.1. Lot Width

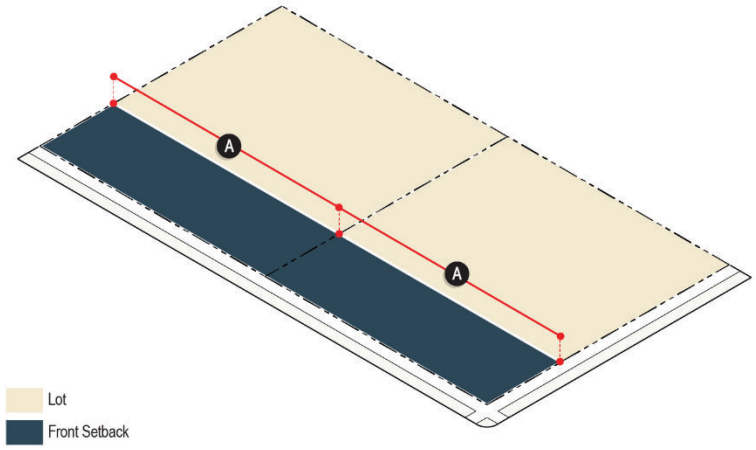
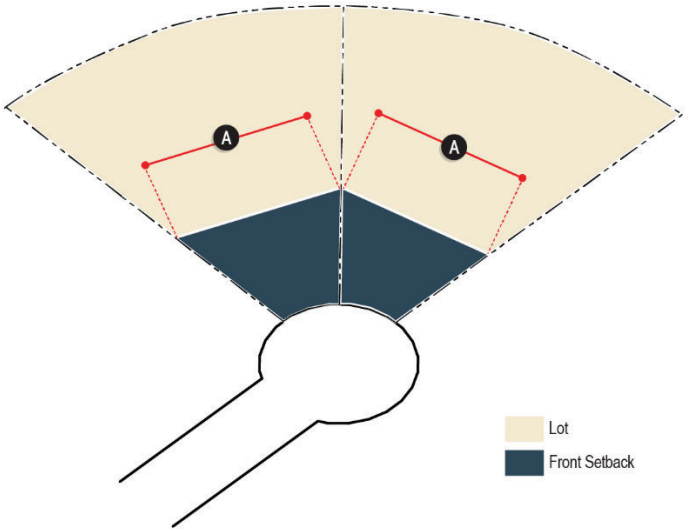
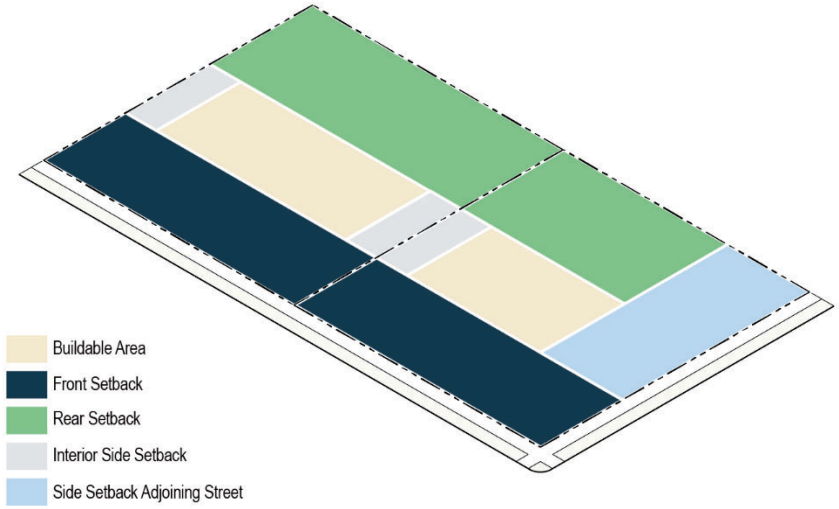


Figure 3.2. Lot Width For Lots Abutting a Cul-De-Sac



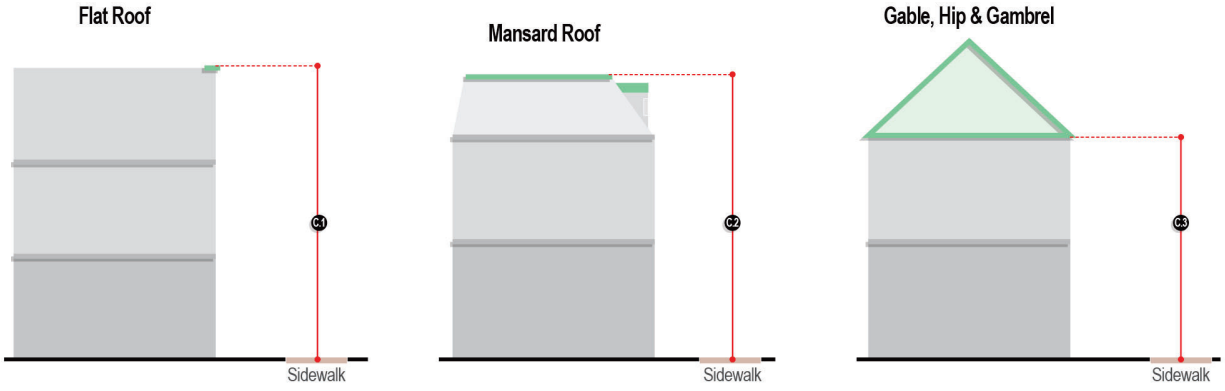
B. **Setbacks**. A required setback shall be measured by the shortest distance between the applicable lot line and nearest point of the principal use or building or any required yards or fences, except any building features specified in section 10-3-11, which shall not be subject to required setbacks.

Figure 3.3. Setbacks



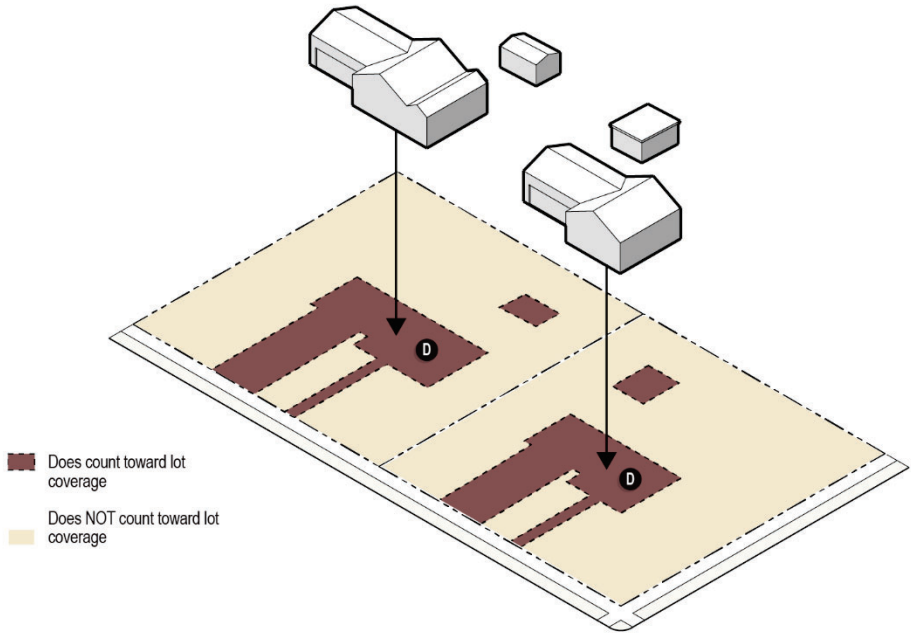
C. **Height**. Building and dwelling unit height shall be the vertical distance measured from the sidewalk level or its equivalent established grade opposite the middle of the front of the building to the:
1. *Flat Roof*: highest point of the roof,
2. *Mansard Roof*: deck line of roof, or
3. *Gable, Hip, or Gambrel Roof*: lowest point at which the rafters meet the top of the exterior wall.

Figure 3.4. Height



D. **Lot Coverage**. Lot coverage shall be that portion of the lot occupied by the principal building or buildings, accessory buildings, and all other impervious areas such as driveways, roads, sidewalks, parking lots and structures, and any area of concrete asphalt.

Figure 3.5. Lot Coverage



10-3-11. Permitted Yard Setback Obstructions

Every part of a required yard setback shall be open and unobstructed from finished grade upward, except as specified in Table 10-3-11 below or as allowed for accessory buildings and structures as detailed in Section 10-4-15(A).

Table 10-3-11 Permitted Yard Setback Obstructions					
Permitted Obstruction	**Required Yards**				
	All	*Front*	*Side*	*Rear*	*Regulation*
Permanent Structures					
Accessory Structures	P	P	P	P	*Shall maintain a minimum distance of 5 feet from*
Arbors and trellises	P	P	P	P	-
Awnings and canopies	P	P	P	P	*Must adjoin a principal structure and may project 3 feet into required yard.*
Balconies and breezeways	-	-	-	P	*May proejct 3 feet into the required yard.*
Chimneys	P	P	P	P	*May project 18 inches into the required yard.*
Enclosed, attached or detached off-street parking	-	-	-	P	-
Flagpoles	P	P	P	P	-
Landscaping	P	P	P	P	Landscaping obstructions within dedicated stormwater overflow routes may be limited or restricted, per the approval of the City Engineer.
One-story bay windows	P	P	P	P	*May project 3 feet or less into the required yard.*
Open porches	P	-	-	-	*May project 5 feet into the yard.*
Open terraces and decks	P	P	P	P	*Shall not project over 4 feet above the average level of the adjoining ground but not including a permanently roofed over terrace or porch.*
Ornamental light standards	-	P	P	-	-
Overhanging eaves and gutters	-	P	P	P	*May project 3 feet or less into the yard. May project into a required side yard for a distance not exceeding 40 percent of the required yard width.*
Steps	P	P	P	P	*Steps 4 feet or less above grade which are necessary for access to zoning lot from a street or alley.*
Temporary Structures					
Air conditioning units	-	-	P	P	*May project for a distance not exceeding 10 percent of the required yard width, but in no case exceeding 12 inches.*
Recreational equipment	-	-	-	P	-
Temporary accessory structures	P	P	P	P	-

10-3-12. Permitted and Special Uses

A. The following key shall be used in the interpretation of Table 10-3-12(B) Permitted and Special Uses below.

1. **Permitted Uses**. Uses which are marked as "P" in the tables shall be allowed subject to all applicable regulations of this title.

2. **Special Uses**. Uses which are marked as "S" in the tables shall be allowed upon the approval of a special use permit, as detailed in Section 10-8-5 of this title.

3. **Temporary Uses**. Uses which are marked as "T" in the tables shall be allowed upon the approval of a temporary use permit, as detailed in Section 10-8-3(F) of this title.

4. **Prohibited Uses**. Uses which are marked as "-" shall be prohibited in the respective district unless it is otherwise expressly allowed by other regulations of this title.

5. **Uses Not Listed**. If a proposed use is not listed in the tables, the Zoning Administrator shall determine if the use is substantially similar to a use listed in the tables. If it is, the use shall be treated in the same manner as the substantially similar use. If not, the use shall be regarded as prohibited.

6. **Additional Regulation**. If a use has use specific standards, they are referenced in this column. Use specific standards shall apply to permitted and special uses.

B. Table 10-3-12(B) Permitted and Special Uses establishes the allowed uses in the City's zoning districts.

Table 10-3-12(B) Permitted and Special Uses

Use Category	Additional Regulation	Zoning Districts												
		Ag	Open Space	Residential					Business			Mfg.		Inst.
		A-1	OS	R-1	R-2	R-2D	R-3	R-4	B-1	B-2	B-3	M-1	M-2	PI
Agricultural Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Agricultural uses		P	S	-	-	-	-	-	-	-	-	-	-	P
Apiaries	10-4-1(A)	P	P	-	-	-	-	-	-	-	-	-	-	P
Commercial feeding of fish, poultry, livestock		S	-	-	-	-	-	-	-	-	-	-	-	-
Cultivation of nonfood crops and seeds used of cellulosic biofuels production		P	-	-	-	-	-	-	-	-	-	-	-	-
Farming /Cultivation		P	T	-	-	-	-	-	-	-	-	-	-	-
Forestation		P	-	-	-	-	-	-	-	-	-	-	-	-
Grain elevators and storage		P	-	-	-	-	-	-	-	-	-	-	-	-
Nursery/greenhouses		S	-	-	-	-	-	-	-	-	P	P	P	P
Recreational camp - private		S	S	-	-	-	-	-	-	-	-	-	-	-
Riding academies with stables		S	-	-	-	-	-	-	-	-	-	-	-	-
Roadside stand		P	-	-	-	-	-	-	-	-	-	-	-	-
Stables or paddocks		P	-	-	-	-	-	-	-	-	-	-	-	-
Residential Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Dwelling, duplex	10-4-2(A)	-	-	-	-	P	P	P	-	-	-	-	-	-
Dwelling, multi-unit	10-4-2(B)	-	-	-	-	-	P	P	P	S	S	-	-	-
Dwelling, single-unit		P	-	P	P	P	P	P	-	-	-	-	-	-

Table 10-3-12(B) Permitted and Special Uses

Use Category	Additional Regulation	Zoning Districts												
		Ag	Open Space	Residential					Business			Mfg.		Inst.
		A-1	OS	R-1	R-2	R-2D	R-3	R-4	B-1	B-2	B-3	M-1	M-2	PI
Dwelling, townhouse	10-4-2(C)	-	-	-	-	-	P	P	-	-	-	-	-	-
Mobile home park	10-4-2(D)	-	-	-	-	-	S	S	-	-	-	-	-	-
Senior housing, dependent		S	-	S	S	S	S	S	P	P	-	-	-	P
Senior housing, independent		S	-	P	P	P	P	P	P	P	-	-	-	P
Lodging Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Bed and breakfast inn		S	-	S	-	-	-	-	S	P	P	-	-	-
Hotel/Motel		-	-	-	-	-	-	-	-	P	P	-	-	-
Short-term rental	10-4-3(A)	-	-	P	P	P	P	P	-	-	-	-	-	-
Commercial Retail Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Adult uses	10-4-4(A)	-	-	-	-	-	-	-	-	-	-	S	S	S
Building material sales		-	-	-	-	-	-	-	-	P	P	P	P	-
Liquor store		-	-	-	-	-	-	-	P	P	P	-	-	-
Pawnbrokers/pawnshops		-	-	-	-	-	-	-	P	P	P	S	-	-
Retail store, general - less than one (1) acre		-	-	-	-	-	-	-	P	P	P	S	-	-
Retail store, general greater than one (1) acre		-	-	-	-	-	-	-	-	-	P	-	-	-
Commercial Service Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Adult daycare facility		-	-	S	S	S	S	-	P	P	P	S	S	S
Animal hospital		S	-	-	-	-	-	-	-	-	P	S	-	-
Art galleries/art studio		-	-	-	-	-	-	-	-	P	P	P	-	P
Auction house		P	-	-	-	-	-	-	-	-	-	-	-	-
Bank		-	-	-	-	-	-	-	P	P	P	-	-	S
Campground		S	S	-	-	-	-	-	-	S	S	-	-	-
Commercial laboratory		-	-	-	-	-	-	-	P	P	P	P	-	-
Commercial/trade school		-	-	-	-	-	-	-	P	P	P	S	-	-
Daycare facility		-	-	S	S	S	S	-	P	P	P	S	S	S
Dry Cleaning Establishment		-	-	-	-	-	-	-	P	P	P	-	-	-
Entertainment production studios		-	-	-	-	-	-	-	P	P	P	P	-	-
Financial institutions and services		-	-	-	-	-	-	-	P	P	P	-	-	-
Funeral home/mortuary/crematorium		-	-	-	-	-	-	-	P	P	P	-	-	-
Health and fitness club/center		-	-	-	-	-	-	-	-	P	P	P	-	-
Indoor shooting gallery/range	10-4-5(A)	-	-	-	-	-	-	-	S	S	S	S	S	-
Kennel, commercial or private dog kennels		S	-	-	-	-	-	-	-	-	P	S	-	-
Massage establishment	3-9	-	-	-	-	-	-	-	S	S	S	-	-	-

Table 10-3-12(B) Permitted and Special Uses

Use Category	Additional Regulation	Zoning Districts												
		Ag	Open Space	Residential					Business			Mfg.		Inst.
		A-1	OS	R-1	R-2	R-2D	R-3	R-4	B-1	B-2	B-3	M-1	M-2	PI
Casino and Off track betting (OTB) establishments		-	-	-	-	-	-	-	-	S	S	-	-	-
Professional care services		-	-	-	-	-	-	-	P	P	P	-	-	-
Professional services/offices		-	-	-	-	-	-	-	P	P	P	-	-	P
Storage, single-building climate controlled		-	-	-	-	-	-	-	-	-	P	P	P	-
Storage, outdoor self-storage	10-4-5(B)	-	-	-	-	-	-	-	-	-	-	S	S	-
Tattoo and body piercing establishment	3-10	-	-	-	-	-	-	-	P	P	P	P	P	-
Veterinary clinic		-	-	-	-	-	-	-	-	P	P	S	S	-
Commercial Entertainment Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Amusement park		S	S	-	-	-	-	-	-	-	S	S	S	S
Commercial entertainment, indoor		-	-	-	-	-	-	-	T	P	P	S	S	P
Commercial entertainment, outdoor	10-4-6(A)	-	-	-	-	-	-	-	S	S	S	S	S	P
Community / Recreation center		-	-	-	S	S	S	S	P	P	P	S	S	P
Golf course, miniature		S	-	-	-	-	-	-	-	-	P	-	-	-
Golf course	10-4-6(B)	S	-	P	P	P	P	P	-	-	-	-	-	-
Golf driving range		S	-	-	-	-	-	-	-	P	P	S	-	-
Indoor Event/Recreation Conversion		-	-	-	-	-	-	-	-	-	P	P	P	P
Outdoor music venues		-	-	-	-	-	-	-	S	S	S	S	-	-
Skating rink		-	-	-	-	-	-	-	-	P	P	S	S	-
Stadium		-	-	-	-	-	-	-	-	-	S	S	-	P
Swimming pool - indoor		-	P	-	-	-	-	-	P	P	P	S	-	P
Theater, live performance		-	-	-	-	-	-	-	P	P	P	-	-	-
Theater, motion picture		-	-	-	-	-	-	-	P	P	P	-	-	-
Eating and Drinking Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Brewery/Winery/Distillery tasting room		-	-	-	-	-	-	-	P	P	P	P	P	-
Brewpub	10-4-7(A)	-	-	-	-	-	-	-	P	P	P	P	P	-
Microbrewery	10-4-7(B)(1)	-	-	-	-	-	-	-	P	P	P	P	P	-
Microdistillery/Microwinery	10-4-7(B)(2)	-	-	-	-	-	-	-	P	P	P	P	P	-
Prepared Food Service Establishment		-	-	-	-	-	-	-	P	P	P	-	-	-
Restaurant		-	-	-	-	-	-	-	P	P	P	-	-	-
Tavern - nightclub or lounge		-	-	-	-	-	-	-	P	P	P	-	-	-
Medical Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Hospital		S	-	S	S	S	S	S	P	P	P	-	-	P
Medical clinic / office		-	-	-	-	-	-	-	P	P	P	-	-	-

Table 10-3-12(B) Permitted and Special Uses

Use Category	Additional Regulation	Zoning Districts												
		Ag	Open Space	Residential					Business			Mfg.		Inst.
		A-1	OS	R-1	R-2	R-2D	R-3	R-4	B-1	B-2	B-3	M-1	M-2	PI
Treatment center		-	-	-	-	-	-	-	P	P	P	-	-	-
Vehicle Related Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Automobile parts/accessories sales		-	-	-	-	-	-	-	-	P	P	-	-	-
Automobile rental	10-4-9(A)	-	-	-	-	-	-	-	-	P	P	-	-	-
Automobile repair		-	-	-	-	-	-	-	-	-	P	P	P	-
Automobile sales and service, enclosed	10-4-9(A)	-	-	-	-	-	-	-	-	-	P	P	P	-
Automobile sales and service, open sales lot	10-4-9(A)	-	-	-	-	-	-	-	-	-	S	S	S	-
Boat sales and rental	10-4-9(A)	-	S	-	-	-	-	-	P	P	P	P	-	P
Boat storage	10-4-9(B)	-	S	-	-	-	-	-	S	S	S	P	P	P
Car wash		-	-	-	-	-	-	-	-	-	P	P	P	-
Gasoline service station		-	-	-	-	-	-	-	-	S	S	S	S	-
Heavy machinery and equipment rental		-	-	-	-	-	-	-	-	S	P	P	P	-
Recreational vehicle sales and service	10-4-9(A)	-	-	-	-	-	-	-	-	-	P	P	P	-
Semi-truck repair		-	-	-	-	-	-	-	-	-	S	P	P	-
Truck and trailer sales/rental	10-4-9(A)	-	-	-	-	-	-	-	-	-	S	P	P	-
Truck, truck-tractor, truck trailer, car trailer or bus storage yard - not include motor freight terminal		-	-	-	-	-	-	-	-	-	S	P	P	-
Energy Industrial Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Battery Uses		-	-	-	-	-	-	-	-	-	-	P	P	-
Data Center		-	-	-	-	-	-	-	-	-	-	P	P	-
Refrigerated Warehouse (Cold Storage)		-	-	-	-	-	-	-	-	-	-	P	P	-
Industrial Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Aggregate materials extraction, processing and site reclamation (stone and gravel quarries)		-	-	-	-	-	-	-	-	-	-	-	S	-
Artisan manufacturing	10-4-11(A)	-	-	-	-	-	-	-	P	P	P	S	-	-
Assembly, production, manufacturing, testing, repairing, or processing, light	10-4-11(B)	-	-	-	-	-	-	-	-	-	S	P	-	-
Assembly, production, manufacturing, testing, repairing, or processing, heavy	10-4-11(B)	-	-	-	-	-	-	-	-	-	-	P	P	-
Bakery (wholesale)		-	-	-	-	-	-	-	S	S	S	P	P	-
Blacksmith or welding shop		S	-	-	-	-	-	-	-	-	P	P	P	-
Brewery/winery/distillery		-	-	-	-	-	-	-	S	S	P	P	P	-
Contractor facilities with outdoor storage		-	-	-	-	-	-	-	-	-	S	P	P	-

Table 10-3-12(B) Permitted and Special Uses

Use Category	Additional Regulation	Zoning Districts												
		Ag	Open Space	Residential					Business			Mfg.		Inst.
		A-1	OS	R-1	R-2	R-2D	R-3	R-4	B-1	B-2	B-3	M-1	M-2	PI
Dry cleaning plant		-	-	-	-	-	-	-	-	-	-	S	S	-
Manufacturer / sales of firearms and ammunition		-	-	-	-	-	-	-	-	-	-	P	P	-
Newspaper publishing		-	-	-	-	-	-	-	-	P	P	P	P	P
Research laboratories		-	-	-	-	-	-	-	-	-	-	P	P	-
Salvage Yards		-	-	-	-	-	-	-	-	-	-	-	S	-
Wholesaling and warehousing - local cartage express facilities - including motor freight terminal		-	-	-	-	-	-	-	-	-	-	P	P	-
Transportation Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Airport		S	-	-	-	-	-	-	-	-	-	S	S	S
Bus or truck garage		-	-	-	-	-	-	-	-	-	-	P	P	-
Bus or truck storage yard		-	-	-	-	-	-	-	-	-	-	P	P	-
Motor freight terminals		-	-	-	-	-	-	-	-	-	-	S	S	S
Railroad passenger station		S	-	S	S	S	S	S	S	S	S	S	S	S
Railroad repair shops, maintenance buildings and switching yards		S	-	S	S	S	S	S	S	S	S	S	S	S
Alternative Energy Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Solar farm	10-4-13(B)	S	S	-	-	-	-	-	-	-	-	S	S	S
Building mounted solar energy systems	10-4-13(C)	P	-	P	P	P	P	P	P	P	P	P	P	P
Freestanding solar energy systems - accessory use	10-4-13(D)	P	P	P	P	P	P	P	P	P	P	P	P	P
Freestanding solar energy systems - principal use	10-4-13(E)	S	S	S	S	S	S	S	S	S	S	S	S	S
Wind farm	10-4-13(F)	S	-	-	-	-	-	-	-	-	-	S	S	S
Building mounted wind energy system	10-4-13(G)	P	P	P	P	P	P	P	P	P	P	P	P	P
Freestanding wind energy system - accessory use	10-4-13(H)	P	P	P	P	P	P	P	P	P	P	P	P	P
Freestanding wind energy system - principal use	10-4-13(I)	S	S	S	S	-	-	-	-	-	-	S	S	S
Medical and Adult Use Cannabis Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Cannabis Craft Grower	10-4-14(B)	S	-	-	-	-	-	-	-	-	-	S	S	-
Cannabis Cultivation Center	10-4-14(C)	S	-	-	-	-	-	-	-	-	-	S	S	-
Cannabis Dispensing Organization	10-4-14(D)	-	-	-	-	-	-	-	-	-	S	S	S	-
Cannabis Infuser Organization	10-4-14(E)	-	-	-	-	-	-	-	-	-	S	S	S	-
Cannabis Processing Organization	10-4-14(F)	-	-	-	-	-	-	-	-	-	-	S	S	-

Table 10-3-12(B) Permitted and Special Uses

Use Category	Additional Regulation	Zoning Districts												
		Ag	Open Space	Residential					Business			Mfg.		Inst.
		A-1	OS	R-1	R-2	R-2D	R-3	R-4	B-1	B-2	B-3	M-1	M-2	PI
Cannabis Transporting Organization	10-4-14(G)	-	-	-	-	-	-	-	-	-	-	S	S	-
Institutional, Public, and Utility Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Antennae and Antennae Structures (other)		P	P	P	P	P	P	P	P	P	P	P	P	P
Antennae and Antennae Structures (For Radio or Television Transmission)		S	S	S	S	S	S	S	S	S	S	S	S	S
Cemetery		S	S	S	S	S	S	S	-	-	-	-	-	P
College, university or junior college		S	-	S	S	S	S	S	P	P	P	-	-	P
Communications use		S	-	-	-	-	-	-	-	-	-	-	-	P
Electric substation		S	S	S	S	S	S	S	P	P	P	P	P	P
Filtration plant		S	-	S	S	S	S	S	-	-	-	P	P	P
Fire station		P	-	P	P	P	P	P	P	P	P	P	P	P
Library		-	-	P	P	P	P	P	P	P	P	-	-	P
Parks		P	P	P	P	P	P	P	P	P	P	P	P	P
Place of worship/assembly		S	-	S	S	S	S	S	P	P	P	S	S	P
Playground		-	P	P	P	P	P	P	P	P	P	-	-	P
Police station		P	-	P	P	P	P	P	P	P	P	P	P	P
Post office		-	-	-	-	-	-	-	P	P	P	-	-	P
Preschool		-	-	P	P	P	P	P	-	-	-	-	-	P
Public utility - electric substations and distribution centers, gas regulation centers and underground gas holder stations		S	S	-	-	-	-	-	-	-	-	P	P	P
Public utility facilities (other)		S	-	P	P	P	P	P	-	-	-	P	P	P
Radio and television towers - commercial	10-4-15(A)	P	-	-	-	-	-	-	P	P	P	P	P	S
Sanitary landfill		S	-	-	-	-	-	-	-	-	-	S	S	S
School, public or private		-	-	P	P	P	P	P	-	-	-	S	S	P
Sewage treatment plant		-	-	S	S	S	S	S	-	-	-	P	P	P
Solid waste disposal site		-	-	-	-	-	-	-	S	S	S	P	P	P
Towers		P	-	-	-	-	-	-	P	P	P	P	P	-
Utility company maintenance yard		-	-	-	-	-	-	-	-	-	-	P	P	P
Utility service yard or garage		-	-	-	-	-	-	-	-	-	-	P	P	P
Accessory Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Accessory Building	10-4-16(A)	P	P	P	P	P	P	P	P	P	P	P	P	P
Accessory Commercial Unit	10-4-16(B)	S	-	S	S	S	S	-	-	-	-	-	-	-
Accessory Structures, Permanent	10-4-16(A)	P	P	P	P	P	P	P	P	P	P	P	P	P

Table 10-3-12(B) Permitted and Special Uses														
Use Category	Additional Regulation	Zoning Districts												
		Ag	Open Space	Residential					Business			Mfg.		Inst.
		A-1	OS	R-1	R-2	R-2D	R-3	R-4	B-1	B-2	B-3	M-1	M-2	PI
Antennae and Antennae Structures (other)	10-4-15(A)	P	P	P	P	P	P	P	P	P	P	P	P	P
Antennae and Antennae Structures (For Radio or Television Transmission)	10-4-15(A)	P	P	P	P	P	P	P	P	P	P	P	P	P
Community Garden		P	P	P	P	P	P	P	P	P	P	P	P	P
Daycare Facility, Part-Day		-	-	P	P	P	P	-	P	P	P	P	P	P
Domesticated Hens	8-19	-	-	P	P	-	-	-	-	-	-	-	-	-
Drive Throughs	10-4-16(D)	-	-	-	-	-	-	-	P	P	P	-	-	-
Dwelling, accessory	10-4-16(E)	P	-	P	P	P	P	-	-	-	-	-	-	-
Recreational vehicle, trailer, and boat parking	10-4-16(F)	P	P	P	P	P	P	-	-	-	-	-	-	-
Home occupations	10-4-16(G)	P	-	P	P	P	P	P	-	P	-	-	-	-
Outdoor displays	10-4-16(H)	P	P	-	-	-	-	-	P	P	P	P	P	-
Towers	10-4-15(A)	P	-	P	P	-	-	-	P	P	P	P	P	-
Vehicle Charging Stations		P	P	P	P	P	P	P	P	P	P	P	P	P
Temporary Uses		*A-1*	*OS*	*R-1*	*R-2*	*R-2D*	*R-3*	*R-4*	*B-1*	*B-2*	*B-3*	*M-1*	*M-2*	*PI*
Accessory Structures, Temporary	10-4-17(A)	T	T	T	T	T	T	T	T	T	T	T	T	T
Mobile food vendor vehicles and retail vendor vehicles	10-4-17(B)	T	T	T	T	T	T	T	T	T	T	T	T	T
Storage of roadway construction materials and equipment	10-4-17(C)	T	T	T	T	T	T	T	T	T	T	T	T	T
Portable Outdoor Storage Device	10-4-17(D)	T	T	T	T	T	T	T	T	T	T	T	T	T
Temporary and seasonal uses	10-4-17(E)	-	-	-	-	-	-	-	T	T	T	-	-	-
Tents		T	T	T	T	T	T	T	T	T	T	T	T	T

10-3-13. Downtown Overlay District

A. **Introduction.**

1. Titl**e.** This Section shall be known, cited, and referred to as the United City of Yorkville Downtown Overlay District Code. Any reference to this chapter following its effective date shall mean this entire chapter as it may hereafter be amended.

2. **Intent.** It is the intent of this chapter to provide development standards to the United City of Yorkville for downtown and adjacent redevelopment areas that promote public health, safety, and general welfare of the community, including, but not limited to the specific purposes set forth below.

   a. To guide the development of a mix of uses and a pedestrian-oriented environment as established in the United City of Yorkville 2016 Comprehensive Plan, adopted September 2016, and the 2019 Yorkville Downtown Overlay District Streetscape Master Plan.

b. To provide for a mix of housing types within the downtown overlay district and adjacent areas for people of all ages and lifestyles.

c. To achieve development that is appropriate in scale and intensity for the downtown overlay district and adjacent neighborhoods.

3. **Overview of the code.**

a. **Districts.** These regulations are organized within street types for adoption into the City's existing code. These zoning districts shall be mapped on the City's zoning map; however, the primary streets designation shall be referenced from Figure 10-21-2G (4). The following districts are established for mixed use, commercial, and residential development within downtown and adjacent redevelopment areas. Figure 10-21-1B (1) illustrates the locations for the districts.

(1) Bridge Street District

(2) S2: Hydraulic Street District

(3) S3: Van Emmon Street District

(4) S4: "B" Street District

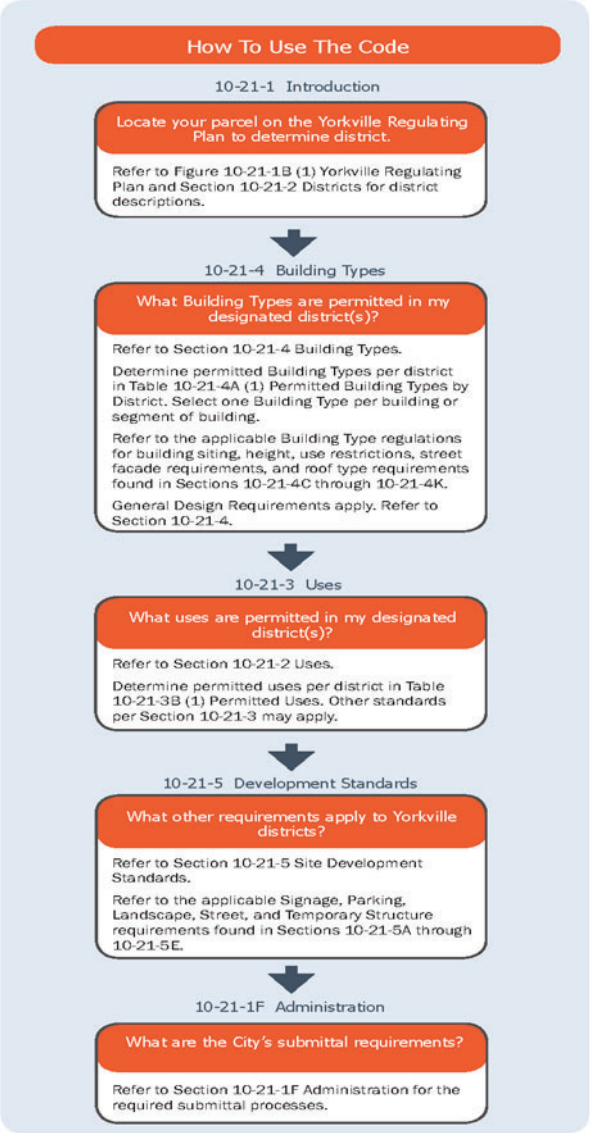
(5) S5: "B" Street-Residential District

b. **Building types.** Six (6) building types are defined for use in the street districts. A mix of building types are typically permitted per district. These building types outline the desired building forms for the new construction and renovation of structures and contain regulations that determine physical building elements such as build-to-zones, transparency levels, entrance location, and parking location. Refer to Figure 10-21-4A (1) for a typical building type page layout.

c. **Site development standards**. The site development standards provide references to other City ordinances or parts of the zoning ordinance and may include additional information or revision to those ordinances applicable only to the street districts. These include signage, parking, and landscape.

4. **Applicability.** These regulations apply to the downtown and adjacent redevelopment areas within the City as mapped on the City's zoning map. Refer to Figure 10-21-1B (1) for affected parcels.

5. **Conflicting Provisions.** In any instance in which the provisions of this section overlap or conflict with other areas of the UDO, the requirements of this section shall govern.



6. **How to use the code**. Refer to Figure 10-21-1D (1) for a step by step illustration about applying the code to a parcel. Throughout this section, call out boxes titled "How to Use the Code" appear with code application instructions.

7. **Development approval process.**

   a. **Site plan review.** An approved site plan is required for the development or redevelopment of all parcels in any district (refer to 10-4 of the zoning ordinance) with the following revisions:

      (1) The Community Development Director may approve a major site plan if the site plan complies with all requirements of the City's zoning ordinance. If the Community Development Director denies approval of a major site plan, including the provision of written comments as to the reason for such denial, the denial may be appealed by the applicant to the Planning and Zoning Commission for review. The Planning and Zoning Commission shall then recommend approval to City Council the major site plan, recommend approval to City Council of the major site plan with conditions, or recommend denial of the site plan to City Council.

b. **Deviations.** The applicant shall submit requested deviations to the Community Development Director with the site plan application. The Community Development Director may approve deviations to a site plan for the following:

(1) **Minor deviations.** The Community Development Director may approve minor deviations to any dimension or percentage as follows:

(a) The location of the building within up to one (1) foot from any minimum yard requirement or build-to zone width/location.

(b) Up to five percent (5%) increase in total impervious coverage, not to exceed the total amount of permitted impervious plus semi-pervious coverage.

(c) Up to five percent (5%) decrease in front property line coverage.

(d) Additional height of any story up to two (2) feet, as long as the overall building height does not exceed the allowable height of all floors at their maximum permitted height.

(2) **Design deviations.** The Community Development Director shall review and make a recommendation for the following deviations:

(a) **Alternative building materials.** The Director may approve alternative building materials from the requirements of section 10-21-5, with the exception of the prohibited materials. For approval, the applicant shall submit samples and local examples of the material a minimum of four (4) weeks prior to the review, to allow site visits to the location.

(b) **Facade variety alternative.** The Director may approve a reprieve from the facade variety requirements in section 10-21-4. The applicant shall submit fully rendered elevations and three (3) dimensional drawings of all street facades with materials samples for all surfaces to prove a higher quality building design with variation and relief from monotony.

(3) **Existing building deviations.** The Planning and Zoning Commission shall review and make a recommendation to City Council for the following deviations, when applied to the renovation of an existing building(s):

(a) For renovation of existing buildings, the maximum front property line coverage may be waived with an existing coverage of sixty percent (60%); however, any expansion on the ground story shall contribute to the extension of the front property line coverage.

(b) For renovation of existing buildings, the location of the building within up to five (5) feet from any minimum yard requirement or build-to zone width/location.

(c) For renovation of existing buildings, the minimum height of the ground story and upper story may be increased or decreased by up to two (2) feet for existing stories.

(d) For renovation of existing buildings, other required dimensions may be modified up to five (5) feet or ten percent (10%), whichever is less, unless otherwise modified by this section.

(4) **Nonconforming structures.**

(a) Nonconforming uses. Refer to chapter 10-15 of this title for nonconforming uses requirements with the following exception and addition.

(b) Nonconforming structures. The following regulations allow for the continuation of occupation of a structure that was legally constructed prior to the adoption or amendment to this chapter, but that could not occur under the provisions of this chapter.

(i) All building type standards apply to all new construction and renovation of existing structures, where the renovation includes an addition of more than sixty percent (60%) in gross building square footage.

(ii) When the existing front or corner facade is located within the build-to zone and a renovation of the front facade occurs with or without any added building square footage, the street facade requirements and entrance type requirements of any permitted building type shall be met when the renovation includes any of the following:

1. Installation of additional doors or a change in location of a door;

2. Expansion or change in location of thirty percent (30%) of windows on any street façade; or

3. Replacement of thirty percent (30%) or more of facade materials on any street facade with a different facade material.

(iii) When the existing building front or corner facade is located within the build-to zone and a renovation of the shape or style of the roof occurs with or without added building square footage, the roof type requirements of any permitted building type shall be met.

(iv) Under all circumstances, no portion of the building type standards must be met in the case of normal repairs required for safety and continued use of the structure, such as replacement of window or door glass.

(5) **Definitions.** For the purposes of this chapter, the following terms shall have the following meanings:

(a) **Applicant.** The owner of a subject property or the authorized representative of the owner on which a land development application is being made.

(b) **Block.** Refer to section 10-2-3 for definition.

(c) **Block depth**. A block measurement that is the horizontal distance between the front lot line on a block face and the front lot line of the parallel or approximately parallel block face.

(d) **Block ends.** The lots located on the end of a block; these Lots are often larger than the lots in the interior of the block or those at the opposite end of the block and can be located on a more intense street type. They are typically more suitable for more intensive development, such as multiple family or mixed use development.

(e) **Block face.** The aggregate of all the building facades on one (1) side of a block.

(f) **Block length.** A block measurement that is the horizontal distance along the front lot lines of the lots comprising the block.

(g) **Building type.** The facade of a structure defined by the combination of configuration, form, and function as it relates to the adjacent street. Refer to 10-21-4.B building type standards for more information and the list of permitted building types.

(h) **Build-to zone**. An area in which the front or corner side facade of a building shall be placed; it may or may not be located directly adjacent to a lot line. The zone dictates the minimum and maximum distance a structure may be placed from a lot line. Refer to Figure 10-21-1H (3).

(i) **Courtyard.** An outdoor area enclosed by a building on at least three (3) sides and is open to the sky.

(j) **Coverage, building.** The percentage of a lot developed with a principal or accessory structure.

(k) **Coverage, impervious site**. The percentage of a lot developed with principal or accessory structures and impervious surfaces, such as driveways, sidewalks, and patios. Refer to "lot coverage" in section 10-2.

(l) **Eave.** The edge of a pitched roof, typically overhangs beyond the side of a building.

(m) **Entrance type.** The permitted treatment types of the ground floor facade of a building type. Refer to section 10-21-41 for more information and a list of permitted entrance types.

(n) **Expression line.** An architectural feature consisting of a decorative, three (3) dimensional, linear element, horizontal or vertical, protruding or indented at least two (2) inches from the exterior facade of a building typically utilized to delineate the top or bottom of floors or stories of a building.

(o) **Facade.** The exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and design elements such as expression lines. The front facade is any building face adjacent to the front lot line.

(p) **Frontage district.** A type of zoning district specific to this article, where the location, height and bulk of structures is defined by building types. Refer to section 10-21-4.

(q) **Landscape area**. Area on a Lot not dedicated to a structure, parking or loading facility, frontage buffer, side and rear buffer, or interior parking lot landscaping. Landscape areas may include landscape, sidewalks, patios, or other pedestrian amenities.

(r) **Lot, flag.** Refer to section 10-2-3 for definition. Refer to Figure 10-21-1H (2).

(s) **Lot, interior.** For the purposes of this chapter, a parcel of land abutting a vehicular right-of-way, excluding an alley, along one (1) lot line; surrounded by lots along the remaining lot lines.

(t) **Lot, through.** Refer to section 10-2-3 for definition. Refer to Figure 10-21-1H (2).

(u) **Lot area.** Refer to section 10-2-3 for definition; it is typically denoted in square feet or acres.

(v) **Lot depth.** For the purposes of this chapter, the smallest horizontal distance between the front and rear lot lines measured approximately parallel to the corner and/or side lot line. Refer to Figure 10-21-1H (2).

(w) **Lot frontage.** Refer to section 10-2-3 for definition.

(x) **Lot line, corner.** for the purposes of this chapter, a boundary of a lot that is approximately perpendicular to the front lot line and is directly adjacent to a public right-of-way, other than an alley or railroad. Refer to Figure 10-21-1H (2).

(y) **Lot line, front.** For the purposes of this chapter, the boundary abutting a right-of-way, other than an alley, from which the required setback or build-to zone is measured, with the following exceptions:

  (i) Corner and through lots that abut a primary street (refer to Figure 10-21-2G (4)) shall have the front lot line on that primary street.

  (ii) Corner and through lots that abut two (2) primary streets or do not abut a primary street shall utilize the orientation of the two (2) directly adjacent lots, or shall have the front lot line determined by the director.

(z) **Lot line, rear.** Refer to section 10-2-3 for definition. Refer to Figure 10-21-1H (2).

(aa) **Occupied space.** Interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking.

(bb) **Open space**. Refer to section 10-2-3 (Public open space and usable open space) for definitions. Open space may also be utilized to host temporary private or community events, such as a farmer's market or art fair.

(cc) **Pedestrianway.** A pathway designed for use by pedestrians; it can be located mid-block allowing pedestrian movement from one street to another without traveling along the block's perimeter.

(dd) **Pervious surface.** Also referred to as pervious material. A material or surface that allows for the absorption of water into the ground or plant material, such as permeable pavers or a vegetated roof.

(ee) **Primary street.** A street that receives priority over other streets in terms of setting front lot lines and locating building entrances. Refer to Figure 10-21-2G (4) for mapped primary streets.

(ff) **Roof type.** The detail at the top of a building that finishes a facade, including a pitch roof with various permitted slopes and a parapet. Refer to 10-21-41 for more information and a list of the permitted roof types.

(gg) **Scale.** The relative size of a building, street, sign, or other element of the built environment.

(hh) **Semi-pervious surface.** Also referred to as semi-pervious material. A material that allows for at least forty percent (40%) absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, or gravel.

(ii) **Setback.** For the purposes of this chapter, the horizontal distance from a lot line inward, beyond which a structure may be placed. For the purposes of this chapter, structures and parking lots are not permitted within a setback, unless specifically stated otherwise in this chapter. Refer to Figure 10.21.1H (1).

(jj) **Solar reflectance index (SRI).** A measure of a constructed surface's ability to reflect solar heat, as shown by a small temperature rise. The measure utilizes a scale from zero (0) to one hundred (100) and is defined so that a standard black surface is zero (0) and a standard white surface is one hundred (100). To calculate for a given material, obtain the reflectance value and emittance value for the material; calculate the SRI according to ASTM E 1980-01 or the latest version.

(kk) **Story.** For the purposes of this chapter, a habitable level within a building measured from finished floor to finished floor. Refer to section 10-21-4 for dimensions.

(ll) **Story, ground.** Also referred to as ground floor. The first floor of a building that is level to or elevated above the finished grade on the front and corner facades, excluding basements or cellars.

(mm) **Story, half.** For the purposes of this chapter, a story either in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with transparency facing the street.

(nn) **Story, upper.** Also referred to as upper floor. The floors located above the ground story of a building.

(oo) **Street face.** The facade of a building that faces a public right-of-way.

(pp) **Street frontage.** Also refer to lot frontage. The portion of a building or lot directly adjacent to a vehicular right-of-way.

(qq) **Street termini.** At a three-way or "T" intersection, it is the location where one (1) street terminates at the other street.

(rr) **Streetwall.** The vertical plane created by building facades along a street. A continuous streetwall occurs when buildings are located in a row next to the sidewalk without vacant lots or significant setbacks.

(ss) **Transparency.** The measurement of the percentage of a facade that has highly transparent, low reflectance windows. Mirrored glass is not permitted.

(tt) **Visible basement.** A half story partially below grade and partially exposed above with required transparency on the street facade.

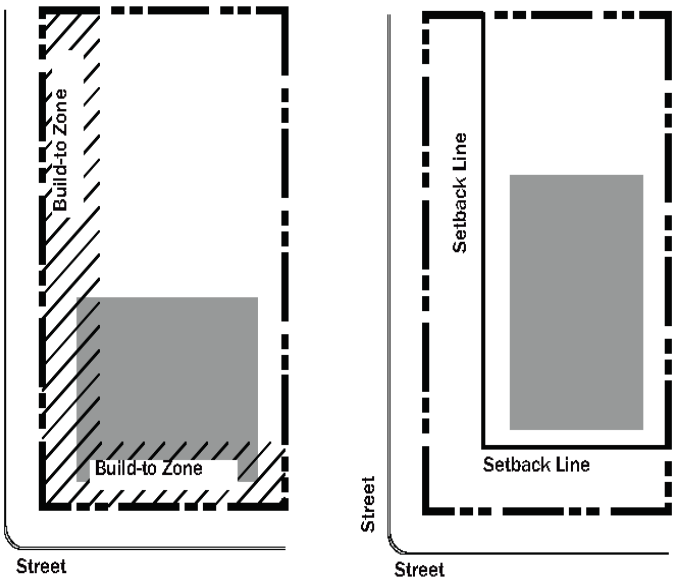
(uu) **Yard.** Refer to section 10-2-3 for definition. Refer to Figure 10-21-1H (3) Illustration of Yards. Note that the rear yard is fully screened from the street by the structure.

(i) **Yard, corner side.** A yard extending from the corner side building facade along a corner side property line between the front yard and rear property line.

(ii) **Yard, front.** Refer to section 10-2-3 for definition.

(iii) **Yard, rear.** Refer to section 10-2-3 for definition.

(iv) **Yard, side.** Refer to section 10-2-3 for definition.



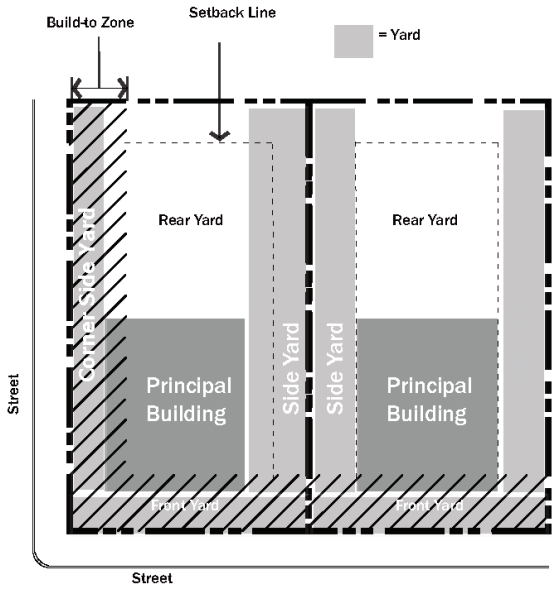


Figure 10-21-1H (3). Illustration of Yards.

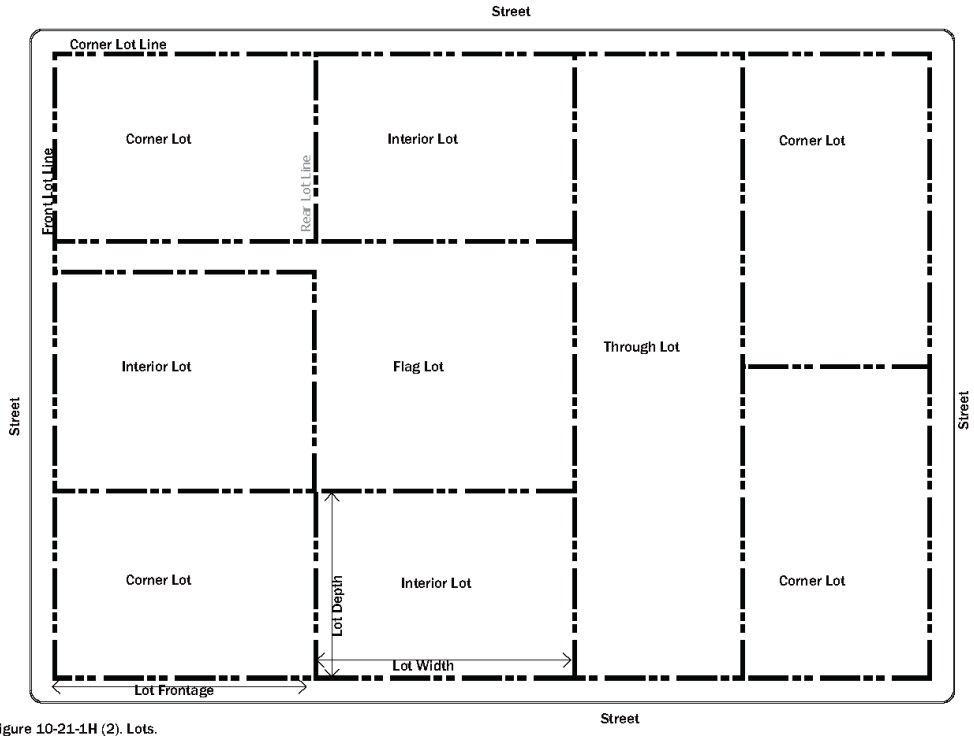


Figure 10-21-1H (2). Lots.

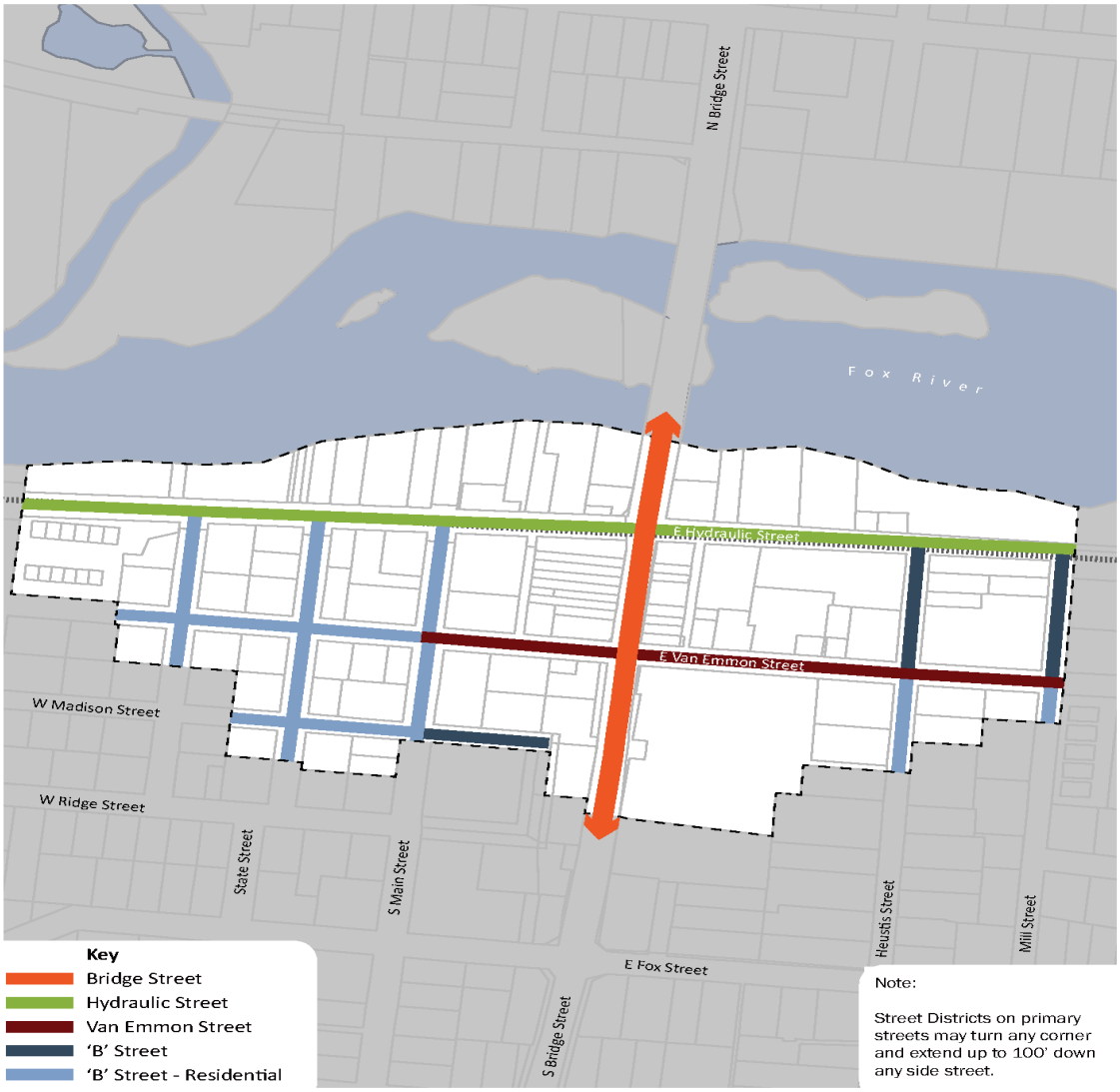


Figure 10-21-1B (1). Yorkville Form-Based Districts Regulating Plan.

8. **Districts**

a. The following districts are established for mixed use, commercial, and residential development within downtown and adjacent redevelopment areas. Figure 10-21-1B (1) illustrates the locations for the districts.

(1) S1: Bridge Street District

(2) S2: Hydraulic Street District

(3) S3: Van Emmon Street District

(4) S4: "B" Street District

(5) S5: "B" Street - Residential District

Bridge Street	
Building Placement	
Build-to Zone	0' to 10'
Space Between Buildings	
Attached	0'
Detached	5' to 10'
Building Volume	
Maximum Building Height	80'
Maximum Stories	6
Minimum Ground Floor Height	14'
Typical Street Attributes	
Typical ROW Width	72'
Number of Travel Lanes	4
Lane Width	10' to 13'
Dedicated Turn Lanes	1
Parking Lanes	none
Pavement Width	60'
Dedicated Bicycle Facilities	none
Pedestrian Realm	
Pedestrian Facilities	6' wide sidewalk
Street Buffer	concrete barrier

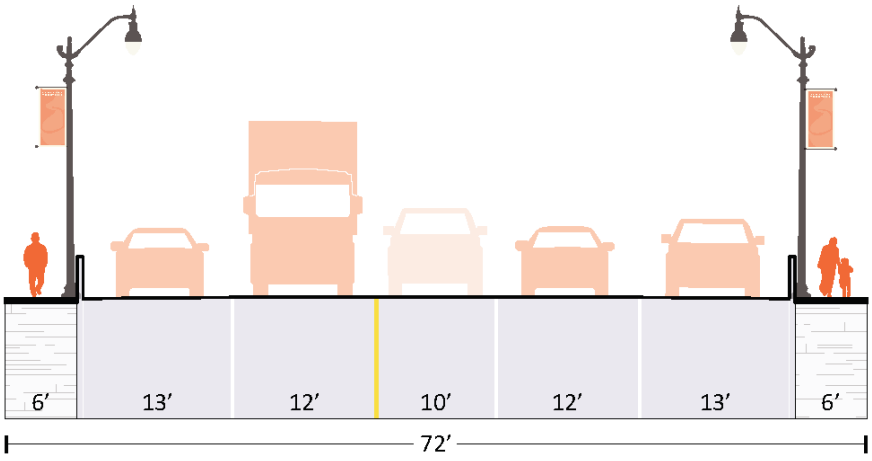


Figure 10-21-2A (1). Bridge Street (Long-term).

b. **S1: Bridge Street District.** The Bridge Street District may be considered the gateway into downtown Yorkville and retains potential to become the iconic stretch that helps draw people into local businesses and displays an attractive image that represents the people of Yorkville. The form of this retail and service-centered area establishes a street wall of storefront style-building facades with shallow build-to-zones along the sidewalk and parking in the rear or off-site. It focuses pedestrian-friendly retail and service uses on the ground story with office uses in upper stories.

Hydraulic Street	
Building Placement	
Build-to Zone	0' to 15'
Space Between Buildings	
Attached	0'
Detached	10'
Building Volume	
Maximum Building Height	60'
Maximum Stories	5
Minimum Ground Floor Height	14'
Typical Street Attributes[1]	
Typical ROW Width	48' to 66'
Number of Travel Lanes	2
Lane Width	10' to 12'
Dedicated Turn Lanes	none
Parking Lanes	1 lane of parallel parking on south side of street
Pavement Width	22'
Dedicated Bicycle Facilities	Multi-purpose lane on north side of street
Pedestrian Realm	
Pedestrian Facilities	6' to 8' wide sidewalk
Street Buffer	1 lane of parallel parking on south side of street; 4' planter on north side of multi-purpose street

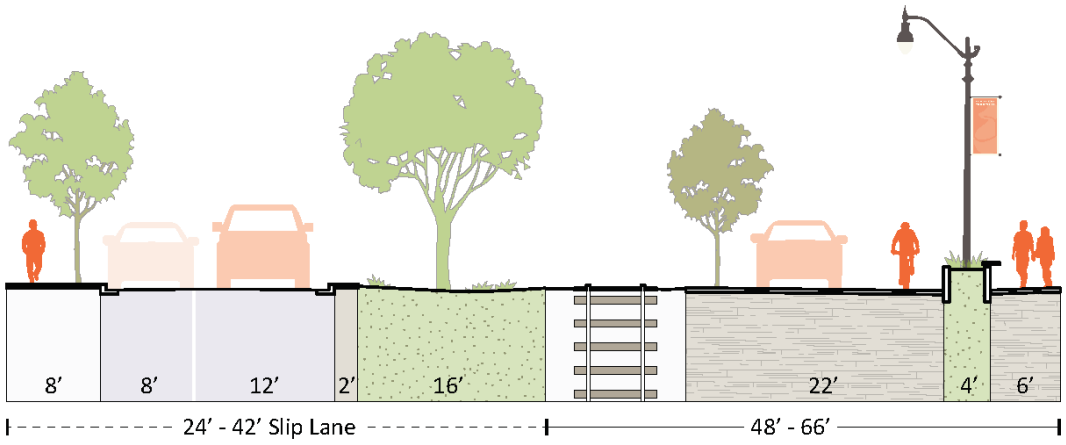


Figure 10-21-2B (1). Hydraulic Street (Long-term).

c. **S2: Hydraulic Street District:** The Hydraulic Street District includes complex conditions, including a tapering right-of-way that narrows from west to east and an active freight rail line that runs parallel to the street surface within the right-of-way. Hydraulic Street features short, utilitarian buildings, as well as an inoperable grain elevator, that create an eclectic mix of land uses and character. The form of this area remains pedestrian-centered but storefront-style buildings focus a broader spectrum of retail and service uses on the ground story with residential and/or office uses in upper stories.

(1) Notes: The streetscape master plan includes a proposed slip lane on the south side of Hydraulic Street between Bridge Street and Heustis Street. This table includes dimensions for the public right-of-way section of the street.

Van Emmon Street	
Building Placement	
Build-to Zone	0' to 20'
Space Between Buildings	
Attached	0'
Detached	10'
Building Volume	
Maximum Building Height	60'
Maximum Stories	5
Minimum Ground Floor Height	12'
Typical Street Attributes	
Typical ROW Width	60'
Number of Travel Lanes	2
Lane Width	12'
Dedicated Turn Lanes	none
Parking Lanes	1 lane of parallel parking on each side of street; permeable paving 1 lane of parallel parking each side of street (intermittent planting on south side to accommodate parking)
Pavement Width	24' to 40'
Dedicated Bicycle Facilities	none
Pedestrian Realm	
Pedestrian Facilities	8' to 12' wide sidewalk
Street Buffer	1 lane of parallel parking on north side of street; street trees or 1 lane of parallel parking on south side of street

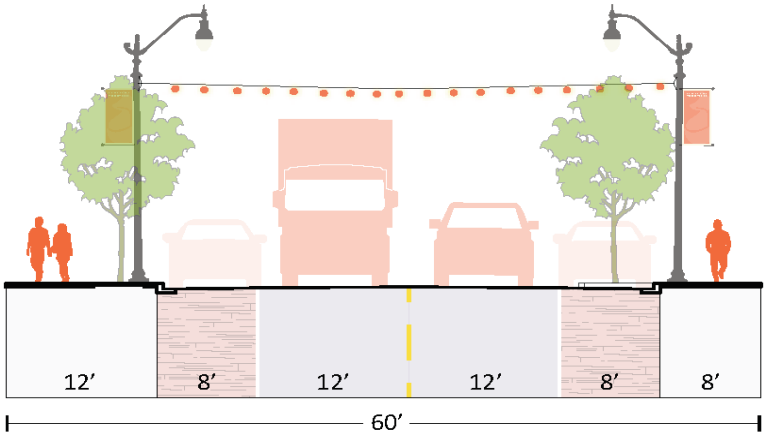


Figure 10-21-2C (1). Van Emmon Street (Long-term).

d. **S3: Van Emmon Street District.** The Van Emmon Street District is a lower scale district. Commercial, residential, and mixed use buildings make up this district in variety of building types. A broader spectrum of retail, service, and office uses support the Bridge Street and Hydraulic Street Districts and ground floor residential is permitted. The form of this area is pedestrian-centered, but allows for more vehicular access and off-street parking options.

'B' Street	
Building Placement	
Build-to-line Location	0' to 20'
Space Between Buildings	
Attached	0'
Detached	10'
Building Volume	
Maximum Building Height	60'
Maximum Stories	5
Minimum Ground Floor Height	9'
Typical Street Attributes	
Typical ROW Width	50'-60'
Number of Travel Lanes	2
Lane Width	11'
Dedicated Turn Lanes	none
Parking Lanes	1 lane of parallel parking each side of street (reduce planting where appropriate to accommodate parking)
Pavement Width	26'
Dedicated Bicycle Facilities	none
Pedestrian Realm	
Pedestrian Facilities	5' wide sidewalk
Street Buffer	13' swale and/or stormwater buffer; optional parking

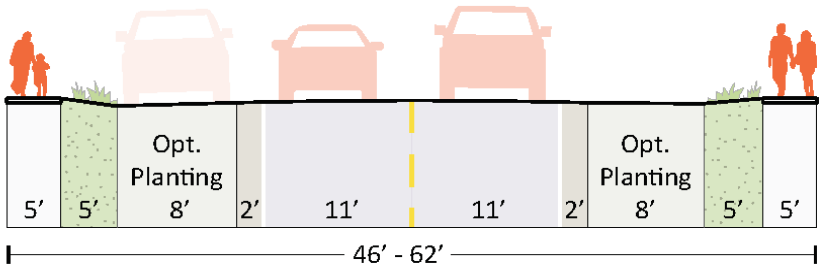


Figure 10-21-2D (1). 'B' Street (Long-term).

e. **S4: "B" Street District.** The "B" Street District is a lower scale commercial district designed to serve adjacent neighborhoods and the greater community. Flanked by the Hydraulic and Van Emmon Districts, a wider range of residential uses is permitted. As one of the main street types between primary thoroughfares, pedestrian access and safety remains a priority.

'B' Street - Residential	
Building Placement	
Build-to-line Location	0' to 15'
Space Between Buildings	
Attached	0'
Detached	10'
Building Volume	
Maximum Building Height	40'
Maximum Stories	3.0
Minimum Ground Floor Height	9'
Typical Street Attributes	
Typical ROW Width	50' to 60'
Number of Travel Lanes	2
Lane Width	11'
Dedicated Turn Lanes	none
Parking Lanes	1 lane of parallel parking each side of street (reduce planting where appropriate to accommodate parking)
Pavement Width	26'
Dedicated Bicycle Facilities	none
Pedestrian Realm	
Pedestrian Facilities	4' wide sidewalk
Street Buffer	13' swale and/or stormwater buffer; optional parking

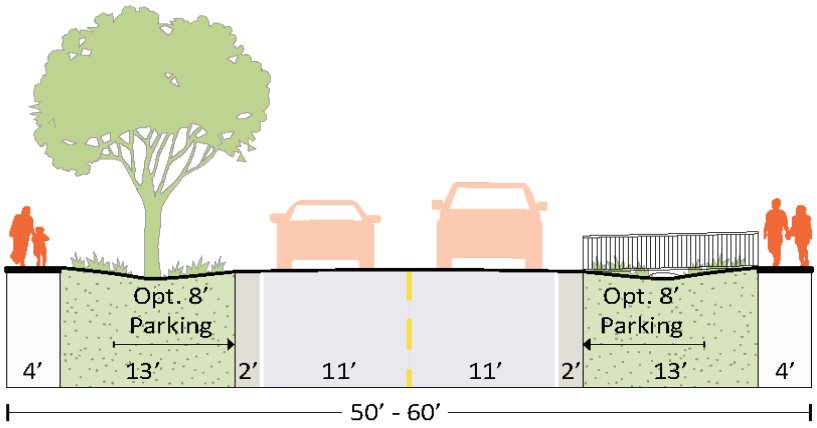


Figure 10-21-2E (1). 'B' Street - Residential (Long-term).

f. **S5: "B" Street - Residential District.** The "B" Street Residential District is a lower-scale residential district with a mix of townhouses and yard buildings. With a maximum height of six (6) stories under the general provision of the zoning code, this area provides for a mix of housing types adjacent to downtown for people of all ages and lifestyles.

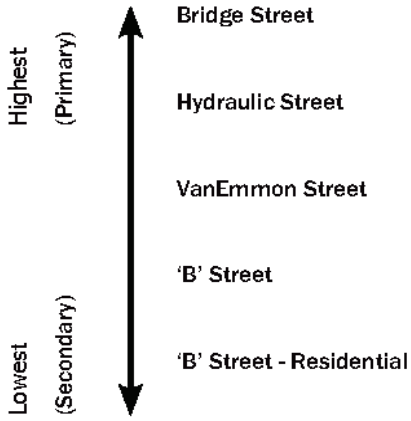


Figure 10-21-2G (1). Hierarchy of Street Types.

g. **Hierarchy of districts.** Development under this code is regulated by street type. The various street types are related to each other in a hierarchical manner. When these streets intersect, the primary street frontage is determined by its higher order in the hierarchy. The front of a building and its main entrance must face the primary street. Figure 10.21.2G (1) illustrates the hierarchy of street types.

h. **Primary streets.** The primary streets map designates primary, secondary, and tertiary streets within the downtown overlay district. These designations prioritize the street frontages for locating the front lot line for required amounts building frontage and allowable amounts of parking frontage. Refer to Figure 10.21.2G (4).

(1) **Vehicular access.** Vehicular access is also managed through this street prioritization within the building type requirements (refer to section 10-21-4). See Figure 10.21.2G (2) and Figure 10.21.2G (3) for illustration of permitted vehicular access locations.

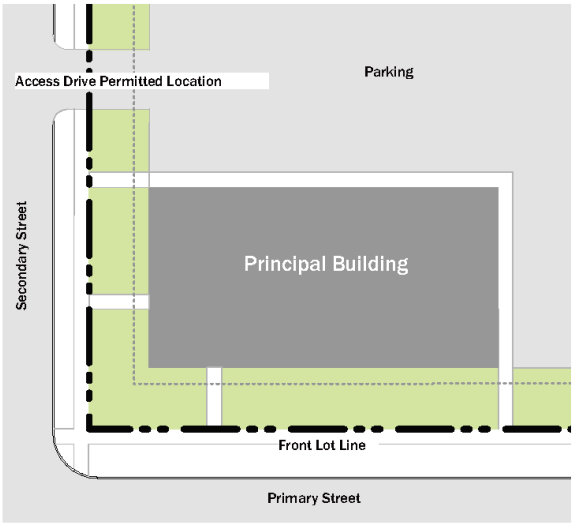


Figure 10-21-2G (2). Secondary Street Frontage: Access Drive Permitted Location

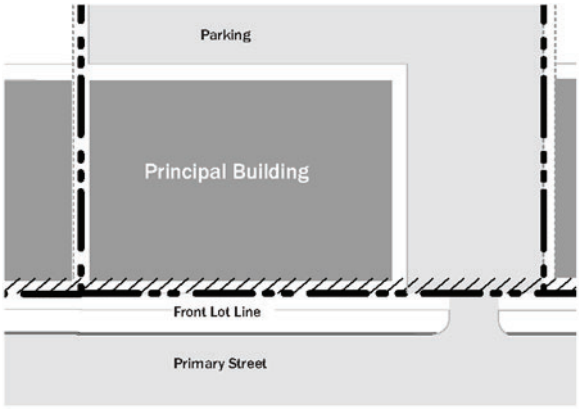


Figure 10-21-2G (3). Primary Street Frontage Only: Access Drive Permitted Location

(a) The order of access is typically as follows, unless otherwise permitted by building type:

(i) Lane (Tertiary Street) or alley (un-mapped) permits unlimited access.

(ii) If no lane or alley exists, one (1) driveway per secondary street frontage is permitted.

(iii) If no tertiary or secondary street abuts the parcel, one (1) driveway is permitted off the primary street and shared access with adjacent properties is encouraged.

(b) Refer to the subdivision control ordinance for additional requirements of vehicular access off adjacent streets. Interparcel access requirements shall be met.

(2) **Primary, secondary, and tertiary street designations.**

(a) **Primary streets.** Primary streets require the most intact and continuous streetwall with few, if any, driveway access. The front lot line shall always be located on the primary street. When a parcel is fronted by more than two (2) primary streets, the director shall determine which is the appropriate street for the front lot line. The determination should be based on locations of existing and other proposed development front lot lines.

(i) Vehicular access should not be located off a primary street, unless no other options exists. Refer to section 10-21-4 Building type requirements for allowances of vehicular access, if applicable.

(b) **Secondary streets.** Secondary streets are intended to have a fairly continuous streetwall, but will likely have a driveway for each parcel. If no tertiary street exists, access will likely be off the secondary street.

(c) **Tertiary streets.** Tertiary streets typically have no streetwall requirements and could be fronted by parking structures and parking lots with multiple drives and/or vehicular access points.

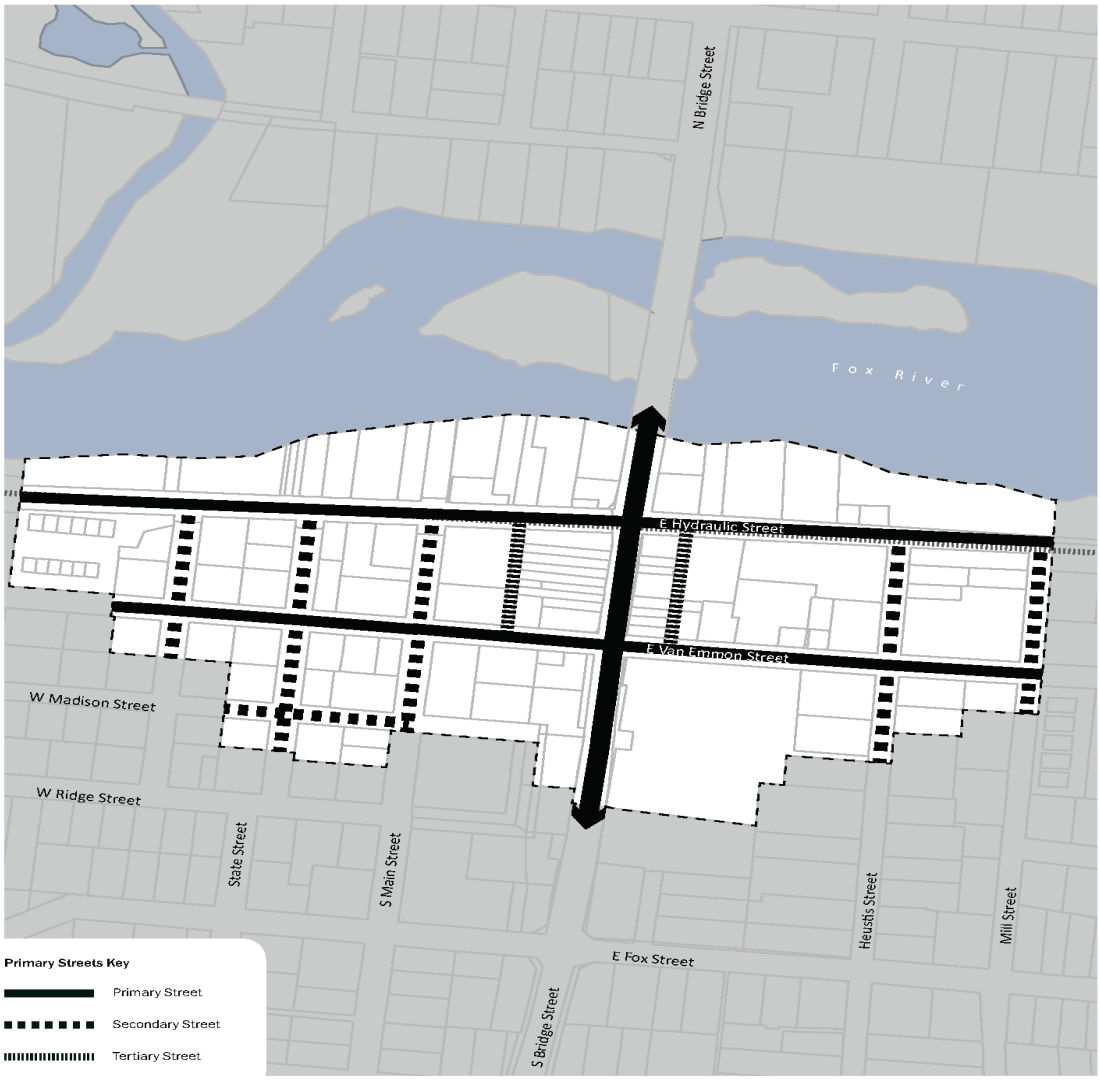


Figure 10-21-2G (4). Primary Streets Map.

9. **Building Types**

a. **Introduction to building type standards.** The buildings detailed in this section outline the building types permitted for new construction and renovated structures within the districts defined in section 10-21-2.

(1) **General.** All building types shall meet the following requirements to achieve the intents defined for the districts.

(a) **Zoning districts.** Each building type shall be constructed only within its designated districts. Refer to Table 10-21-4A (1) Permitted Building Types by Districts.

(i) **Uses.** Each building type can house a variety of uses depending on the district in which it is located. Refer to 15.3 for uses permitted per district. Some building types have additional limitations on permitted uses.

(ii) **No other building types.** All buildings constructed shall meet the standards of one (1) of the building types within the zoning district of the lot.

(iii) **Permanent structures.** All buildings constructed shall be permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise noted.

1. **Accessory structures.**

a. Attached accessory structures are considered part of the principal structure.

b. Detached accessory structures are allowed per each building type and shall comply with all setbacks except the following:

i. Detached accessory structures are not permitted in the front yard.

ii. Detached accessory structures shall be located behind the principal structure in the rear yard.

iii. Detached accessory structures shall not exceed the height or size (area) of the principal structure.

(b) **Page layout.** Document pages are laid out to provide the maximum amount of information for each building type on one (1) spread of two (2) pages. Refer to Figure 10-21-4A (1) for a typical building type layout page.

(i) Tables. Refer to section 10-21-4.B for further information on each table.

(ii) Graphics typically represent one (1) example of a building that could be developed utilizing the standards for that building type. Graphics are provided to illustrate general intent. In all cases, tables and text supercede graphic representations.

10. **Explanation of building type table standards.** The following explains and further defines the standards outlined on the tables for each building type, refer to sections 10-21-4.C through 10-21-4.H.

a. **Building siting.** The following explains the line item requirements for each building type table within the first section entitled "building siting". Table 10-21-4B (1) illustrates an example of a building siting table from a typical building type.

(1) **Multiple principal structures.** The allowance of more than one (1) principal structure on a lot.

(2) **Minimum front lot line coverage.** Refer to Figure 10-21-4B (1). Measurement defining the minimum percentage of street wall or building facade along the street. The width of the principal structure(s) (as measured within the front build-to zone) shall be divided by the maximum width of the front build-to zone (BTZ).

(a) Certain buildings have this number set to also allow the development of a courtyard along the front lot line.

(b) Some frontage types allow side yard parking to be exempted from the front lot line coverage calculation. If such an exemption is permitted, the width of up to one (1) double-loaded aisle of parking, located with the drive perpendicular to the street and including adjacent sidewalks and landscaping, may be exempted, to a set maximum in feet.

(c) When driveway is located at the front lot line (Figure 10-21-4B (1)) and a side yard parking is not utilized, a driveway width of twenty (20) feet may be deducted from the width of the BTZ and is not included in the calculation of the minimum front lot line.

(3) **Occupation of corner**. Occupying the intersection of the front and corner build-to zones with a principal structure.

(4) **Front build-to zone.** The build-to zone or setback parallel to the front lot line. Building components, such as awnings or signage, are permitted to encroach beyond the build-to zone.

(a) All build-to zone and setback areas not covered by building shall contain either landscape, patio space, or sidewalk space.

(5) **Corner build-to zone.** The build-to zone or setback parallel to the corner side property line.

(a) All build-to zone and setback areas not covered by building shall contain either landscape, patio space, or sidewalk space.

(6) **Minimum side yard setback.** The minimum required setback along a side property line.

(a) All build-to zone and setback areas not covered by building shall contain either landscape, patio space, or sidewalk space.

(7) **Minimum rear yard setback.** The minimum required setback along a rear property line.

(a) All build-to zone and setback areas not covered by building shall contain either landscape, patio space, or sidewalk space.

(8) **Minimum lot width.** The minimum width of a lot, measured at the build-to zone.

(9) **Maximum building width.** The maximum width of a building, measured across the front facade.

(10) **Maximum impervious coverage.** (Refer to Figure 10-21-4B (2).) The maximum percentage of a lot permitted to be covered by principal structures, accessory structures, pavement, and other impervious surfaces.

(11) **Additional semi-pervious coverage.** The additional percentage of a lot beyond the maximum impervious coverage, which may be surfaced in a semi-pervious material, including a green roof or pavers.

(12) **Parking and loading location.** The yard in which a surface parking lot, detached garage, attached garage door access, loading and unloading, and associated drive is permitted.

(13) **Entry for parking within building.** Permitted garage door location for parking entrance when parking is located within building.

(14) **Vehicular access.** The permitted means of vehicular ingress and egress to the lot.

(a) Alleys, when present, shall always be the primary means of access.

(b) When alleys are not present, a driveway may be permitted per building type and, if an alternative is available, shall not be located off a primary street.

b. **Height.** The following explains the line item requirements for each building type table within the second section entitled "height". Table 10-21-4B (2), illustrates an example of a height requirements table from a typical building type.

B. Uses

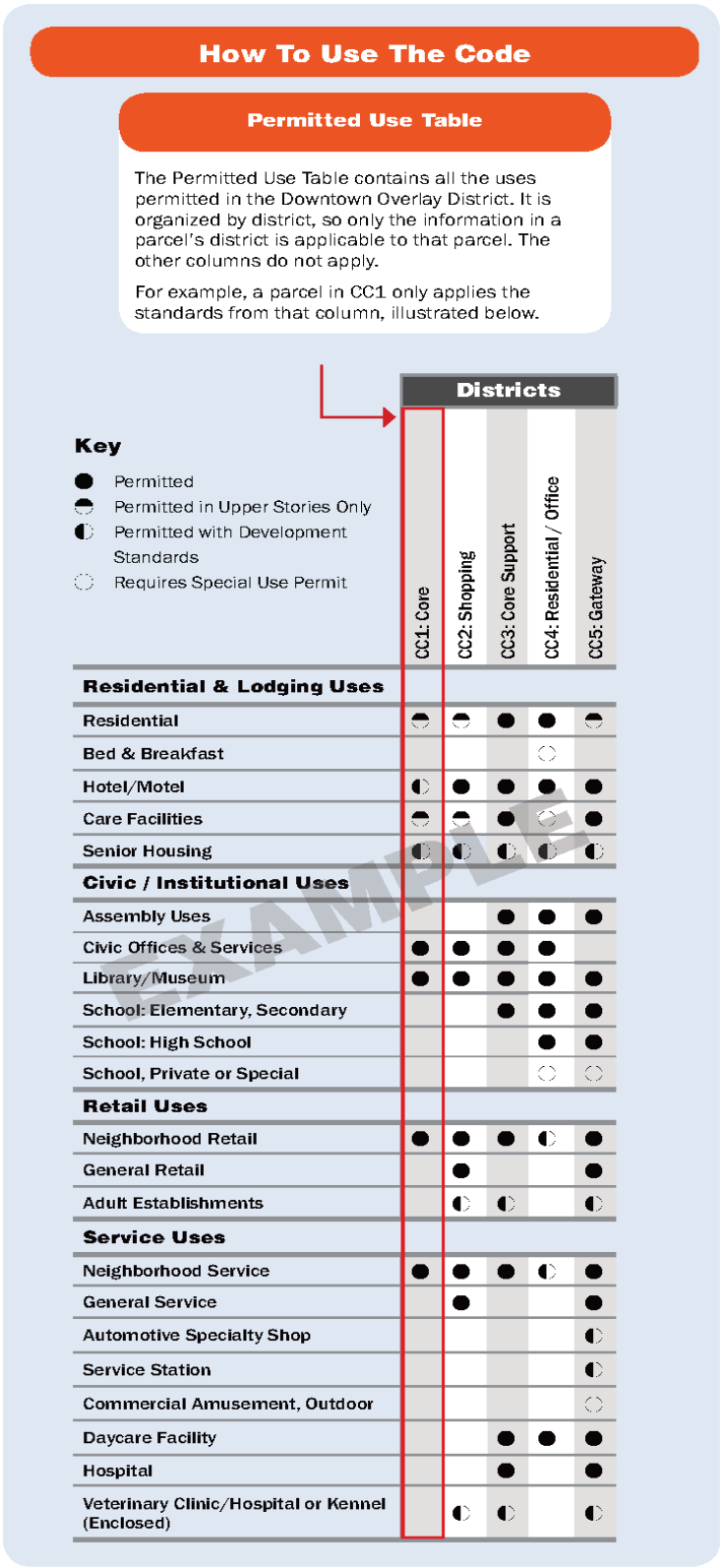


Figure 10-21-3A (1). Yorkville Code Permitted Uses How-To.

1. ***General provisions.*** The following establishes a simplified set of uses permitted within the building forms of each downtown form-based zoning district.

   a. ***Uses by district****.* Permitted and special uses available in each form-based district are shown in Table 10-21-3B (1).

   b. ***Use definitions****.* Uses listed in Tables 10-21-3C (1)—10-21-3C (4) are defined in section 10-2-3 of the zoning ordinance. Further definitions applicable only to the Yorkville Form-Based Districts are located in subsection 10-21-3.C.

   c. ***Permitted use*** *("●").* These uses are permitted by-right in the form districts in which they are listed.

   d. ***Permitted in upper stories only*** *("◓").* These uses are permitted by-right in the districts in which they are listed, provided that the uses are located in the upper stories of a structure. These uses may also be located in the ground story provided that they are located beyond a depth of at least twenty feet (20') from the front primary facade.

   e. ***Requires a special use permit*** *("○").* These uses require a special use permit (refer to chapter 10-6 Special Use Regulations) in order to occur in the districts in which they are listed and must follow any applicable development standards associated with the use as well as meet the requirements of the special use.

   f. ***Permitted with development standards*** *("◐").* These uses are permitted in the districts in which they are listed, provided that they are developed utilizing the listed development standards. These standards, combined with the building type requirements, are intended to alleviate any negative impacts associated with the use, making it appropriate in a district where it otherwise might not have been appropriate.

   g. ***Prohibited use.*** A blank cell or an unlisted use in the use table indicates that the land use is prohibited in that district.

   h. ***City determination.*** When a proposed land use is not explicitly listed in Table 10-21-3B (1), the Director shall determine whether or not it is included in the definition of a listed use or is so consistent with the size, scale, operating characteristics and external impacts of a listed use that it should be treated as the same use. Any such determination may be appealed to the Planning and Zoning Commission.

   i. ***Temporary accessory uses.*** Temporary accessory uses are permitted in all downtown overlay districts, including outdoor displays, seasonal displays and sales, festivals, and vendors. The following requirements apply:

   j. Outdoor displays are permitted up to eight (8) hours per day, no more than three (3) consecutive days in any one (1) month.

   k. **Build-to zone.** Temporary outdoor displays of merchandise are permitted in the build-to zone without a permit, subject to all other requirements of section 10-21-3.

   l. **Right-of-way.** Any temporary outdoor display or occupation in the right-of-way requires a review approval by the Community Development Director.

	Districts				
	S 1: Bridge Street	S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street	S 5: 'B' Street - Residential
Residential & Lodging Uses Category					
Residential Dwelling	◓	●	●	●	●
Hotel/Motel	◐	◐	◐	●	
Bed & Breakfast Inn	◓	◓	○	○	○
Residential Care Facility				○	○
Senior Housing		◐	◐	◐	○
Civic & Institutional Uses Category					
Civic Offices & Services	●	●	●	●	●
Library/Museum	●	●	●	○	○
Police & Fire	◐	◐	◐		
Post Office (no distribution)	●	●	●		
Religious & Organization Assembly	●	●	●	●	●
School: Public or Private	○	○	○	○	○
School: College	○	○	○	○	○
Retail & Service Uses Category					
Neighborhood Retail (<8,000 sf)	●	●	●	●	○
General Retail	◐	◐	◐		
Neighborhood Service	●	●	●	○	○
General Service	◐	◐	◐		
Recreation/Entertainment	●	●	◐	○	
Automotive Services		○	○	○	
Food Services & Drinking Places	●	●	●	●	○
Office & Industrial Uses Category					
Office	◓	●	●	●	
Small-Scale Industry	◐	◐	◐	●	
Infrastructure Uses Category					
Communication Antennae & Towers	○	○	○	○	○
Parking Lot	◐	◐	◐	◐	◐
Parking Structure	◐	◐	◐	◐	◐
Public Utility & Infrastructure	●	●	●	●	●
Open Space Uses Category					
Open Space	◐	◐	◐	◐	◐

	Districts				
	S 1: Bridge Street	S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street	S 5: 'B' Street - Residential
Accessory Uses					
Alternative Energy Generation	◐	◐	◐	◐	◐
Amphitheater		○		○	
Car Washes, Detail Shops, and/or Service Stations		○	○	○	
Drive Through Facility		○	○	○	
Home Occupation	●	●	●	●	●
Outdoor Storage of Goods		◐	◐	◐	
Outdoor Restaurant Dining	●	●	●	●	
Parking Lot (Accessory)	◐	◐	◐	○	
Parking Structure (Accessory)	◐	◐	◐		
Roadside Produce Stand/Vending		◐		◐	
Sidewalk Sales	◐	◐	◐	○	○
Temporary Storage Containers		◐	◐	◐	◐
Mobile Food Vendors	◐	◐	◐	◐	◐
Temporary Structures	◐	◐	◐	◐	◐

Key

● Permitted
◓ Permitted in Upper Stories Only
◐ Permitted with Development Standards
○ Requires Special Use Permit

C. ***Permitted use table.*** See Table 10-21-3B (1) for a list of permitted and special uses.

D. ***Use requirements.***

1. ***Residential and lodging uses.*** A category of uses that include several residence types.

   a. Refer to 10-2-3 for the following definitions.

      (1) Residential.

      (2) Bed and breakfast inn.

   b. ***Hotel/motel.*** Refer to 10-2-3 for definition. In the districts where a hotel/motel requires development standards ("◐"), rooms shall be located in the upper stories. Lobbies and eating facilities shall be located on the ground floor.

   c. ***Residential care facility.*** A facility offering temporary or permanent lodging to the public consisting of an unlimited number of sleeping rooms with or without in-room kitchen facilities. Includes such uses as independent and assisted living facilities, nursing homes, residential care homes, and transitional treatment facilities.

Assistance with daily activities may be provided for residents. Secondary service uses may also be provided, such as dining and meeting rooms. Rooms shall be accessed from the interior of the building. In the districts where this use requires a special use permit "○", refer to section 10-21-1.F for procedure and development standards.

d. ***Senior housing.*** In the districts where senior housing requires development standards ("◐"), the following shall apply:

(1) Housing shall be designed, constructed and operated in accordance with the Fair Housing Amendments Act.

(2) The property shall comply with all applicable local, state, and federal regulations and copies of any applicable permits shall be provided to the department prior to the issuance of a certificate of occupancy.

e. ***Use permits***. When a use is listed as permitted with a use permit "○," refer to section 10-21-1.F for procedure and development standards.

2. ***Civic and institutional uses***. A category of uses related to fulfilling the needs of day-to-day community life including assembly, public services, educational facilities, and hospitals.

a. ***Civic offices and services.*** Any use that involves transactions between the City government and residents, property owners, or others doing business with the City or other activities related to the function of the municipality.

b. ***Library/museum.*** A structure open to the general public housing educational, cultural, artistic, or historic information, resources, and exhibits. May also include food service and a gift shop.

c. ***Police and fire***. A facility providing public safety and emergency services; training facilities, locker rooms, and limited overnight accommodations may also be included. The facilities shall be housed in a permitted building, but shall have the following additional allowances:

(1) Garage doors are permitted on the front facade.

(2) Exempt from maximum driveway widths.

d. ***Post office.*** A publicly accessed facility for the selling of supplies and mail related products and the small scale collection and distribution of mail and packages. Large-scale postal sorting and distribution is not permitted.

e. ***Religious and organization assembly.*** Assembly uses include assembly hall; church, temple, or other place of worship; and clubs.

f. ***Use permits.*** When a use is listed as permitted with a special use permit "○," refer to section 10-21-1.F for procedure and development standards.

3. ***Retail and service uses.*** A category of uses that include several retail and service types. Refer to section 10-2-3 for definitions.

a. ***Neighborhood retail.*** **A** use in this category occupies a space of less than eight thousand (8,000) square feet. Neighborhood retail includes such uses as those listed in Table 10-21-3C (1).

(1) When neighborhood retail is permitted with development standards "◐", it is limited to eight thousand (8,000) square feet.

b. ***General retail.*** A use in this category includes all neighborhood retail uses occupying a space of greater than eight thousand (8,000) square feet and such uses as those listed in Table 10-21-3C (1).

c. ***Service uses.*** A category of uses that provide patrons services and limited retail products related to those services. Visibility and accessibility are important to these uses, as most patrons do not utilize scheduled appointments.

d. ***Neighborhood service.*** A use in this category occupies a space of less than eight thousand (8,000) square feet. Neighborhood service includes such uses as those listed in Table 10-21-3C (2).

(1) When neighborhood service is permitted with development standards "◐", it is limited to six thousand (6,000) square feet.

e. ***General service.*** A use in this category includes all neighborhood service uses occupying a space of greater than eight thousand (8,000) square feet and such uses as those listed in Table 10-21-3C (2).

f. ***Recreation/entertainment.*** Refer to Table 10-21-3C (3).

g. ***Automotive services.*** Refer to section 10-2-3 for definition. In the districts where this use requires a special use permit ("○"), the following applies:

(1) The use shall meet all of the requirements of the building type, refer to section 10-21-4.

(2) Service doors shall all be located on the rear or interior side facade of the building.

(3) The showroom or retail space shall be located in the front storefront of the building and shall occupy a minimum of twenty percent (20%) of the gross floor area.

h. ***Food services and drinking places.*** Food services and drinking places include only the following:

(1) Full-service restaurants.

(2) Carry-out food service stores.

(3) Quick service restaurants.

(4) Banquet centers and caterers.

(5) Drinking places (alcoholic beverages).

(6) Brewpubs. A microbrewery that brews beer for both on- and off-premises consumption, and may include a bar and/or restaurant.

(7) Wine establishments. A properly licensed business which sells wine only (not liquor or beer) for both on- and off-premises consumption, as well as wine accessories and/or merchandise.

4. ***Office and industrial uses.*** A category of uses for businesses that involve the transaction of affairs of a profession, service, industry, or government. Patrons of these businesses usually have set appointments or meeting times; the businesses do not typically rely on walk-in customers. Office uses include those listed in Table 10-21-3C (4), List of Typical Uses in Office Category.

5. Office uses include those listed in Table 10-21-3C (4), List of Typical Uses in Office Category.

6. ***Small-scale industry.*** A use involving small scale manufacturing, production, assembly, and/or repair with little to no noxious by-products that includes a showroom or small retail outlet. Small-scale industry includes such uses as those found in Table 10-21-3C (5), List of Typical Uses in Cottage Industry Category. The following development standards apply:

a. This use may also include associated facilities such as offices and small scale warehousing, but distribution is limited to vans and small trucks. Distribution access shall be from the rear.

b. The maximum overall gross floor area is limited to ten thousand (10,000) square feet, unless otherwise noted.

c. The showroom or retail outlet shall be located in the front storefront of the building and shall occupy a minimum of twenty-five percent (25%) of the gross floor area.

7. ***Infrastructure and open space uses.***

a. ***Communication antennae and towers.*** Refer to chapter 10-18. Communication antennae and towers located within the right-of-way or on utility poles are premitted.

b. ***Parking lot.*** A lot that does not contain a permitted building and is solely used for the parking of vehicles. In the districts where a parking lot requires a special use permit ("○"), the following applies:

(1) ***Corner lots***. A corner lot shall not be used as a parking lot.

(2) ***Adjacent parking lots.*** Two (2) parking lots cannot be located directly adjacent to one another.

(3) ***Single-family.*** Parking lot cannot be associated with a single-family use.

(4) ***Distance.*** Parking lot must be within one thousand three hundred feet (1,300') of the principal entrance to the associated use unless:

(a) At least seventy-five percent (75%) of the spaces are dedicated for public use.

(b) An approved joint parking agreement is in place.

(5) ***Pedestrian access***. Must be connected to associated use by a dedicated, public pedestrian pathway.

(6) ***Commercial vehicles.*** Parking lots for commercial vehicles are not permitted in downtown overlay districts.

c. ***Parking structure***. A parking structure on a lot that does not contain a permitted building type and is solely used for the parking of vehicles. In the districts where a parking lot requires a special use permit ("○"), the following applies:

(1) ***Corner lots***. A corner lot shall not be used for a parking structure.

(2) ***Adjacent parking lots.*** Two (2) parking facilities (lots or structures) cannot be located directly adjacent to one another.

(3) ***Primary street.*** No facade of the parking structure shall be located on a primary street. Refer to Figure 10-21-2G (4). For parking structures located on a primary street, the main street building type shall be utilized, requiring occupation of the building in the front thirty (30) feet of the facade on any primary street.

(4) ***Distance.*** Parking lot must be within one thousand three hundred feet (1,300') feet of the principal entrance to the associated use unless:

(a) At least seventy-five percent (75%) of the spaces are dedicated for public use.

(b) An approved parking agreement is in place (refer to chapter 10-16).

(5) ***Pedestrian access.*** Must be connected to associated use by a dedicated, public pedestrian way.

(6) ***Commercial vehicles.*** Parking structures for commercial vehicles are not permitted in these districts.

d. ***Utility and infrastructure.*** A lot that is primarily utilized for the City's infrastructure needs. Utility and infrastructure includes such uses as electric or gas services, sewage treatment, water treatment and storage, and energy conversion systems.

e. ***Open space uses.***

(1) A use of land for active or passive, public or private, outdoor space, including such uses as parks, plazas, greens, playgrounds, or community gardens. Open space uses may also be utilized to host temporary private or community events, such as a farmer's market or art fair. In the districts where open space is permitted with development standards ("◐"), the following apply:

(a) Stormwater accommodations. Open space that incorporates stormwater management on a site or district scale is encouraged.

(i) Stormwater facilities shall be designed to accommodate additional uses, such as an amphitheater or a sports field.

(ii) Stormwater facilities shall be designed not to be fenced and shall not impede public use of the land they occupy.

(b) This use may involve small scale food and beverage service, no more than two hundred (200) square feet in space, located in a kiosk, with no service access.

(c) Buildings located directly adjacent to an open space use shall treat facades facing this use with street facade requirements.

f. ***Accessory uses.*** A category of uses that are not permitted to serve as the principal use on a zoning lot. These uses are incidental to and customary in connection with the principal building or use and located on the same lot with such principal building or use.

(1) ***Alternative energy generation.*** Refer to chapter 10-19. Alternative energy generation includes structures for solar, wind, and geothermal. The following development standards apply:

(a) Roof or building-mounted solar panels are permitted with the following requirements:

(i) Panels mounted at the same angle of the roof or flush on the building facade are permitted on any roof or building face.

(ii) Panels projecting off the roof or building at a different angle are limited to the rear and side facing roofs, unless solar access is limited in these locations.

(iii) Panels shall not extend more than ten (10) feet at maximum pitch/tilt above the surface of the roof to which they are attached. On pitched roofs, panels shall not extend more than three (3) feet.

(b) Roof-mounted small wind energy systems are permitted with the following requirements:

(i) Maximum rated capacity of five (5) kW is permitted per turbine.

(ii) One (1) turbine is permitted for each seven hundred and fifty (750) square feet of roof area.

(iii) Maximum height is fifteen (15) feet above the surface of the roof.

(c) Geothermal energy is permitted in any yard with the following requirements:

(i) Any related above ground structure shall be located in a side or rear yard with a maximum height of ten (10) feet, subject to all requirements of the building type.

(d) ***Amphitheater.*** Refer to section 10-2-3 for definition. In the districts where an amphitheater is permitted with a special use permit "○," the following apply:

(i) Location. The amphitheater shall be located within an open space district (refer to chapter 10-10).

(ii) The hours of operation shall be posted and limited to the hours of 8:00 a.m. to 11:00 p.m.

(e) ***Car washes, detail shops and/or service stations.*** Refer to section 10-2-3 for definitions. In the districts where car washes, detail shops and/or service stations are permitted with a special use permit ("○"), the following apply:

(i) **Location.** Use must be located inside a parking garage and not visible from the exterior of the parking garage.

(f) ***Drive-through facility.*** In the districts where drive-through structures are permitted with development standards ("◐"), the following applies. Refer to Figure 10-21-3C (1) for one (1) illustration of the following requirements:

(i) ***Structure/canopy.*** Drive-through structures or canopies shall be located on the rear facade of the building or in the rear of the lot behind the building, where permitted by use. The structure shall not be visible from any primary street.

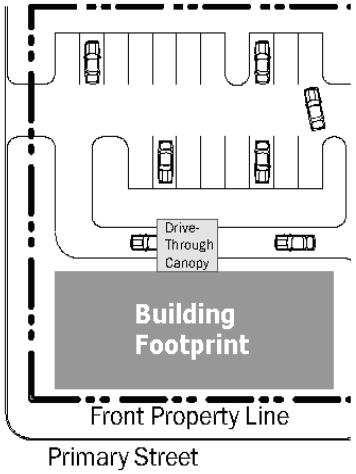


Figure 10-21-3C (1). Recommended drive-through Facility layout.

(ii) ***Stacking lanes.*** Stacking lanes shall be located perpendicular to the primary street or behind the building.

(iii) The canopy and structure shall be constructed of the same materials utilized on the building.

(g) ***Home occupation.*** An occupational use that is clearly subordinate to the principal use as a residence and does not require any alteration to the exterior of a building.

(h) ***Outdoor storage of goods.***

1. ***Commercial uses.*** This use includes outdoor storage of goods not typically housed or sold indoors, such as large scale materials and building and landscape supplies. In the districts where outdoor storage of goods is permitted with development standards ("◐"), the following apply:

   a. Loose materials shall not be stacked higher than six (6) feet.

   b. Loose materials shall at a minimum be stored in a three-sided shelter and shall be covered.

   c. Materials shall be set back a minimum of ten (10) feet from any property line.

   d. Materials shall not be located on required parking spaces or associated drive aisles.

   e. All outdoor storage areas shall be screened from view of adjacent parcels and vehicular rights-of-way using the side or rear buffer.

2. ***Residential uses.*** This use includes temporary storage of personal or household goods in personal on demand storage (PODS) containers. In the districts where outdoor storage of goods is permitted with development standards ("◐"), the following development standards apply:

   a. One (1) storage container can be located on a lot at a time.

   b. On-site storage of a container is permitted for up to two (2) months per year.

c. Containers shall not be located in the front yard, but permitted on a driveway.

(i) ***Outdoor restaurant dining.*** Commercial outdoor dining, serviced by an adjacent service use, and permitted in any yard. When in a side yard along the front lot line, the patio frontage buffer is required.

(j) ***Parking lot.*** An uncovered paved surface used solely for the parking of vehicles, intended for use by the occupants in an adjacent building on the lot. Parking lot locations are regulated by building type. Refer to section 10-21-4.

(k) ***Parking structure.*** A structure used solely for the parking of vehicles, intended for use by the occupants in an adjacent building on the lot. Parking structures within the buildings are regulated per building type. Refer to section 10-21-4.

(l) *Roadside produce stand or vending.* Refer to section 10-21-1 for definition.

(m) ***Sidewalk sales.*** A temporary outdoor sale of merchandise by retail businesses, typically occurring on the sidewalk within the public right-of-way for a limited period of time. In the districts where a sidewalk sale is permitted with development standards "◐," the following apply:

(i) A minimum of four (4) feet of the sidewalk must remain available for passing pedestrians.

(ii) Sidewalk sales are permitted for up to three (3) days no more than six (6) times per calendar year.

(iii) Merchandise must be stored inside the building during non-business hours.

(iv) Merchandise sold shall either be regularly carried within the store, or have been regularly carried within the store in the past year.

(n) ***Temporary storage containers.*** Outdoor storage of personal or retail stock materials on a temporary basis within a portable storage container. When a temporary outdoor storage use is permitted with development standards "◐," the following apply.

(i) One (1) storage container may be located on a lot at a time.

(ii) On-site storage of a container is permiitted for up to two (2) weeks; up to four (4) weeks is permtted with approval of the Director.

(iii) The container shall be located in the rear yard, screened by the building from any primary or secondary street.

(o) ***Mobile food vendors***. A motorized or towed wheeled vehicle that is designed and equipped to sell food. Shall include both "hot trucks" upon which food is cooked and prepared for vending, and "cold trucks" from which only ready to eat or packaged foods are handled. Refer to section 10-3-14.

Table 10-21-3C (1). List of Typical Uses in Retail Category

Neighborhood Retail (less than 8,000 square feet)	**General Retail**
Antique Shop	All Neighborhood Retail (over 8,000 square feet)
Art & Education Supplies	Appliance Sales & Service
Art Gallery	Department Store
Bakery, Retail	Drug Store/Pharmacy
Bicycle Sales & Repair	Furniture & Home Furnishings
Book, Magazine, & Newspaper Store	General Merchandise Stores
Camera & Photo Supply Store	Grocery Store
Candy Store	Medical Supply Store
China & Glassware Shop	Used Merchandise Stores (not including books, clothing & antiques)
Clothing & Clothing Accessories	

Coffee Shop Computer Software Sales Delicatessen Electronic Sales & Service Fabric & Craft Store Florist Garden Center/Plant Nursery Gift, Novelty, & Souvenir Shop Hardware Store Hobby Shop Jewelry Sales & Repair Luggage & Leather Goods Microbreweries, Microwineries Music Store & Instruction Musical Instrument Repair & Sales Office Supply Optical Goods Paint & Wallpaper Party Supply Shop Pet & Pet Supply Specialty Food Market (Butcher, Fish Market, Produce, etc.), with no alcohol sales Sporting Goods Sales & Rental Stationary & Paper Store Toy Shop Video/Game Sales Wine Establishment (no liquor/beer)	

Table 10-21-3C (2). List of Typical Uses in Service Category	
Neighborhood Service (less than 8,000 square feet)	**General Service**
Amusement Arcade Barber Shop & Beauty Salon Catering/Carry-Out & Delivery Communication Service Childcare Centers Dance/Fitness Studio Dry Cleaning & Laundry Emergency Care Clinic Framing Health & Fitness Center Home Furniture & Equipment Repair Locksmith Mailing Services Massage Establishments Nail Salon & Specialty Body Pet Grooming Photocopying & Printing Photography Studio & Supplies Physical Therapy/Physical Rehabilitation Repair of Small Goods & Electronics Restaurant/Bar Services (Spa) Shoe Repair Tailor & Seamstress Theater Travel Agency, Ticketing & Tour Operator Veterinarian (no outdoor training, boarding or kennels)	All Neighborhood Services (over 8,000 square feet) Bowling Alley

Table 10-21-3C (3). List of Typical Uses in Recreation/Entertainment Category
Recreation/Entertainment
Billiard Parlor Boat Sales & Rental Boat Storage Indoor Playground Indoor Shooting Gallery/Gun Range Marina Outdoor Music Venue Railroad Passenger Station Skating Rink Stadium Swimming Pool

Table 10-21-3C (4). List of Typical Uses in Office Category	
Office	
Architecture/Engineering/Design	PR & Advertising
Broadcasting & Telecommunications Studio	Professional Services
Building Contractor (office only)	Property Development
Business Consulting	Real Estate
Charitable Institutions	Research & Development
Clinic	Research Agency
Computer Programming & Support	Surveying
Detective Services	Tax Services
Educational Services (tutor & testing)	
Employment Agency	
Financial & Insurance	
Government Offices	
Legal Services	
Management Services	
Medical & Dental with Laboratory	
Motion Picture & Sound Recording Studio	

Table 10-21-3C (5). List of Typical Uses in Small-Scale Industry Category	
Small-Scale Industry	
Apparel & Finished Fabric Products	Products
Bakery & Confections	Research Laboratory
Beverages, including Beer, Wine, Coffee	Shoes & Boots
Botanical Products	Signs & Advertising
Brooms & Brushes	Smithing
Canning & Preserving Food	Taxidermy
Dairy Products	Toys & Athletic Goods
Electrical Fixtures	Upholstery
Engraving	Woodworking
Fabricated Metal Products	
Film Making	
Furniture & Fixtures	
Glass	
Jewelry, Watches, Clocks, & Silverware	
Leather Products	
Microbreweries, Microwineries	
Musical Instruments & Parts	
Pottery, Ceramics, & Related	

C. **Building types:**

3. ***Introduction to building type standards.*** The buildings detailed in this section outline the building types permitted for new construction and renovated structures within the districts defined in section 10-21-2.

   a. ***General.*** All building types shall meet the following requirements to achieve the intents defined for the districts.

   b. ***Zoning districts.*** Each building type shall be constructed only within its designated districts. Refer to Table 10-21-4A (1) Permitted Building Types by Districts.

   c. ***Uses***. Each building type can house a variety of uses depending on the district in which it is located. Refer to 15.3 for uses permitted per district. Some building types have additional limitations on permitted uses.

   d. ***No other building types.*** All buildings constructed shall meet the standards of one (1) of the building types within the zoning district of the lot.

   e. ***Permanent structures.*** All buildings constructed shall be permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise noted.

   f. ***Accessory structures.***

      (1) Attached accessory structures are considered part of the principal structure.

      (2) Detached accessory structures are allowed per each building type and shall comply with all setbacks except the following:

         (g) Detached accessory structures are not permitted in the front yard.

         (h) Detached accessory structures shall be located behind the principal structure in the rear yard.

         (i) Detached accessory structures shall not exceed the height or size (area) of the principal structure.

4. ***Page layout.*** Document pages are laid out to provide the maximum amount of information for each building type on one (1) spread of two (2) pages. Refer to Figure 10-21-4A (1) for a typical building type layout page.

Building Types by Districts

Building Types	Districts				
	S1: Bridge Street	S2: Hydraulic Street	S3: Van Emmon Street	S4: 'B' Street	S5: 'B' Street - Residential
Downtown Commercial	●	●	●	●	
Downtown Living		●	●	●	
Cottage Commercial	●	●	●	●	
Civic Building	●	●	●	●	●
Attached Building			●	●	○
Yard Building				○	●

● Permitted ○ Requires Permit / Review

Table 10-21-4A (1). Permitted Building Types by District

3. ***Tables***. Refer to section 10-21-4.B for further information on each table.

4. Graphics typically represent one (1) example of a building that could be developed utilizing the standards for that building type. Graphics are provided to illustrate general intent. In all cases, tables and text supercede graphic representations.

How To Use The Code

Page Layout

Building Type pages are laid out to provide the maximum amount of information for each Building Type on one spread of two pages.

Graphics typically represent one example of a building that could be developed utilizing the standards for that Building Type. Graphics are provided to illustrate general intent. In all cases, tables and text supercede graphic representations.

Building Type Tables

Refer to 10-21-4B for an explanation of each line item on the tables. Building Type tables contain all the standards for that Building Type. They are organized by district, so only the information in a parcel's district is applicable to that parcel. The other columns do not apply.

For example, a parcel in CC1 only applies the standards from that column, illustrated below.

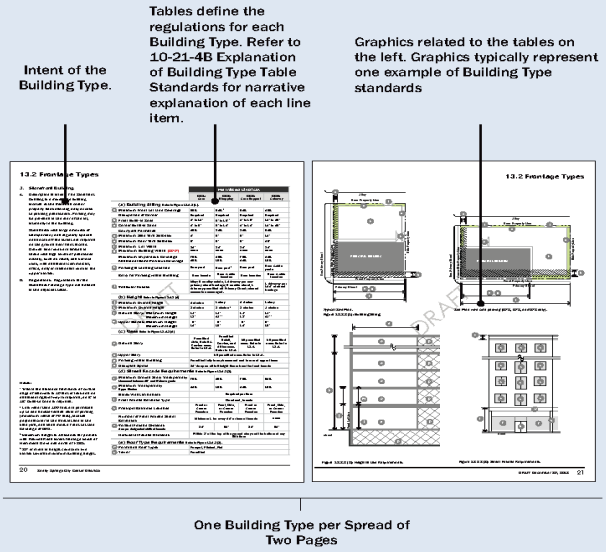


Figure 10-21-4A (1). Representative Building Types Spread.

		Permitted Districts		
		CC1: Core	CC2: Shopping	CC3: Core Support
	(a) Building Siting Refer to Figure 13.2.2 (1).			
a	Minimum Front Lot Line Coverage	95%	90% [2]	90%
	Occupation of Corner	Required	Required	Required
b	Front Build-to Zone	0' to 10'	5' to 15' [1]	0' to 15'
c	Corner Build-to Zone	0' to 5'	5' to 10'	0' to 10'
	Courtyard Permitted	25%	30%	30%
d	Minimum Side Yard Setback	0'	5'	5'
e	Minimum Rear Yard Setback	5'	5'	5'
f	Minimum Lot Width	30'	30'	30'
g	Maximum Building Width	none	none	none
	Maximum Impervious Coverage	75%	85%	75%
	Additional Semi-Pervious Coverage	25%	15%	20%
h	Parking & Loading Location	Rear yard	Rear yard [2]	Rear yard
	Entry for Parking within Building	Rear facade	Rear & side facades	Rear facades
i	Vehicular Access	Alley; if no alley exists, 1 driveway per non-primary street frontage; if no side street, 1 driveway permitted off Primary Street; shared access is encouraged.		
	(b) Height Refer to Figure 13.2.2 (2)			
j	Minimum Overall Height	2 stories	1 story	2 stories
k	Maximum Overall Height	8 stories	8 stories [3]	8 stories
l	Ground Story: Minimum Height	14'	14'	14'
	Maximum Height	18'	24' [4]	18'
m	Upper Stories: Minimum Height	9'	9'	9'
	Maximum Height	12'	15'	12'
	(c) Uses Refer to Figure 13.2.2 (2)			
n	Ground Story	Permitted Civic, Retail & Service uses. Refer to 13.6.	Permitted Retail, Service, and Office uses. Refer to 13.6.	All permitted uses. Refer to 13.6.
o	Upper Story	All permitted uses. Refer to 13.6.		
p	Parking within Building	Permitted fully in any basement and in rear of upper floors		
q	Occupied Space	30' deep on all full height floors from the front facade		
	(d) Street Facade Requirements Refer to Figure 13.2.2 (3).			
r	Minimum Ground Story Transparency Measured between 18" and 8' above grade	75%	65%	75%
s	Minimum Transparency Upper Stories	20%	15%	20%
	Blank Wall Limitations	Required per floor		
t	Front Facade Entrance Type	Storefront, Arcade		
u	Principal Entrance Location	Front or Corner Facades	Front, Side, or Corner Facades	Front or Corner Facades
	Number of Front Facade Entrances	Minimum 1 for every 60' or less of facade		
v	Vertical Facade Divisions One per designated width of facade	30'	50'	30'
	Horizontal Facade Divisions	Within 3' of the top of the ground story and the bottom of any fifth floor		
	(e) Roof Type Requirements Refer to Figure 13.2.2 (3).			
w	Permitted Roof Types	Parapet, Pitched, Flat		
x	Tower	Permitted		

Figure 10-21-4A (2). Building Type Table Example.

	Permitted Districts	
	District A	District B
(a) Building Siting		
Multiple Principal Buildings	Not permitted	Not permitted
Minimum Front Lot Line Coverage	95%	65%
Occupation of Corner	Required	Required
Front Build-to Zone	0' to 20' [1]	5' to 20' [1]
Corner Build-to Zone	0' to 5'	0' to 10'
Minimum Side Yard Setback	0'	5'
Minimum Rear Yard Setback	5'; 25' if located adjacent to residential	
Minimum Lot Width Maximum Building Width	30' none	30' none
Maximum Impervious Coverage Additional Semi-Pervious Coverage	75% [3] 25%	65% [3] 15%
Parking & Loading Location	Rear yard	Rear yard
Entry for Parking within Building	Rear & Side Facades	
Vehicular Access	Alley; if no alley exists, 1 driveway per street frontage	

EXAMPLE

Table 10-21-4B (1). Example Building Siting Requirements Table from a Typical Building Type.

5. ***Explanation of building type table standards***. The following explains and further defines the standards outlined on the tables for each building type, refer to sections 10-21-4.C through 10-21-4.H.

   a. ***Building siting.*** The following explains the line item requirements for each building type table within the first section entitled "building siting". Table 10-21-4B (1) illustrates an example of a building siting table from a typical building type.

      (1) ***Multiple principal structures.*** The allowance of more than one (1) principal structure on a lot.

      (2) ***Minimum front lot line coverage.*** Refer to Figure 10-21-4B (1). Measurement defining the minimum percentage of street wall or building facade along the street. The width of the principal structure(s) (as measured within the front build-to zone) shall be divided by the maximum width of the front build-to zone (BTZ).

         (a) Certain buildings have this number set to also allow the development of a courtyard along the front lot line.

         (b) Some frontage types allow side yard parking to be exempted from the front lot line coverage calculation. If such an exemption is permitted, the width of up to one (1) double-loaded aisle of parking, located with the drive perpendicular to the street and including adjacent sidewalks and landscaping, may be exempted, to a set maximum in feet.

         (c) When driveway is located at the front lot line (Figure 10-21-4B (1)) and a side yard parking is not utilized, a driveway width of twenty (20) feet may be deducted from the width of the BTZ and is not included in the calculation of the minimum front lot line.

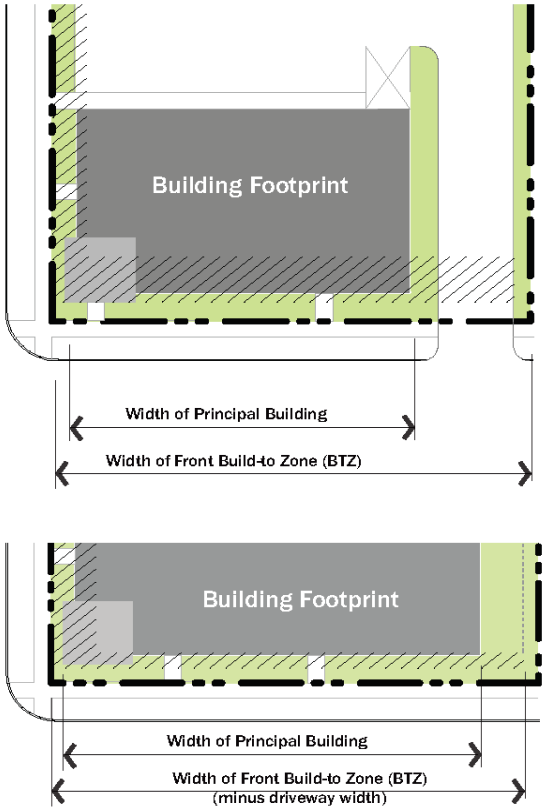


Figure 10-21-4B (1). Measuring Front Lot Line Coverage

c. ***Occupation of corner.*** Occupying the intersection of the front and corner build-to zones with a principal structure.

d. ***Front build-to zone.*** The build-to zone or setback parallel to the front lot line. Building components, such as awnings or signage, are permitted to encroach beyond the build-to zone.

(1) All build-to zone and setback areas not covered by building shall contain either landscape, patio space, or sidewalk space.

e. ***Corner build-to zone.*** The build-to zone or setback parallel to the corner side property line.

(1) All build-to zone and setback areas not covered by building shall contain either landscape, patio space, or sidewalk space.

f. ***Minimum side yard setback.*** The minimum required setback along a side property line.

(1) All build-to zone and setback areas not covered by building shall contain either landscape, patio space, or sidewalk space.

g. ***Minimum rear yard setback.*** The minimum required setback along a rear property line.

(1) All build-to zone and setback areas not covered by building shall contain either landscape, patio space, or sidewalk space.

h. ***Minimum lot width.*** The minimum width of a lot, measured at the build-to zone.

i. ***Maximum building width.*** The maximum width of a building, measured across the front facade.

j. ***Maximum impervious coverage.*** (Refer to Figure 10-21-4B (2).) The maximum percentage of a lot permitted to be covered by principal structures, accessory structures, pavement, and other impervious surfaces.

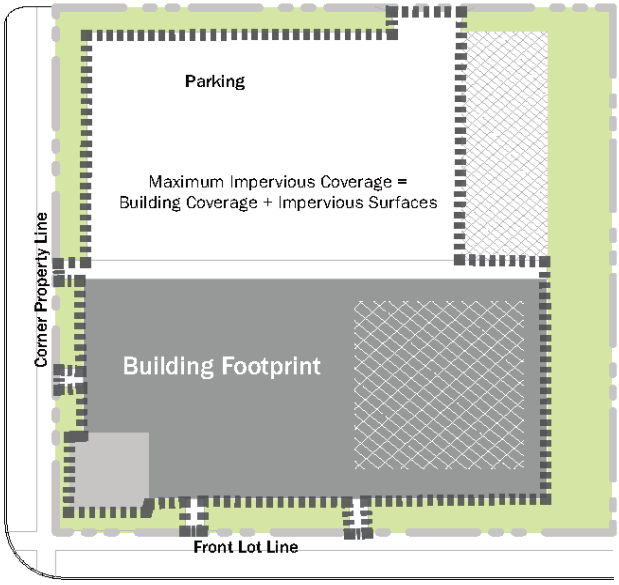


Figure 10-21-4B (2). Maximum Impervious & Additional Semi-Pervious Coverage.

k. ***Additional semi-pervious coverage.*** The additional percentage of a lot beyond the maximum impervious coverage, which may be surfaced in a semi-pervious material, including a green roof or pavers.

l. ***Parking and loading location.*** The yard in which a surface parking lot, detached garage, attached garage door access, loading and unloading, and associated drive is permitted.

m. ***Entry for parking within building.*** Permitted garage door location for parking entrance when parking is located within building.

n. ***Vehicular access.*** The permitted means of vehicular ingress and egress to the lot.

(1) Alleys, when present, shall always be the primary means of access.

(2) When alleys are not present, a driveway may be permitted per building type and, if an alternative is available, shall not be located off a primary street.

2. ***Height.*** The following explains the line item requirements for each building type table within the second section entitled "height". Table 10-21-4B (2), illustrates an example of a height requirements table from a typical building type.

	Permitted Districts	
	District A	District B
(b) Height		
Minimum Overall Height	2 stories	2 story
Maximum Overall Height	5 stories	5 stories
Ground Story: Minimum Height	14'	14'
Maximum Height	18'	18'
Upper Stories: Minimum Height	9'	9'
Maximum Height	12'	12'

EXAMPLE

Table 10-21-4B (2). Example Height Requirements Table from a Typical Building Type.

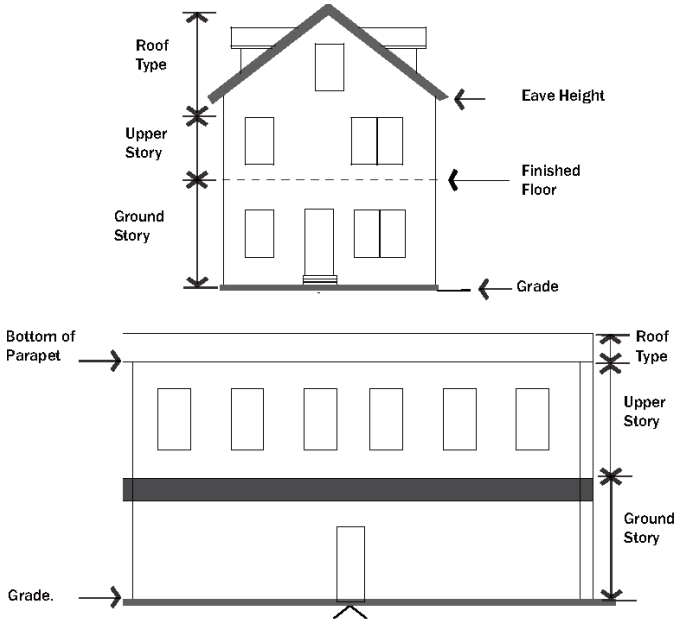


Figure 10-21-4B (3). Measuring Height

a. ***Minimum height (in stories).*** The minimum overall height for the building shall be located within the build-to zone; stories above the minimum height may be stepped back from the facade.

b. ***Maximum height (in stories).*** The sum of a building's total number of stories.

(1) Half stories are located either completely within the roof structure with street-facing windows or in a visible basement exposed a maximum of one-half story above grade.

(2) A building incorporating both a half story within the roof and a visible basement shall count the height of the two (2) half stories as one (1) full story.

(3) Some building types require a building facade to step back as its height increases. The upper stories of any building facade with street frontage shall be setback a designated amount beyond the building facade of the lower stories.

(4) Floors within the building shall be visibly designated on the street facades by the use of expression lines or the layout of the windows.

c. ***Ground story and upper story, minimum and maximum height.*** (Refer to Figure 10-21-4B (3)). Each frontage type includes a permitted range of height in feet for each story. Additional information is as follows:

(1) Floor height is measured in feet between the floor of a story to the floor of the story above it.

(2) For single story buildings and the uppermost story of a multiple story building, floor to floor height shall be measured from the floor of the story to the tallest point of the ceiling.

(3) Double height spaces may be located along any non-street facade or in the entrance way to the building. The entrance way shall not exceed fifty percent (50%) of the street facade.

	Permitted Districts	
	District A	District B
(c) Uses		
Ground Story	Per Section 15.3 Uses	
Upper Story	Per Section 15.3 Uses	
Parking within Building	Permitted fully in any basement and in rear of upper floors	
Occupied Space	20' deep on all full height floors from the front facade	

EXAMPLE

Table 10-21-4B (3). Example Uses Table from a Typical Building Type.

3. ***Uses.*** The following explains the line item requirements for each building type table within the third section entitled "uses." Refer to section 10-21-3 for uses permitted within each district. The requirements in this section of the building type tables may limit those uses within a specific building type. Table 10-21-4B (3) illustrates an example of the uses table from a typical building type.

a. ***Ground and upper story.*** The uses or category of uses which may occupy the ground and/or upper story of a building.

b. ***Parking within building.*** The area(s) of a building in which parking is permitted within the structure.

c. ***Occupied space.*** The area(s) of a building that shall be designed as occupied space, defined as interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking.

	Permitted Districts	
	District A	District B
(d) Street Facade Requirements		
Minimum Ground Story Transparency Measured between 2' and 8' above grade	65%	65%
Minimum Transparency Upper Stories	20%	20%
Blank Wall Limitations	Required per floor	
Front Facade Entrance Type	Storefront, Arcade	
Principal Entrance Location	Front or Corner Facades	
Number of Street Entrances	Minimum 1 for every 50' or less of facade	
Ground Story Vertical Divisions	One per every 30' of facade width	
Horizontal Facade Divisions	Within 3' of the top of the ground story and the bottom of any fifth floor	
Facade Variety Required Refer to 15.4B.4(h) for requirements.	Every 80' of facade width	

EXAMPLE

Table 10-21-4B (4). Example Street Facade Requirements Table from a Typical Building Type.

4. ***Street facade requirements.*** The following explains the line item requirements for each building type table within the fourth section entitled "street facade requirements." These requirements apply only to facades facing a public or private street right-of-way. The rear or interior side yard facades are not required to meet these standards unless otherwise stated. Table 10-21-4B (4) illustrates an example of a street facade requirements table from a typical building type.

   a. ***Minimum ground story and upper floor transparency.*** **(Refer to Figure 10-21-4B (5)).** The minimum amount of transparency on street facades with street frontage.

      (1) Transparency is any glass in windows and/or doors, including any mullions, that is highly transparent with low reflectance.

         (a) Ground story transparency, when defined separately from the overall minimum transparency, shall be measured between two (2) feet and eight (8) feet from the base of the front facade.

         (b) A general minimum transparency requirement shall be measured from floor to floor of each story.

   b. ***Blank wall limitations.*** A restriction of the amount of windowless area permitted on a facade with street frontage. If required, the following shall both be met for each story:

      (1) No rectangular area greater than thirty percent (30%) of a story's facade, as measured from floor to floor, may be windowless; and

      (2) No horizontal segment of a story's facade greater than fifteen (15) feet in width may be windowless.

5. ***Entrance type.***

   a. ***Front facade entrance type.*** The entrance type(s) permitted for the entrance(s) of a given building type. A mix of permitted entrance types may be utilized. Refer to section 10-21-41 Entrance Types for definition of and additional requirements for each.

   b. ***Principal entrance location.*** The facade on which the primary building entrance is to be located.

   c. ***Number of street entrances.*** The minimum number of and maximum spacing between entrances on the ground floor building facade with street frontage.

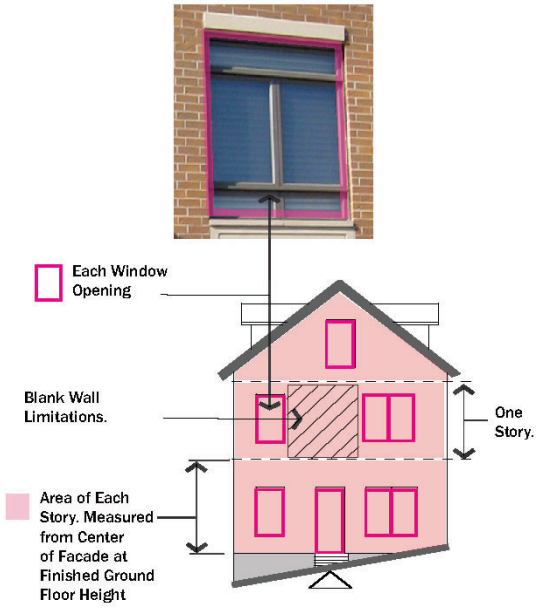
   d. ***Ground story vertical divisions.*** The use of a vertically oriented expression line or form to divide the ground floor facade into increments no greater than the dimension shown in Figure 10-21-41 (1), as measured along the base of the facade, and extending a minimum of eighty percent (80%) from the average grade of the facade elevation to the interior ceiling. Elements may include a column, pilaster, or other continuous vertical ornamentation.

Measuring Ground Floor Transparency on a Storefront Base.

   e. ***Horizontal facade divisions.*** The use of a horizontally oriented expression line or form to divide portions of the facade into horizontal divisions, extending a minimum of ninety percent (90%) of the full width of the facade. Elements may include a cornice, belt course, molding, string courses, or other continuous horizontal ornamentation a minimum of one and a half inch (1½") depth.

f. ***Facade variety requirements.*** Building design shall vary between designated vertical facade divisions, where required per the building type, and from adjacent buildings by the type of dominant material or color, scale, or orientation of that material and at least two (2) of the following. Refer to Figure 10-21-4B (5) for one (1) illustration of this requirement.

Figure 10-21-4B (4). Building Variety.



Measuring Transparency on Each Story with Slope.

Figure 10-21-4B (5). Measuring Transparency.

Z.

(1) The proportion of recesses and projections.

(2) The location of the entrance and window placement, unless storefronts are utilized.

(3) Roof type, plane, or material, unless otherwise stated in the building type requirements.

6. ***Roof type.*** The following explains the line item requirements for each building type table in sections 10-21-4.C through 10-21-4.H, within the fifth section entitled "roof types." Table 10-21-4B (5) illustrates an example of a roof type requirements table from a typical building type.

	Permitted Districts	
	District A	District B
(e) Roof Type Requirements		
Permitted Roof Types	Parapet, Pitched, Flat	
Tower	Permitted	

EXAMPLE

Table 10-21-4B (5). Example Roof Type Requirements Table from a Typical Building Type.

e. ***Permitted roof type.*** The roof type(s) permitted for a given building type. Refer to section 10-21-4.J for more specific requirements.

7. ***Tower.*** A vertical building extension that may be permitted in conjunction with another roof type on certain building types. Refer to section 10-21-4.J.

		Permitted Districts			
		S 1: Bridge Street	S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street
	(a) Building Siting Refer to Figures 10-21-4C (1) and 10-21-4C-(2)				
	Multiple Principal Buildings	Permitted [1]			
a	Minimum Front Lot Line Coverage	100% [2]	75%	90% [2]	65%
	Occupation of Corner	Required [7]			
b	Front Build-to Zone	0' to 5'			0' to 10'
c	Corner Build-to Zone	0' to 5'	0' to 10'		
d	Minimum Side Yard Setback	0'; 5' if adjacent to other Building Type		5'	
e	Minimum Rear Yard Setback	5'; 25' if located adjacent to residential [3]			
f	Minimum Lot Width	none	16'		
g	Maximum Building Width	none	none		
	Maximum Impervious Coverage	95% [4]	80% [4]		
	Additional Semi-Pervious Coverage	5%	20%		
h	Parking & Loading Location	Rear yard; existing developed sites require no add'l parking and/or loading facilities	Rear Yard & Side Yard [5]		
	Entry for Parking within Building	Rear & Side Facades			All Sides
i	Vehicular Access	none	Alley; if no alley exists, 1 driveway per every 80' of frontage is permitted off non-Primary street; if no side street, 1 driveway permitted off Primary Street; shared access is encouraged.		
	(b) Height Refer to Figure 10-21-4C (3)				
j	Minimum Overall Height	2 stories	1 story		
k	Maximum Overall Height	6 stories (with min. 3' setback at 3 stories)	4 stories		
l	Ground Story: Minimum Height	14'	12'	14'	12'
	Maximum Height	24' [6]	24' [6]	24' [6]	24' [6]
m	Upper Stories: Minimum Height	9'			
	Maximum Height	14'			
	(c) Uses Refer to Figure 10-21-4C (3)				
n	Ground Story	Per Section 10-21-3 Uses; residential permitted provided that it is located at least 20' from the front primary facade			
o	Upper Story	Per Section 10-21-3 Uses			
p	Parking within Building	Permitted fully in any basement and in rear of all floors			
q	Occupied Space	20' deep on all full height floors from the front facade			
	(d) Street Facade Requirements Refer to Figure 15.4C (4)				
r	Minimum Ground Story Transparency Measured between 2' and 8' above grade	50%			30%
s	Minimum Upper Story Transparency Street-Facing Stories	20%		15%	
t	Front Facade Entrance Type	Storefront, Elevated Storefront (permitted only on parcels in flood hazard areas per Section 18 of the City's Code of Ordinances)			
u	Principal Entrance Location	Front or Corner Facades			
	Number of Street Entrances	Minimum 1 for every 30' or less of facade	Minimum 1 for every 50' or less of facade		Minimum 1 for every 80' or less of facade
	Ground Story Vertical Divisions	One per every 20-40' of facade width			
	Horizontal Facade Divisions	Within 3' of top of ground story and the bottom of any fifth floor		Within 3' of top of ground story	
	Facade Variety Required Refer to 10-21-4B(4)(h) for requirements.	Every 40' of facade width		Every 50' of facade width	
	(e) Roof Type Requirements Refer to Figure 10-21-4C (4)				
v	Permitted Roof Types	Parapet, Pitched, Flat			
	Tower	Permitted			

6. ***Downtown commercial building.***

a. ***Description and intent.*** The downtown commercial building is a building located at the front and corner property lines allowing easy access to passing pedestrians. Parking may be provided in the rear of the lot, internally in the building, or, in some cases, no off-street parking is required.

b. Storefronts with large amounts of transparency and regularly spaced entrances off the street are utilized on the ground floor front facade. Ground floor uses are limited to those with high levels of pedestrian activity, such as retail, service, and office uses, with additional commercial, office, and/or residential uses in the upper stories.

c. ***Regulations.*** Regulations for the downtown commercial building type are defined in the adjacent table.

d. ***Table Notes:***

(1) Each building shall meet all requirements of the Building Type.

(2) A max. six (6) foot gap is allowed if it serves as a walkable passage.

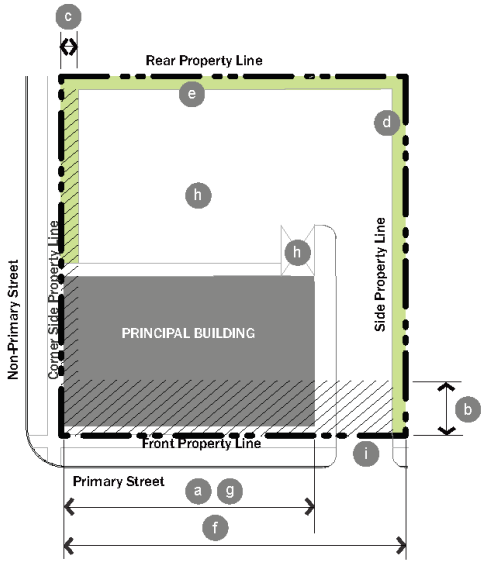
(3) If located adjacent to flood hazard area, refer to requirements of the Yorkville Stormwater Ordinance No. 2012-56. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

e. Maximum Impervious Coverage shall be applied only to all non-flood hazard areas. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

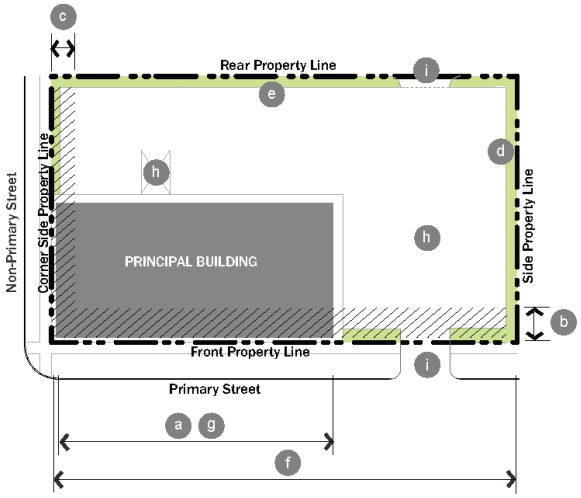
f. Lots wider than one hundred (100) feet are permitted one double-loaded aisle of parking (maximum width of seventy (70) feet), located perpendicular to the front lot line and shall meet a Front Lot Line Coverage of sixty percent (60%).

g. Eighteen (18) feet or more in height counts as two (2) stories towards maximum building height.

h. Corner Clearance: No building, structures or landscaping which obstructs vision on any corner lot between a height of two (2) feet and ten (10) feet above the finished grade of either street within a twenty-five (25) foot triangle formed by the intervening street lines are permitted.



Typical Site Plan.
Figure 10-21-4C (1): Building Siting.



Site Plan with side parking (S 2 and S4 only).
Figure 10-21-4C (2): Building Siting.

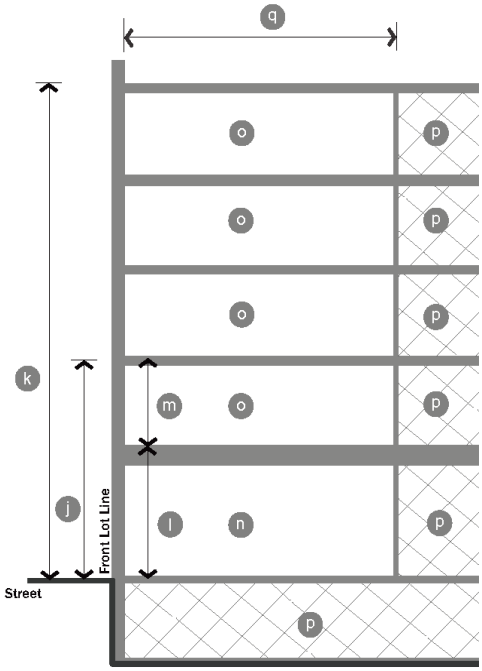


Figure 10-21-4C (3): Height & Use Requirements.

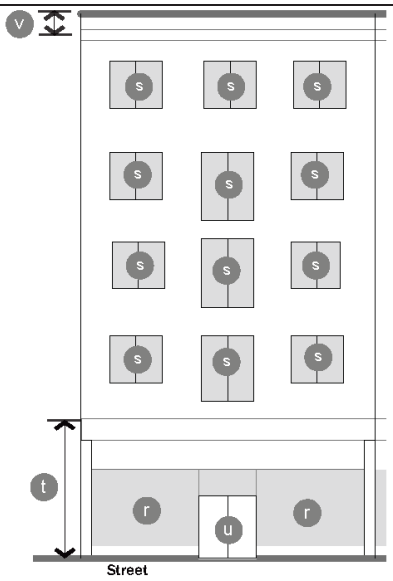


Figure 10-21-4C (4): Street Facade Requirements.

		Permitted Districts		
		S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street
	(a) Building Siting Refer to Figures 10-21-4D (1) and 10-21-4D (2)			
	Multiple Principal Buildings	Permitted [1]		
a	Minimum Front Lot Line Coverage	75%		50%
	Occupation of Corner	Required [5]		
b	Front Build-to Zone	5' to 15'		5' to 20'
c	Corner Build-to Zone	0' to 10'		5' to 20'
d	Minimum Side Yard Setback	5'		10'
e	Minimum Rear Yard Setback	5'; 25' if located adjacent to residential [2]		
f g	Minimum Lot Width Maximum Building Width	16' none		
	Maximum Impervious Coverage Additional Semi-Pervious Coverage	65% [3] 20%	75% [3] 20%	65% [3] 20%
h	Parking & Loading Location	Rear yard [4], Side Yard		
	Entry for Parking within Building	Rear & Side Facades		
i	Vehicular Access	Alley; if no alley exists, 1 driveway per every 80' of frontage is permitted off non-Primary street; if no side street, 1 driveway permitted off Primary Street; shared access is encouraged.		
	(b) Height Refer to Figure 10-21-4D (3)			
j	Minimum Overall Height	1 story		
k	Maximum Overall Height	4 stories		
l	All Stories: Minimum Height Maximum Height	9' 14'		
	(c) Uses Refer to Figure 10-21-4D (3).			
m	All Stories	Per Section 10-21-3 Uses; residential dwelling allowed provided that it is located at least 20' from the front primary facade		
n	Parking within Building	Permitted fully in any basement and in rear of all floors		
o	Occupied Space	20' deep on all full height floors from the front facade		
	(d) Street Facade Requirements Refer to Figure 10-21-4D (4).			
p	Minimum Transparency Per each Story	20%		
q	Front Facade Entrance Type	Stoop, Porch		
r	Principal Entrance Location	Front facade or corner facade		
	Number of Street Entrances	Minimum 1 for every 100' or less of facade		
	Ground Story Vertical Divisions	Every 60' of facade width		
	Horizontal Facade Divisions	Within 3' of the top of the ground story and any visible basement		
	Facade Variety Required Refer to 10-21-4B(4)(h) for requirements.	Every 50' of facade width		
	(e) Roof Type Requirements Refer to Figure 10-21-4D (4)			
s	Permitted Roof Types	Parapet, pitched, flat		
t	Tower	Permitted		

4. ***Downtown living building.***

   a. ***Description and intent.*** The downtown living building type is limited in terms of uses by the district within which it is located, generally housing office and/or residential uses. Similar to the downtown commercial building, the downtown living building is intended to be built close to the front and corner property lines, but generally allows for more landscape space between the building and the street. Parking may be provided in the rear of the lot, internally in the building, or, in some cases, one (1) double-loaded aisle of parking is permitted in the interior or the side yard at the front lot line.

   b. ***Regulations.*** Regulations for the downtown living building type are defined in the adjacent table.

   c. ***Table Notes:***

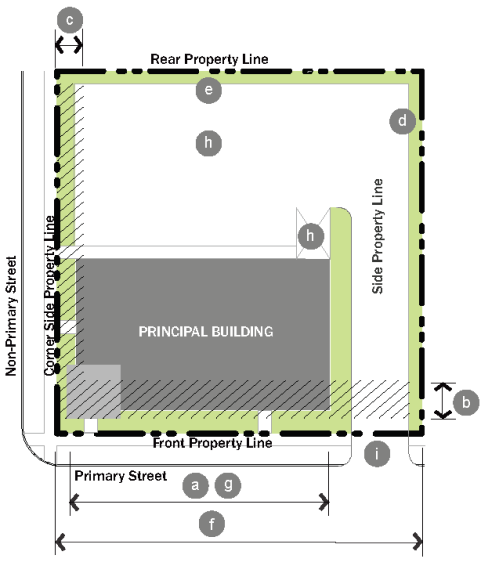
      (1) Each building shall meet all requirements of the Building Type.

      (2) If located adjacent to flood hazard area, refer to requirements of the Yorkville Stormwater Ordinance No. 2012-56. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

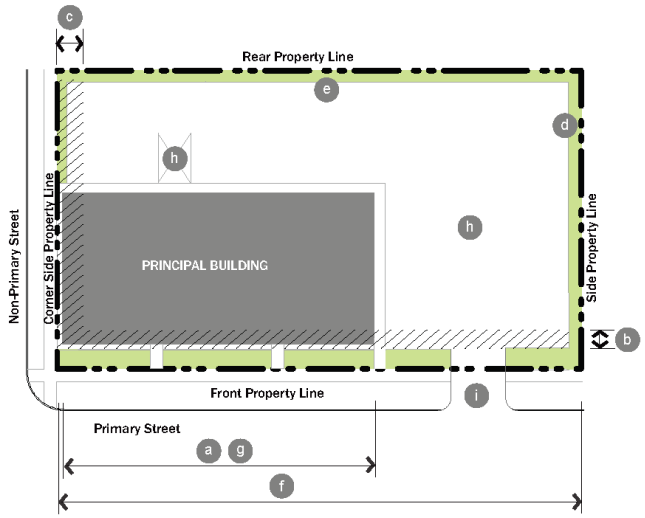
(3) Maximum Impervious Coverage shall be applied only to all non-flood hazard areas. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

(4) Lots wider than one hundred (100) feet are permitted one (1) double-loaded aisle of parking (maximum width of seventy (70) feet), located perpendicular to the front lot line and shall meet a Front Lot Line Coverage of sixty percent (60%).

(5) Corner Clearance: No building, structures or landscaping which obstructs vision on any corner lot between a height of two (2) feet and ten (10) feet above the finished grade of either street within a twenty-five (25) foot triangle formed by the intervening street lines are permitted.



Typical Site Plan.
Figure 10-21-4D (1): Building Siting.



Site Plan with side parking (S 3 and S 4 only).
Figure 10-21-4D (2): Building Siting.

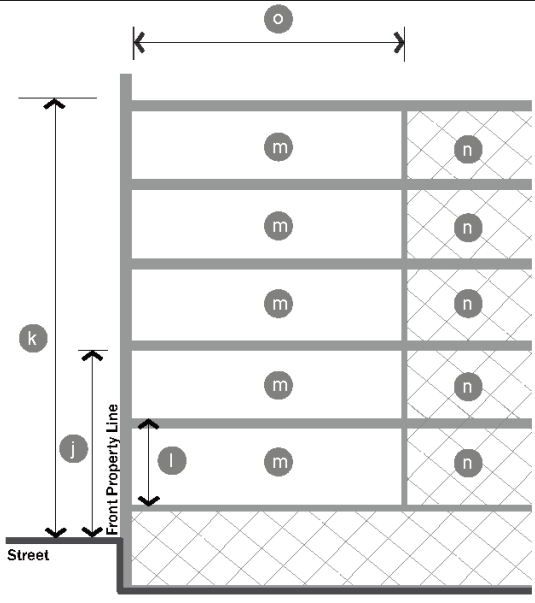


Figure 10-21-4D (3): Height & Use Requirements.

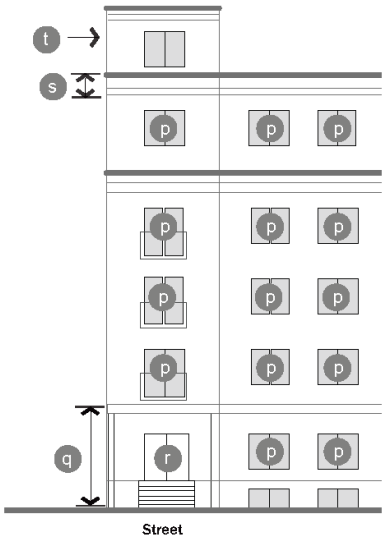


Figure 10-21-4D (4): Street Facade Requirements.

	Permitted Districts			
	S 1: Bridge Street	S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street
(a) Building Siting Refer to Figure 10-21-4E (1)				
Multiple Principal Buildings	Refer to District Street Details			
a Minimum Front Lot Line Coverage	60%	50%		40%
Occupation of Corner	Required [6]			
b Front Build-to Zone	5' to 10'	5' to 20'		
c Corner Build-to Zone	5' to 10'	5' to 25'		5' to 15'
d Minimum Side Yard Setback	10'	15'		
e Minimum Rear Yard Setback	25' [2]			
f Minimum Lot Width g Maximum Building Width	25' 50'			
Maximum Impervious Coverage Additional Semi-Pervious Coverage	70% [3] 15%		60% [3] 15%	
h Parking & Loading Location	Rear yard; attached garages access off rear facade only. [4,5]			
Entry for Parking within Building	Not Permitted on Primary Street			
i Vehicular Access	Alley; if no alley exists, 1 driveway permitted off non-Primary street; if no side street, 1 driveway permitted off Primary Street; shared access is encouraged.			
(b) Height Refer to Figure 10-21-4E (2)				
j Minimum Overall Height	none			
k Maximum Overall Height	3.5 stories			
l Minimum Ground Story Height	10'			
(c) Uses Refer to Figure 10-21-4E (2)				
m Ground Story	Per Section 10-21-3 Uses			
n Upper Stories	Per Section 10-21-3 Uses			
o Parking within Building	Not Permitted on Primary Street			
p Occupied Space	20' deep on all full height floors from the front facade			
(d) Street Facade Requirements Refer to Figure 10-21-4E (3)				
q Minimum Ground Story Transparency Measured between 2' and 8' above grade	40%	30%		
r Minimum Transparency Upper Stories	15%			
Blank Wall Limitations	Required per floor			
s Front Facade Entrance Type	Porch (Storefront, Elevated Storefront permitted only on parcels in flood hazard areas per Section 18 of the City's Code of Ordinances; Stoop permitted with design review			
t Principal Entrance Location	Front or corner side facade			
Number of Street Entrances	Minimum 1 per Building			
Ground Story Vertical Divisions	Not required			
Horizontal Facade Divisions	Within 3' of the top of any visible basement			
Facade Variety Required Refer to 10-21-4B(4)(h) for requirements.	Between adjacent buildings			
(e) Roof Type Requirements Refer to Figure 10-21-4E (3)				
u Permitted Roof Types	Pitched			
Tower	Permitted			

5. ***Cottage commercial building.***

   a. ***Description and intent.*** The cottage commercial building combines characteristics of the downtown commercial building type with physical characteristics of a residential cottage, such as a pitched roof and a front stoop or porch.

   b. This lower-scale building has a pedestrian-friendly storefront, stoop, or porch entrance type with moderate transparency and a primary entrance that faces the street. Constructed with setbacks similar to a residential cottage, this building typically has more landscape area than the downtown commercial building types. Parking is permitted in the rear of the lot or a side aisle (with conditions).

   c. The cottage commercial building may contain a mix of uses, including retail, service, and office uses on the ground floor, with residential uses on upper floors.

   d. ***Regulations.*** Regulations for the cottage commercial building type are defined in the adjacent table.

      (1) ***Table Notes:***

         (a) Each building shall meet all requirements of the Building Type.

(b) If located adjacent to flood hazard area, refer to requirements of the Yorkville Stormwater Ordinance No. 2012-56. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

(c) Maximum Impervious Coverage shall be applied only to all non-flood hazard areas Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

(d) Lots wider than eighty (80) feet are permitted one (1) single-loaded aisle of parking (maximum width of forty (40) feet), located perpendicular to the front lot line, and shall meet a Front Lot Line Coverage of fifty percent (50%).

(e) Attached garages are considered part of the principal building and shall meet all setbacks Detached garages shall meet all setbacks unless an alley is present. When an alley is present, detached garages shall have a minimum rear setback of five (5) feet.

(f) Corner Clearance: No building, structures or landscaping which obstructs vision on any corner lot between a height of two (2) feet and ten (10) feet above the finished grade of either street within a twenty-five (25) foot triangle formed by the intervening street lines are permitted.

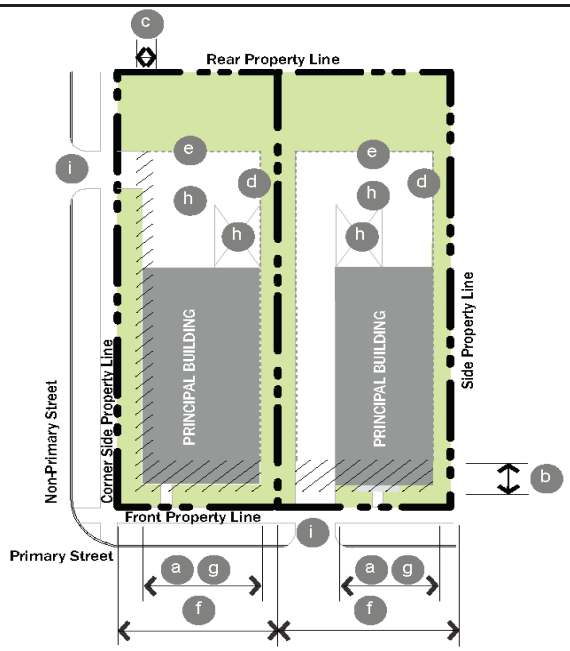


Figure 10-21-4E (1). Building Siting.

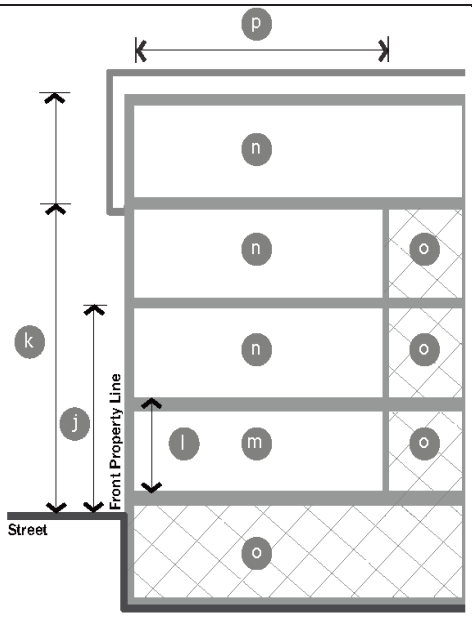


Figure 10-21-4E (2) Height & Use Requirements.

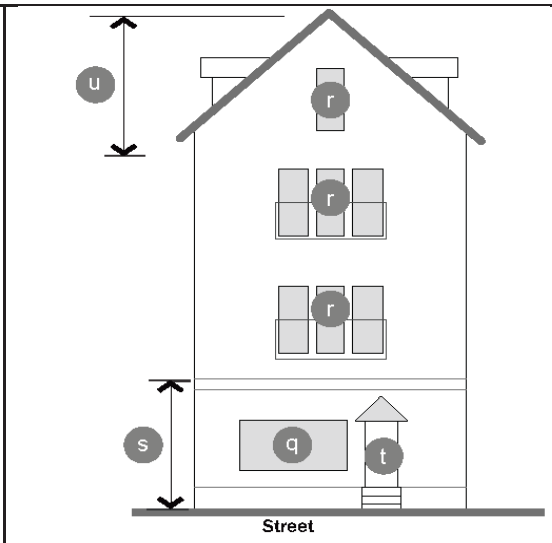


Figure 10-21-4E (3). Street Facade Requirements.

	Permitted Districts				
	S 1: Bridge Street	S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street	S 5: 'B' Street Residential
(a) Building Siting Refer to Figure 10-21-4F (1)					
Multiple Principal Buildings	Refer to District Street Details				
Minimum Front Lot Line Coverage	Refer to District Street Details				
Occupation of Corner	Required [5]				
(a) Front Build-to Zone	0' to 10'	0' to 15'			
(b) Corner Build-to Zone					
(c) Minimum Side Yard Setback	5'		10'		
(d) Minimum Rear Yard Setback	5'; 25' if located adjacent to residential [1]				
(e) Minimum Lot Width Maximum Building Width	16' none	30' none			
Maximum Impervious Coverage Additional Semi-Pervious Coverage	70% [2] 20%		70% [2] 10%		50% [2] 20%
(f) Parking & Loading Location	Rear yard [3]				
Entry for Parking within Building	Rear & Side Facades				
(g) Vehicular Access	Alley	Alley; if no alley exists, 1 driveway is permitted per street frontage			
(b) Height Refer to Figure 10-21-4F (2)					
(h) Minimum Overall Height	1 story				
(i) Maximum Overall Height	6 stories (with min. 3' setback at 3 stories)	4 stories			3 stories
(j) Ground Story: Minimum Height Maximum Height	14' 24' [4]	12' 24' [4]	14' 24' [4]	12' 24' [4]	12' 18' [4]
(k) Upper Stories: Minimum Height Maximum Height	9' 14'				9' 12'
(c) Uses Refer to Figure 10-21-4F(2)					
(l) All Stories	Limited to uses in the Civic category and Entertainment Uses by Special Use. Refer to 15.3 Uses.				
(m) Parking within Building	Permitted fully in any basement and in rear of all floors				
(n) Occupied Space	30' deep on all full height floors from the front facade				
(d) Street Facade Requirements Refer to Figure 10-21-4F (3)					
(o) Minimum Transparency Per each Story	12%				
Blank Wall Limitations	None				
(p) Front Facade Entrance Type	None required				
(q) Principal Entrance Location	Front or corner Facade				
Number of Street Entrances	1 per each 150' of front facade				
Ground Story Vertical Divisions	none required				
Horizontal Facade Divisions	none required				
Facade Variety Required Refer to 10-21-4B(4)(h) for requirements.	none required				
(e) Roof Type Requirements Refer to Figure 10-21-4F (3)					
(r) Permitted Roof Types	Parapet, Pitched, Flat, Other Roofs with approval per 10-21-4J				Pitched
(s) Tower	Permitted				

6. ***Civic building.***

a. ***Description and intent***. The civic building type is a more flexible building type intended only for civic and institutional types of uses. These buildings are distinctive within the community fabric created by the other building types. Parking is limited to the rear in most cases. The maximum heights of this building type depend on the district within which it is located.

b. ***Regulations.*** Regulations for the civic building type are defined in the adjacent table.

(1) ***Table Notes:***

(a) If located adjacent to flood hazard area, refer to requirements of the Yorkville Stormwater Ordinance No. 2012-56. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

(b) Maximum Impervious Coverage shall be applied only to all non-flood hazard areas. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

(c) Lots wider than one hundred (100) feet are permitted one (1) double-loaded aisle of parking (maximum width of seventy (70) feet), located perpendicular to the front lot line.

(d) Eighteen (18) feet or more in height counts as two (2) stories towards maximum building height.

(e) Corner Clearance: No building, structures or landscaping which obstructs vision on any corner lot between a height of two (2) feet and ten (10) feet above the finished grade of either street within a twenty-five (25) foot triangle formed by the intervening street lines are permitted.

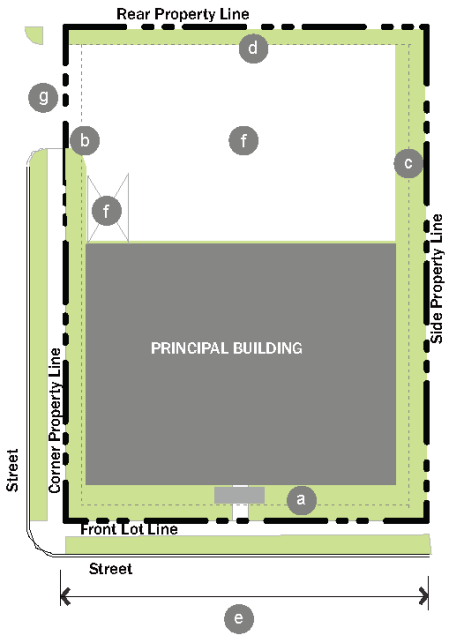


Figure 10-21-4F (1). Building Siting.

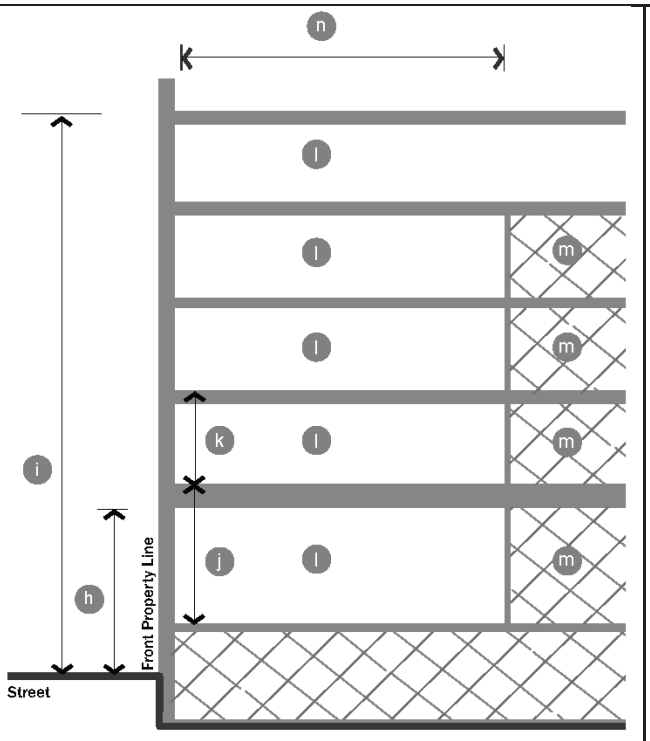


Figure 10-21-4F (2). Height & Use Requirements.

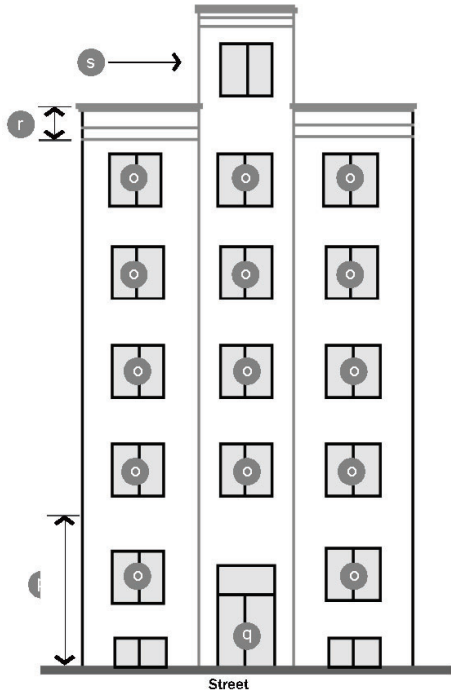


Figure 10-21-4F (3). Street Facade Requirements.

		Permitted Districts		
		S 3: Van Emmon Street	S 4: 'B' Street	S 5: 'B' Street Residential
	(a) Building Siting Refer to Figures 10-21-4G (1) and 10-21-4G (2)			
	Multiple Principal Buildings	Permitted [1]		
a	Minimum Front Lot Line Coverage	75% [2]	70% [2]	65% [2]
	Occupation of Corner	Required [5]		
b	Front Build-to Zone	5' to 20'	10' to 20'	10' to 25'
c	Corner Build-to Zone	5' to 10'	10' to 15'	
d	Minimum Side Yard Setback	0' per unit; 10' between buildings'		0' per unit; 15' between buildings'
e	Minimum Rear Yard Setback	15', if alley present 5'		20', if alley present 5'
f	Minimum Unit Width	16' per unit	16' per unit	18' per unit
g	Maximum Building Width	Maximum 8 units per building	Maximum 6 units per building; maximum 120' width	Maximum 6 units per building; maximum 120' width
	Maximum Impervious Coverage Additional Semi-Pervious Coverage	65% [3] 20%	60% [3] 20%	50% [3] 20%
h	Parking & Garage Location	Rear yard; attached garages access off rear facade only. [4]		
i	Vehicular Access	Alley; if no alley exists, one driveway is permitted per building		
	(b) Height Refer to Figure 10-21-4G (3)			
j	Minimum Overall Height	1 story		
k	Maximum Overall Height	4 stories	3.5 stories	3 stories
l	Minimum Ground Floor Height:	12'		
	(c) Uses Refer to Figure 10-21-4G (3)			
m	All Stories	Residential only		
n	Parking within Building	Permitted fully in any basement and in rear of all floors		
o	Occupied Space	30' deep on all full height floors from the front facade		
	(d) Street Facade Requirements Refer to Figure 10-21-4G (4)			
p	Minimum Transparency per each Story	15%	12%	
q	Front Facade Entrance Type	Stoop, Porch		
	Principal Entrance Location	Front or Corner Side Facade		
r	Number of Street Entrances	1 per unit		
	Ground Story Vertical Divisions	none required		
	Horizontal Facade Divisions	none required		
	Facade Variety Required Refer to 10-21-4B(4)(h) for requirements.	Between adjacent buildings		
	(e) Roof Type Requirements Refer to Figure 10-21-4G (4)			
s	Permitted Roof Types	Parapet, Pitched, Flat		
	Tower	Permitted		

7. ***Attached building.***

   a. ***Description and intent.*** The attached building is a building comprised of multiple vertical units, each with its own entrance to the street. This building type may be organized as townhouses or rowhouses.

   b. Parking is required to be located in the rear yard and may be incorporated either into a detached garage or in an attached garaged accessed from the rear of the building. However, when the garage is located within the building, a minimum level of occupied space is required on the front facade to ensure that the street facade is active.

   c. ***Regulations.*** Regulations for the attached building type are defined in the adjacent table.

      (1) ***Table Notes:***

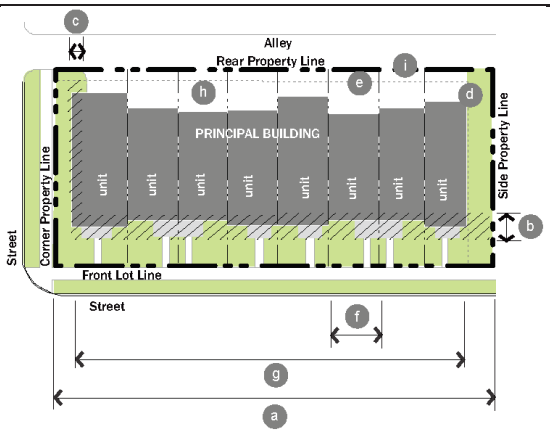
         (a) For the purposes of the Attached Building, a building consists of a series of units. When permitted, multiple buildings may be located on a lot within the minimum space between them. However, each building shall meet all requirements of the Building Type.

(b) Each building shall meet the front lot line coverage requirement, except one (1) of every five (5) units may front a courtyard with a minimum width of thirty (30) feet. The courtyard shall be defined on three (3) sides by units.

(c) Maximum Impervious Coverage shall be applied only to all non-flood hazard areas. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

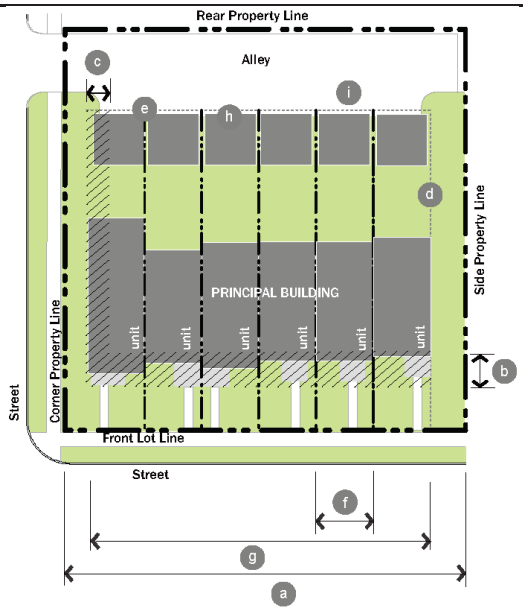
(d) Attached garages are considered part of the principal building and shall meet all setbacks. Detached garages shall meet all setbacks unless an alley is present. When an alley is present, detached garages shall have a minimum rear setback of five (5) feet.

(e) Corner Clearance: No building, structures or landscaping which obstructs vision on any corner lot between a height of two (2) feet and ten (10) feet above the finished grade of either street within a twenty-five (25) foot triangle formed by the intervening street lines are permitted.



Site Plan without Rear Yard

Figure 10-21-4G (1): Building Siting.



Site Plan with Rear Yard

Figure 10-21-4G (2): Building Siting.

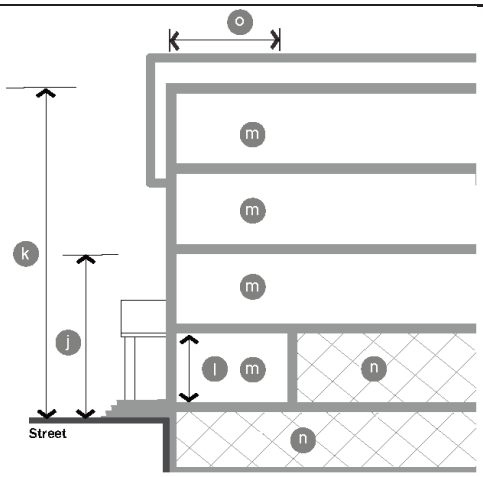


Figure 10-21-4G (3): Height & Use Requirements.

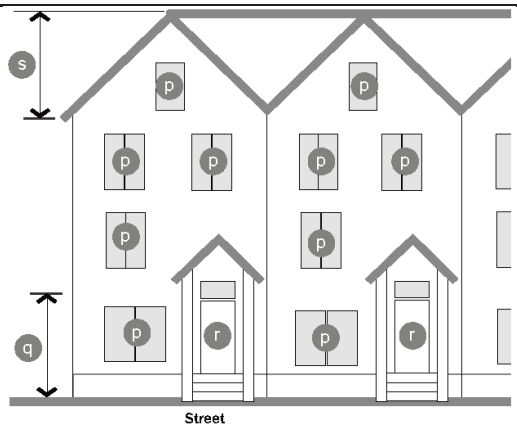


Figure 10-21-4G (4): Street Facade Requirements.

		Permitted Districts	
		S 4: 'B' Street	S 5: 'B' Street Residential
	(a) Building Siting Refer to Figure 10-21-4H (1)		
	Multiple Principal Buildings	Permitted [1]	
a	Minimum Front Lot Line Coverage	50% [2]	40%
b	Occupation of Corner	Required	
c	Front Build-to Zone	10' to 20'	10' to 25'
	Corner Build-to Zone	10' to 20'	10' to 25'
d	Minimum Side Yard Setback	5'	7.5'
e	Minimum Rear Yard Setback	35', if alley present 5'	
f	Minimum Lot Width Maximum Lot Width	30' 50'	30' 70'
g	Maximum Impervious Coverage Additional Semi-Pervious Coverage	60% [3] 20%	50% [3] 20%
h	Parking & Garage Location	Rear yard; attached garages access off rear or side facade only. [4]	
	Vehicular Access	Alley; if no alley exists, one driveway is permitted per building	
	(b) Height Refer to Figure 10-21-4H (2)		
i	Minimum Overall Height	1 story	
j	Maximum Overall Height	3.0 stories	
k	All Stories: Minimum Height Maximum Height	9' 14'	
	(c) Uses Refer to Figure 10-21-4H (2)		
l	All Stories	Residential only	
m	Parking within Building	Permitted	
n	Occupied Space	30'	
	(d) Street Facade Requirements Refer to Figure 10-21-4H (3)		
o	Minimum Transparency per each Story	12%	
p	Front Facade Entrance Type	Stoop, porch	
q	Principal Entrance Location	Front or side facade	
	Number of Street Entrances	Any	
	Ground Story Vertical Divisions	None required	
	Horizontal Facade Divisions	None required	
	Facade Variety Required Refer to 10-21-4B(4)(h) for requirements.	Between adjacent buildings	
	(e) Roof Type Requirements Refer to Figure 10-21-4H (3)		
r	Permitted Roof Types	Parapet, Pitched, Flat	Pitched
	Tower	Not permitted	

8. ***Yard building.***

   a. ***Description and intent.*** The yard building is a residential building, incorporating a landscaped yard surrounding all sides of the building. Parking and garages are limited to the rear only with preferred access from an alley.

   b. ***Regulations***. Regulations for the yard building type are defined in the adjacent table.

      (1) ***Table Notes:***

      (a) Each building shall meet all requirements of the Building Type.

      (b) When multiple buildings are located on a single lot, the buildings shall collectively meet the front lot line coverage requirement. Buildings located internal to the lot may be arranged with a courtyard or bungalow court that is a minimum of twenty (20) feet in width. The width of the courtyard shall be exempt from minimum front lot line coverage requirements. The courtyard or bungalow court shall be defined on three (3) sides by units. This layout shall not be allowed on corner lots, only lots internal to a block segment.

      (c) Maximum Impervious Coverage shall be applied only to all non-flood hazard areas. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

      (d) Attached garages are considered part of the principal building and shall meet all setbacks. Detached garages shall meet all setbacks unless an alley is present. When an alley is present, detached garages shall have a minimum rear setback of five (5) feet.

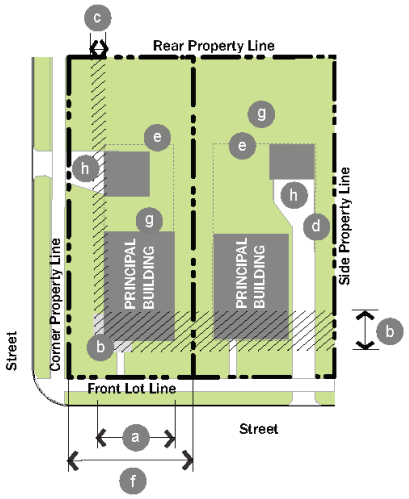


Figure 10-21-4H (1). Building Siting.

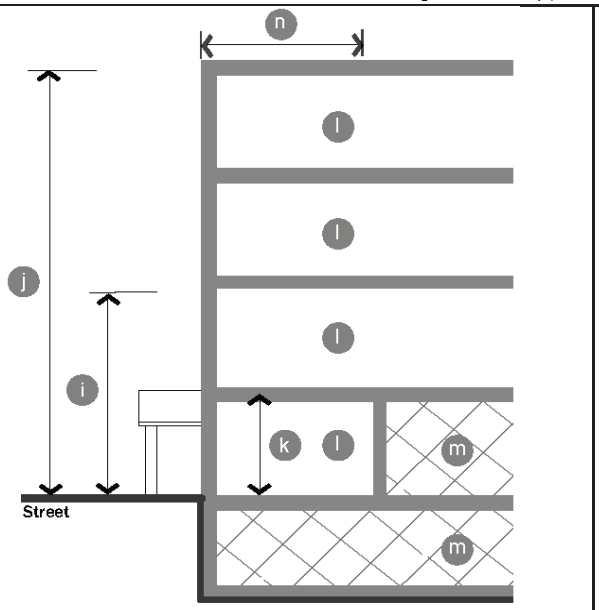


Figure 10-21-4H (2). Height and Use Requirements.

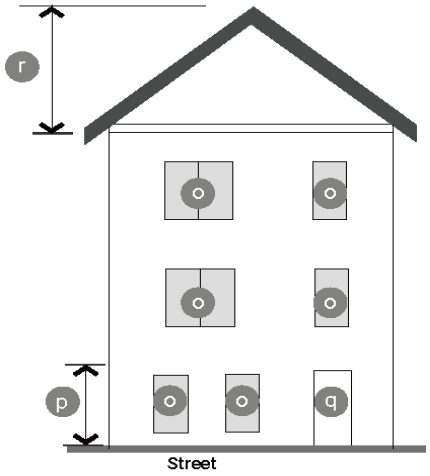


Figure 10-21-4H (3). Street Facade Requirements.

9. ***Entrance types.*** Entrance type standards apply to the ground story and visible basement of front facades of all building types as defined in this section. Refer to the building type table requirements, sections 10-21-4.C through 10-21-4.H.

   a. ***General.*** The following provisions apply to all entrance types:

      (1) ***Intent.*** To guide the design of the ground story of all buildings to relate appropriately to pedestrians on the street. Treatment of other portions of the building facades is detailed in each building type standard (refer to building types 10-21-4.C through 10-21-4.H).

      (2) ***Applicability.*** The entire ground story street-facing facade(s) of all buildings shall meet the requirements of at least one (1) of the permitted entrance types, unless otherwise stated.

      (3) ***Measuring transparency.*** Refer to section 10-21-4.B Explanation of building type table standards, for information on measuring building transparency.

      (4) ***Visible basements.*** Visible basements, permitted by entrance type, are optional. The visible basement shall be a maximum of one-half (½) the height of the tallest story.

   b. ***Storefront entrance type.*** Refer to Figure 10-21-41 (1). The Storefront entrance type is a highly transparent ground story treatment designed to serve primarily as the display area and primary entrance for retail or service uses.

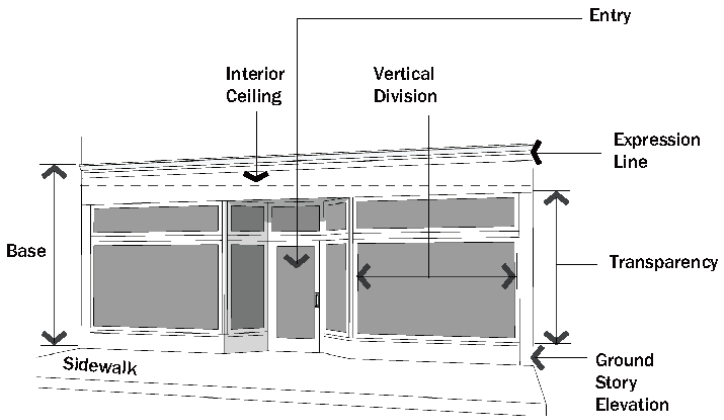


Figure 10-21-41 (1). Storefront Entrance Type.

      (1) ***Transparency***. Minimum transparency is required per building type.

      (2) ***Elevation.*** Storefront elevation shall be between zero (0) and one (1) foot above street sidewalk.

      (3) ***Visible basement.*** A visible basement is not permitted.

      (4) ***Horizontal facade division.*** Horizontally define the ground story facade from the upper stories.

      (5) ***Entrance.*** All entries shall be recessed from the front facade closest to the street.

         (a) Recess shall be a minimum of three (3) feet and a maximum of eight (8) feet deep, measured from the portion of the front facade closest to the street.

         (b) When the recess falls behind the front build-to zone, the recess shall be no wider than eight (8) feet.

c. ***Elevated storefront entrance type.*** Refer to Figure 10-21-41 (2). The elevated storefront entrance type is a highly transparent ground story treatment similar to the storefront, but permitted to be elevated above the sidewalk for buildings located on parcels with flood hazard areas.

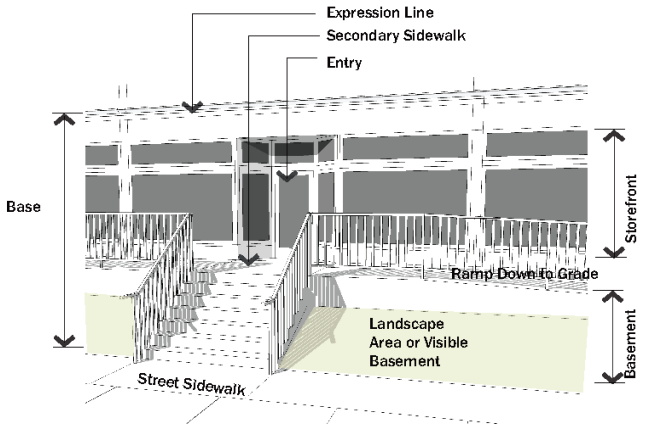


Figure 10-21-4I (2). Elevated Storefront Entrance Type.

(1) ***Transparency.*** Minimum transparency is required per building type.

(2) ***Elevation.*** Storefront elevation may be a half story above the street sidewalk elevation.

(3) ***Visible basement***. A visible basement is permitted and does not require occupied space.

(4) ***Horizontal facade division***. Horizontally define the ground story facade from the upper stories and any visible basement from the ground story.

(5) ***Entrance.*** All entries shall be located off a secondary walk along the building face within the build-to zone.

(a) The secondary sidewalk shall be elevated above and essentially parallel to the street sidewalk to provide continuous walking along the facade of the building.

(b) The secondary sidewalk shall be continuous along the facade of the building and shall connect to the street sidewalk by steps and ramps every fifty (50) feet.

(c) The secondary sidewalk shall connect to any other adjacent developments secondary sidewalks, when feasible. Drive crossings shall be of the same material as the secondary walk.

(d) The transition between the secondary sidewalk and street sidewalk shall include landscape, patios, and connecting walks.

(e) The visible basement shall be located a minimum of five (5) feet from the street sidewalk to allow softening of the transition.

(f) The street and the secondary sidewalks shall be a minimum of eight (8) feet in width.

d. ***Stoop entrance type***. Refer to Figure 10-21-4I (3). A stoop is an unroofed, open platform.

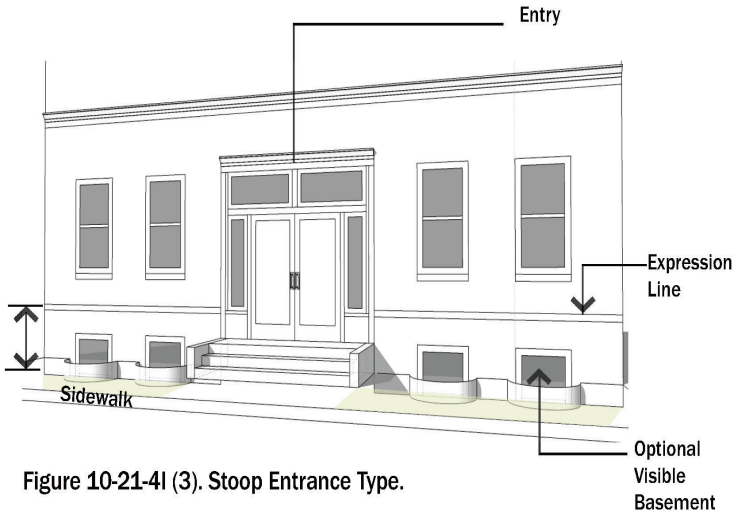


Figure 10-21-4I (3). Stoop Entrance Type.

(1) ***Transparency.*** Minimum transparency is required per building type.

(2) ***Stoop size.*** Stoops shall be a minimum of five (5) feet deep by six (6) feet wide.

(3) ***Elevation.*** Stoop elevation shall be located a maximum of two (2) feet six (6) inches (2' 6") above the sidewalk without visible basement and a maximum of four (4) feet six (6) inches (4' 6") above the sidewalk with a visible basement.

(4) ***Visible basement***. A visible basement is permitted and shall be separated from the ground story by an expression line.

(5) ***Entrance.*** All entries shall be located off a stoop. The stoop may be continuous along the facade of the building.

(6) ***Landscape area.*** A minimum five (5) foot wide landscape area is required within the build-to zone along the length of this entrance type with the exception of walks accessing the building.

e. ***Porch entrance type***. Refer to Figure 10-21-41 (4). A porch is a raised, roofed platform that may or may not be enclosed on all sides. If enclosed, the space shall not be climate controlled.

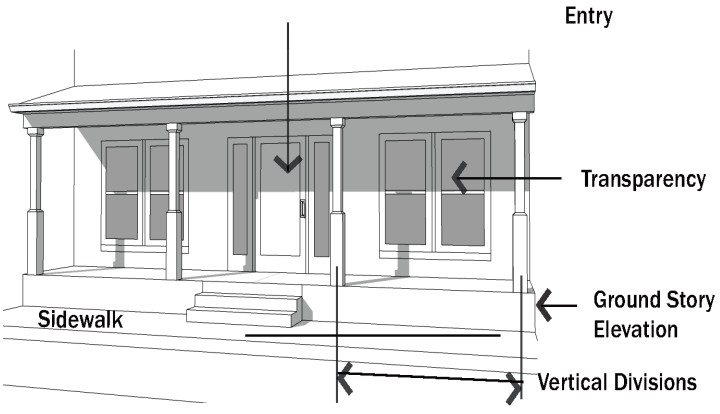


Figure 10-21-4I (4). Porch Entrance Type.

(1) ***Transparency.***

(a) Minimum transparency per building type is required.

(b) If enclosed, a minimum of forty percent (40%) of the enclosed porch shall be comprised of highly transparent, low reflectance windows.

(2) ***Porch size.*** The porch shall be a minimum of five (5) feet deep and eight (8) feet wide.

(3) ***Elevation***. Porch elevation shall be located a maximum of two (2) feet six (6) inches (2' 6") above the sidewalk without a visible basement and a maximum of four (4) feet six (6) inches (4' 6") above the sidewalk with a visible basement.

(4) ***Visible basement.*** A visible basement is permitted.

(5) ***Height.*** Porch may be two (2) stories to provide a balcony on the second floor.

(6) ***Entrance.*** All entries shall be located off a porch.

4. ***Roof types***. Roof type standards apply to the roof and cap of all building types as defined in this section. Refer to the building type table requirements, sections 10-21-4.C through 10-21-4.H.

a. ***General provisions***. The following provisions apply to all roof types:

(1) ***Intent.*** To guide the design of the cap of all buildings.

(2) ***Applicability.*** All buildings shall meet the requirements of one (1) of the roof types permitted for the building type.

(3) ***Measuring height***. Refer to section 10-21-4.B for information on measuring building height.

(4) ***Other roof types.*** Other building caps not listed as a specific type may be requested with the following requirements:

(a) The roof type shall not create additional occupiable space beyond that permitted by the building type.

(b) The shape of the roof type shall be significantly different from those defined in this section 10-21-4.J, i.e., a dome, spire, vault.

(c) The building shall warrant a separate status within the community from the fabric of surrounding buildings, with a correspondence between the form of the roof type and the meaning of the building use.

b. ***Parapet roof type***. Refer to Figure 10-21-4J (1). A parapet is a low wall projecting above a building's roof along the perimeter of the building. It can be utilized with a flat or low pitched roof and also serves to limit the view of roof-top mechanical systems from the street.

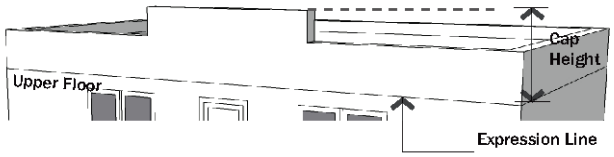


Figure 10-21-4J (1). Parapet Roof Type

Cap Type &
Roof Height

(1) ***Parapet height***. Height is measured from the top of the upper story to the top of the parapet.

(a) Minimum height is two (2) feet with a maximum height of six (6) feet.

(b) The parapet shall be high enough to screen the roof and any roof appurtenances from view of the street(s).

(2) ***Horizontal expression lines***. An expression line shall define the parapet from the upper stories of the building and shall also define the top of the cap.

(3) ***Occupied space***. Occupied space shall not be incorporated behind this roof type.

c. ***Pitched roof type.*** Refer to Figure 10-21-4J (2). This roof type has a sloped or pitched roof. Slope is measured with the vertical rise divided by the horizontal span or run.

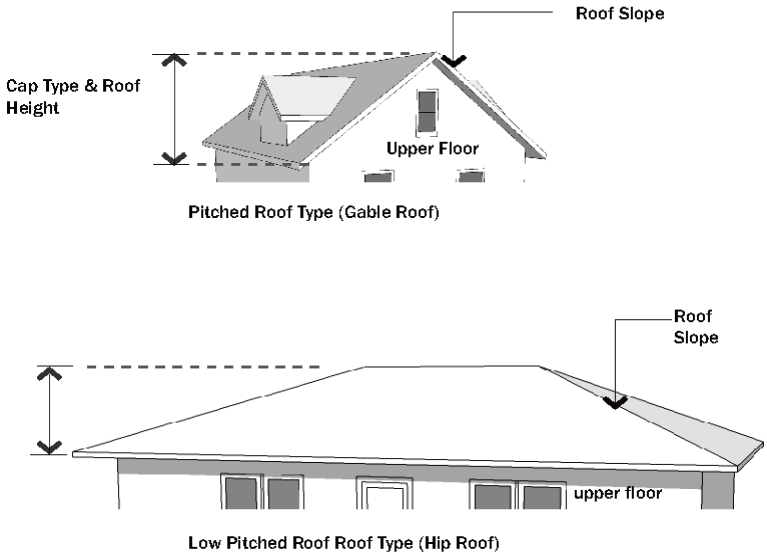


Figure 10-21-4J (2). Pitched Roof Type

(1) ***Pitch measure***. The roof may not be sloped less than a 4:12 (rise:run) or more than 16:12.

(a) Slopes less than 4:12 are permitted to occur on second story or higher roofs. Refer to Figure 10-21-4J (2).

(2) ***Configurations.***

(a) Hipped, gabled, and combination of hips and gables with or without dormers are permitted.

(b) Butterfly roofs (inverted gable roof) are permitted with a maximum height of eight (8) feet, inclusive of overhang.

(c) Gambrel and mansard roofs are not permitted.

(3) **Parallel ridge line.** A gabled end or perpendicular ridge line shall occur at least every one hundred (100) feet of roof when the ridge line runs parallel to the front lot line. Refer to Figure 10-21-4J (3).

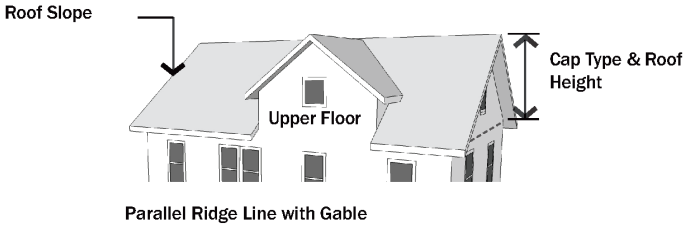


Figure 10-21-4J (3). Parallel Ridge Line

(4) ***Roof height***. Roofs without occupied space and/or dormers shall have a maximum height on street-facing facades equal to the maximum floor height permitted for the building type.

(5) ***Occupied space.*** Occupied space may be incorporated behind this roof type.

d. ***Flat roof type.*** Refer to Figure 10-21-4J (5), Flat Roof Type. This roof type has a flat roof with overhanging eaves.

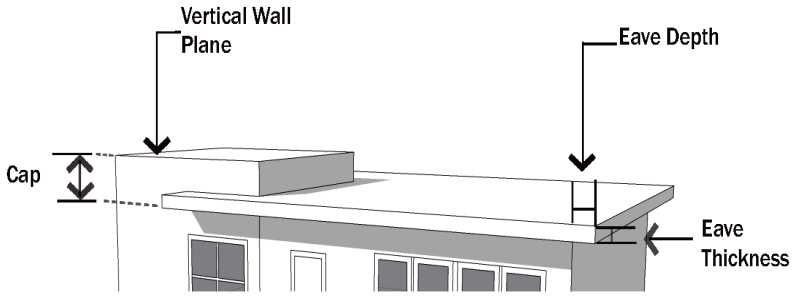


Figure 10-21-4J (5). Flat Roof Type

(1) ***Configuration.*** Roofs with no visible slope are acceptable. Eaves are recommended on all street facing facades.

(2) ***Eave depth.*** Eave depth is measured from the building facade to the outside edge of the eave. Eaves shall have a depth of at least fourteen (14) inches.

(3) ***Eave thickness***. Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave. Eaves shall be a minimum of eight (8) inches thick.

(4) ***Interrupting vertical walls.*** Vertical walls may interrupt the eave and extend above the top of the eave with no discernible cap.

(a) No more than one-half (½) of the front facade can consist of an interrupting vertical wall.

(b) Vertical walls shall extend no more than four (4) feet above the top of the eave.

(5) ***Occupied space.*** Occupied space shall not be incorporated behind this roof type.

(6) No mechanical equipment on roof shall be visible from the adjacent sidewalk.

e. ***Towers.*** Refer to Figure 10-21-4J (4). A tower is a rectilinear or cylindrical, vertical element, that shall be used with other roof types.

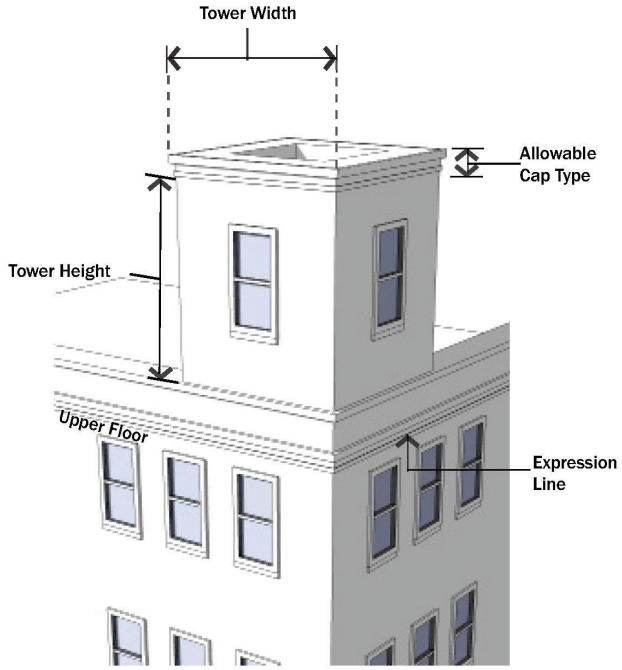


Figure 10-21-4J (4). Tower

(1) ***Quantity***. All building types, with the exception of the civic building, are limited to one (1) tower per building.

(2) ***Tower height.*** Maximum height, measured from the top of the parapet or eave to the top of the tower, is the equivalent of the height of one (1) upper floor of the building to which the tower is applied.

(3) ***Tower width***. Maximum width along all facades is one-third (⅓) the width of the front facade or thirty (30) feet, whichever is less.

(4) ***Occupied space.*** Towers may be occupied by the same uses allowed in upper stories of the building type to which it is applied.

(5) ***Application.*** May be combined with all other roof types.

(6) ***Tower cap.*** The tower may be capped by the parapet, pitched, low pitched, or flat roof roof types, or the spire may cap the tower.

5. ***Additional design requirements.*** The following outlines the district design requirements that affect a building's appearance and district cohesiveness. They improve the physical quality of buildings, enhance the pedestrian experience, and protect the character of the neighborhood.

a. ***Materials and color.***

(1) ***Primary facade materials.*** Eighty percent (80%) of each street facade shall be constructed of primary materials. Street facade materials shall continue around the corner a minimum depth of twenty (20) feet onto the side facade.

(a) Permitted primary building materials include high quality, durable, natural materials, such as stone, brick; wood lap siding; fiber cement board lapped, shingled, or panel siding; glass. Other high quality synthetic materials may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 10-21-4K (1).

Primary Materials: Brick

Primary Materials: Stone

Primary Materials: Painted Wood

Figure 10-21-4K (1). Primary Materials.

b. ***Secondary facade materials.*** Secondary materials are limited to details and accents and include gypsum reinforced fiber concrete for trim and cornice elements; metal for beams, lintels, trim, and ornamentation, and exterior architectural metal panels and cladding.

   (1) Exterior insulation and finishing systems (EIFS) is permitted on upper floor facades only.

c. ***Roof materials.*** Acceptable roof materials include three hundred (300) pound or better, dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile. "Engineered" wood or slate may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 10-21-4K (2).

Roof Materials: Asphalt Composite Shingles

Roof Materials: Metal

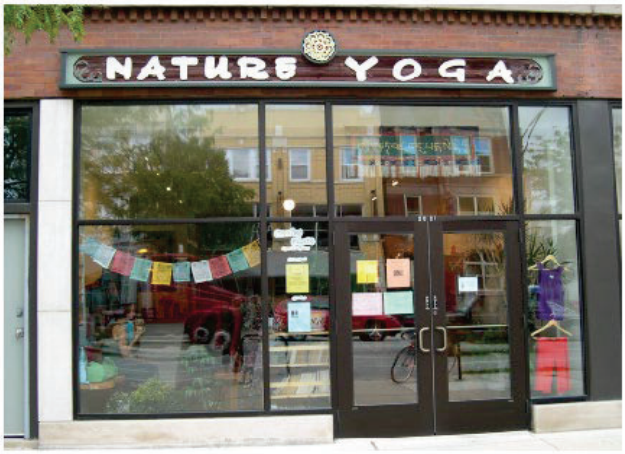
Roof Materials: Ceramic Tile

Figure 10-21-4K (2). Roof Materials.

d. ***Color.*** Main building colors shall utilize any historic palettes from any major paint manufacturer. Other colors may be utilized or details and accents, not to exceed a total area larger than ten percent (10%) of the facade surface area.

e. ***Appropriate grade of materials.*** Commercial quality doors, windows, and hardware shall be used on all ground floor building types with the exception of the attached building and the yard building. Refer to Figure 10-21-4K (3).

Prohibited: Residential Grade Doors on Commercial Buildings.



Permitted: Commercial Grade Doors & Windows on Commercial Buildings.

Figure 10-21-4K (3).Commercial Grade Doors & Windows.

2. ***Windows, awnings, and shutters.***

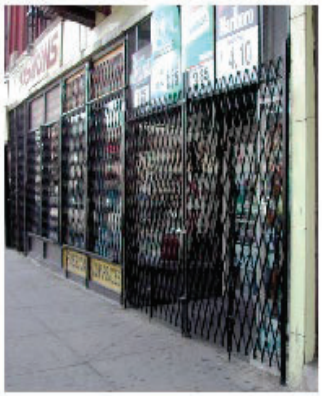
   a. ***Windows.*** All upper story windows on all historic, residential, and mixed use buildings shall be recessed, and either casement or double hung. Percent of transparency is required per building type. Horizontal or vertical strip windows, tinted or reflective glass, and glass block (Figure 10-21-4K (4)) are prohibited on street facades.

Prohibited: Glass block windows on front facade.

Figure 10-21-4K (4).Windows.

b. ***Security grills.*** Grills shall be fully retractable and completely within the interior of the building and inconspicuous to the extent possible. Exterior bars are prohibited on any window. Refer to Figure 10-21-4K (5).

Permitted: Fully retractable, interior security grills.



Prohibited: Exterior grills and bars.

Figure 10-21-4K (5).Security Grills.

c. ***Awnings***. All awnings shall be canvas or metal. Plastic awnings and canopy awnings that extend from the front facade into the right-of-way are prohibited. Awning types and colors for each building face shall be coordinated. Refer to Figure 10-21-4K (6).

Permitted Awnings: Metal (left) and Canvas (right)

Prohibited Awnings: Canopy awnings that extend from the front facade into the right-of-way

Figure 10-21-4K (6). Awnings.

d. ***Shutters***. If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood. "Engineered" wood may be approved during the site plan process with an approved sample and examples of successful, high quality local installations.

3. ***Rear parking facade design.*** The following applies in all locations where a public building entrance occurs on the rear facade adjacent to a parking lot. Refer to Figure 15.4K (7).

Front Facade Example.

Rear Facade Example.

Figure 10-21-4K (7).Rear Parking Facade Design.

a. ***Entrance type.*** An entrance type shall be utilized for a minimum of twenty (20) feet of rear facade. Refer to 10-21-4I(2) -(5).

b. ***Transparency requirement.*** Public building entrance facade area, minimum twenty (20) feet wide, shall utilize one (1) of the following:

c. When the storefront entrance type is utilized, a minimum forty-five percent (45%) transparency is required for the ground floor facade entrance, and the door shall be a minimum of forty-five percent (45%) transparent.

d. When any other entrance type is utilized, the minimum transparency required for upper floors of the street facade shall apply to the rear ground floor entrance area, and the door shall be a minimum of forty-five percent (45%) transparent.

3. ***Awnings and signage are encouraged.***

4. ***Balconies***. The following applies in all locations where balconies are incorporated into the facade design facing any street or parking lot. Refer to Figure 10-21-4K (8).

Figure 10-21-4K (8). Balconies Integral to Facade.

a. ***Size.*** Balconies shall be a minimum of six (6) feet deep and five (5) feet wide.

b. ***Connection to building.*** Balconies shall be integral to the facade at the street line. Balconies on stepbacked stories shall be independently secured and unconnected to other balconies.

c. ***Facade coverage.*** A maximum of forty percent (40%) of the front and corner side facades, as calculated separately, may be covered with balconies, including street-facing railing and balcony structure.

Z. **Site development standards:**

1. **Signage.**

a. **General requirements.** Refer to chapter 10-20 of the Yorkville City Code for all signage regulations applicable to the downtown overlay districts.

b. **Revisions to the signage regulations.** The following revises chapter 10-20 of the Yorkville City Code specific to the S districts.

c. **Freestanding low monument signs**. (Refer to section 10-20-4) Low monument signs are permitted only in the S4 district.

2. **Parking requirements.**

a. **Applicability.** This section shall apply to all new development and changes in use or intensity of use for existing development in any S districts.

b. **General requirements.** Off-street parking spaces shall be provided in conformance with chapter 10-16 Off-Street Parking and Loading Regulations, unless revised in this section 10-21-5.B.

c. **Required vehicle parking.** The required vehicle parking Table 10-21-5B (1) indicates the maximum vehicle parking ratio for a given use.

d. **Parking credits.** Vehicular parking standards within chapter 10-16 may be reduced by achieving one (1) or all of the following credits:

(1) **On-street parking credit.** For all non-residential uses, on-street parking spaces that meet the following shall be credited against the parking requirement.

(a) Spaces shall be designated on-street parking available twenty-four (24) hours of every day.

(b) On-street space located a minimum of fifty percent (50%) adjacent to the property line of the lot.

(2) **Public parking credit.** For all non-residential uses, public parking spaces located within six hundred and sixty (660) feet of any property line may be credited against the parking requirement at a rate of one (1) credit for every three (3) public parking spaces.

(3) **Car-share parking credit.** The vehicular parking requirements can be reduced with the inclusion of car-share parking spaces as follows:

(a) Per each car-share parking space provided, required parking spaces shall be reduced by four (4) spaces.

(b) Required parking spaces may be reduced up to forty percent (40%).

(c) Approval. Applicant must provide documentation of an agreement with a car-share company. If this agreement should terminate at any point, applicant shall be required to provide parking as otherwise required herein.

(4) **Shared parking.** Required parking may be reduced to the lower amount if at least eighty percent (80%) of non-residential parking is available as publicly shared parking. Otherwise, the higher standard parking requirement shall apply.

(a) Other parking reductions. Additional reductions may be approved by the Planning and Zoning Commission with the submittal of a parking study illustrating the reduction.

(5) **Bicycle parking.**

(a) **Required bicycle parking.** The required bicycle parking Table 10-21-5B (2) indicates the minimum bicycle parking ratio for a given use.

(i) Bicycle parking is not required for uses not listed.

(ii) Bicycle parking is not required for uses less than two thousand five hundred (2,500) square feet in size.

(iii) No use, other than civic is required to accommodate more than twenty (20) bicycles.

(b) **Bicycle parking dimensions.**

(i) Required bicycle parking spaces shall have minimum dimensions of two (2) feet in width and six (6) feet in length.

(ii) An aisle a minimum of five (5) feet wide shall be provided behind bicycle parking facilities to allow for maneuvering.

(iii) A minimum of two (2) feet shall be provided beside each parked bicycle to allows access. This access may be shared by adjacent bicycles.

(iv) Racks shall be installed a minimum of two (2) feet from any wall or other obstruction.

(i) **Location.** Bicycle parking should be located within fifty (50) feet of the entrance of the use.

1. Indoor or outdoor spaces are permitted, provided they are located on the lot with which they are associated.

2. Bicycle parking facilities shall be separated from vehicular parking areas to protect parked bicycles from damage. The separation may be accomplished through grade separation, distance or physical barrier, such as curbs, wheel stops, poles or other similar features.

3. Racks and structures. Racks and structures shall be provided for each unprotected parking space, and shall be designed to accommodate both chain and U-shaped locking devices supporting the bicycle frame at two (2) points.

3. **Landscape.**

a. **General requirements.** Refer to chapter 10-17 Fencing and Screening, for all landscaping and screening requirements.

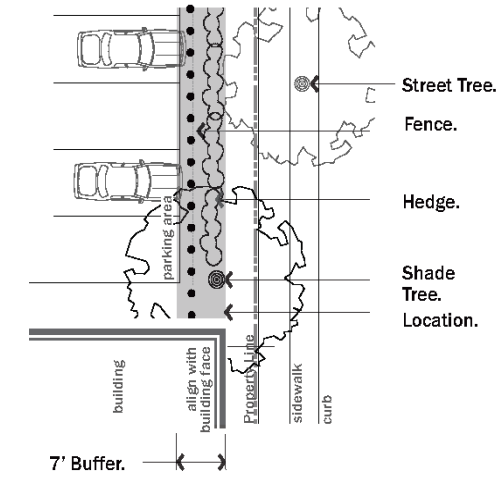
b. **Build-to zones and setbacks.** All build-to zone and setback areas not covered by building shall contain either landscape, patio space, or sidewalk space.

(1) Driveways are permitted to cross the front and corner build-to zone and rear setbacks perpendicularly at a maximum of twenty-five (25) feet in width.

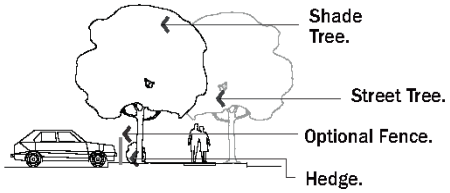
(2) Driveways may encroach upon the side setbacks longitudinally on parcels fifty (50) feet or less in width.

(3) Parking lots shall not encroach upon any setbacks. Side and rear yard parking lots shall not be located closer to the front or corner lot line than the building.

c. **Frontage buffer requirements.** Refer to Figure 10-21-5C (1). The following additional requirements are specific to the S districts and is in addition to information within chapter 10-17 Fencing and Screening guidelines.



Front Buffer Plan.



Front Buffer Section.

Figure 10-21-5C (1). Frontage Buffer Plan and Section.

Frontage Buffer Requirements	
Buffer Depth & Location [1]	
Depth	7'
Location on Site	Between street facing property line and vehicular areas [2]
Buffer Landscape Requirements	
Uses & Materials	Uses and materials other than those indicated are prohibited in the buffer
Shade Trees	Medium or large shade tree with full, spreading canopies required at least every 40'; Locate on the street side of the fence; Spacing should alternate with street trees
Hedge	Required continuous hedge on street side of fence, between shade trees & in front of parking areas
Hedge Composition	Individual shrubs with a minimum width of 24", spaced no more than 36" on center
Existing Vegetation	May be credited toward buffer area
Fence	
Location	2' from back of curb of vehicular area
Materials	Non-galvanized steel or painted PVC; Masonry Columns (maximum width 2'6") and Low Wall (maximum 18" height) permitted
Minimum Height	3' for Steel or Painted PVC
Maximum Height	4' for Steel or Painted PVC, 18" for Low Wall
Colors	Black, gray, or dark green for Steel or Painted PVC
Opacity	Minimum 30%; Maximum 60% for Steel or Painted PVC
Gate/Opening	One gate permitted per street frontage; Opening width maximum 6'

Notes:

[1] This screening requirement does not prohibit the installation of or provision for openings necessary for allowable access drives and walkways connecting to the public sidewalk.

[2] In Front and Corner Yards, when the parking area is located adjacent to any building on the lot, the buffer must be located so that it aligns with or is behind the face of the adjacent building back to the vehicular area. The area between the buffer and the property line must be landscaped.

Table 10-21-5C (1). Frontage Buffer Requirements.

(1) **Intent.** To lessen the visual impact of parking areas visible from the street.

(2) **General applicability.** Applies to properties in all S districts where a parking area is located adjacent to a right-of-way.

(3) **Exceptions.** Parking areas along alleys, except when a residential district is located across the alley. Single- and two-family residences are also excepted.

4. **Street guidelines.**

a. **General street guidelines.** The following guidelines should apply to all new streets within S districts with the intent of creating pedestrian oriented, multimodal streets.

(1) **Typical street elements.** All street rights-of-way should include the following vehicular and pedestrian realm considerations. Refer to Figure 10-21-5D (1).

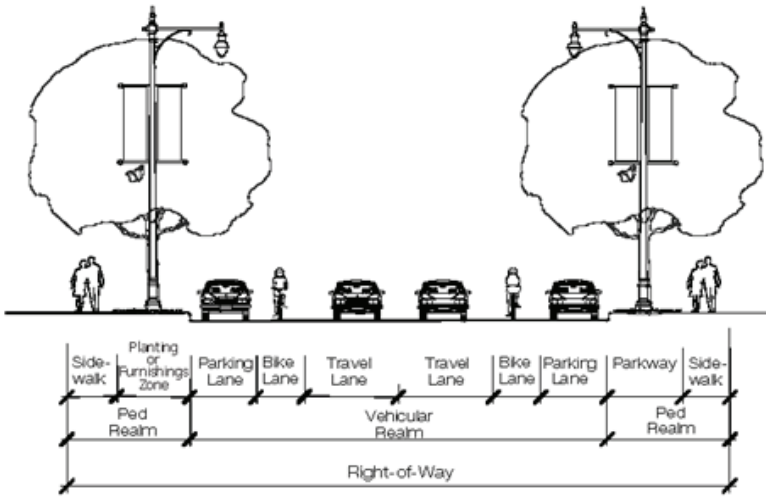


Figure 10-21-5D (1). Typical Right-of-Way Elements.

(3) **Vehicular realm.** The vehicular realm is comprised of the travel lanes, bicycle lanes, and parking lanes.

(4) **Pedestrian realm.** The pedestrian realm is comprised of pedestrian facilities, such as sidewalk. A buffer area that serves to buffer pedestrians or bicyclists from the movements of higher speed vehicles in the vehicular realm shall consist of one (1) of the following:

(a) **Landscape zone.** A landscape area between the back of curb to the sidewalk in which street trees, stormwater swales, lighting, and signage may be located. Typically used adjacent to residential ground floor uses.

(b) **Furnishings zone.** A hardscape area that extends from the sidewalk to the back of curb, in which street trees, street furniture, lighting, and signage may be located. Typically used adjacent to commercial or office ground floor uses.

(2) **Bicycle facilities.** Bicycle facilities, such as dedicated lanes and dedicated shared lanes should be included on any streets based on the City's bicycle plan. New streets within S districts shall utilize shared lanes. A shared lane refers to a street that does not have bicycle lanes or a designated shared lane, but the speed and configuration of the street is such that bicycles could comfortably share lanes with traffic.

(3) **Vehicular on-street parking.** On-street parking, whether parallel or diagonal, shall be included according to the district street details for that street.

b. **Street trees.** Street trees are required along all existing and new street frontages.

(1) All planting material requirements within landscaping and screening guidelines shall be utilized.

(2) Street trees shall be located in either a landscape zone (within a planting bed or lawn) or a furnishings zone (in trees wells with grate as required).

(3) **Permeable surface.** For each tree preserved or planted, a minimum amount of permeable surface area is recommended.

(a) Preserved trees should have a permeable surface area equal to the critical root zone. The critical root zone is equal to half of the radius of the tree's mature canopy, measured from the trunk out to the dripline.

(b) Planted trees have a suggested minimum permeable area and soil volume based upon tree size; refer to Table 10-21-5D (1) for details.

Tree Size Type	Soil Volume (cubic ft)	Soil Surface Area (sq ft) with 2.5' Soil Depth	Permeable Surface Area Requirement (sq ft)
Medium	2,852	1141 (approx. 34' x 34')	225 (15' x 15')
Large	6,532	2681 (approx. 50' x 50')	400 (20' x 20')

Table 10-21-5D (1). Minimum Recommended Soil Volumes and Permeable Area per Planted Tree.

(c) Permeable area for one (1) tree cannot count toward that of another tree.

(4) **Structural soil.** When the critical root zone of an existing tree or the suggested permeable surface area requirement of a newly planted tree extends below any pavement, structural soil is required underneath the pavement.

c. **Pedestrian lighting.** Pedestrian light fixtures shall be installed per the street requirements of the City's Department of Public Works and any streetscape master plan adopted by the City.

d. **New streets and subdivision.** For all developments with total parcel acreage larger than five (5) acres, subdivision and construction of a new street will yield the most buildings. (Building types require buildings to front streets). Refer to Figure 10-21-5D (2) for an example of a typical new block and street configuration. The following recommendations apply:

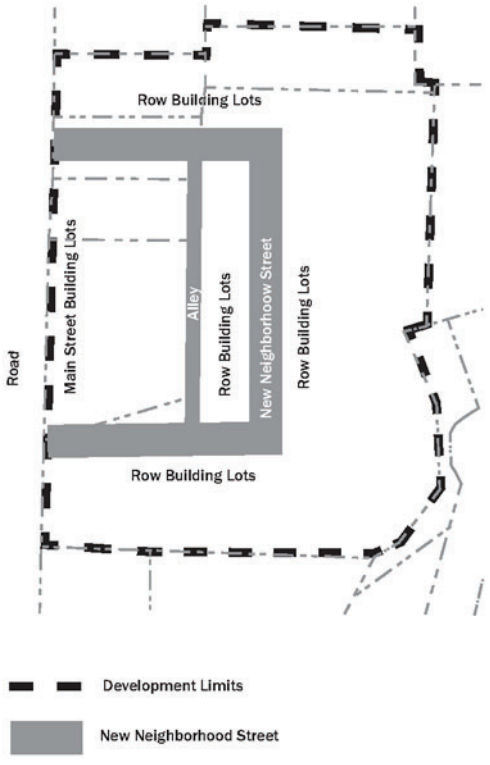


Figure 10-21-5D (2). Example of New Street and Block Configuration for Large Parcels or When Multiple Parcels are Combined.

(1) **Interconnected street pattern.** Streets shall connect and continue existing streets from adjoining areas and cul-de-sac and dead end streets should be avoided.

(2) **Blocks.**

(a) The shape of a block shall be generally rectangular, but may vary due to natural features or site constraints.

(b) Blocks shall typically be two (2) lots deep with the exception of blocks containing open space. Blocks may also include an alley. Blocks may included existing lots within an existing zoning district.

(c) Blocks shall typically be fronted with lots on at least two (2) faces, preferably on the longest street faces.

(d) Consider lot and block orientation for maximum energy efficiency. For example, block orientation along an east-west longitudinal axis will encourage development of buildings oriented along an east-west axis, with smaller east and west facing facades, able to take advantage of passive solar technology.

(e) Block size should be less than four hundred (400) feet.

(3) **Access points.** A minimum of two (2) access points should be provided for each development, with a minimum of one (1) per every one thousand five hundred feet (1,500') of boundary recommended.

(4) **Primary streets.** Designate primary streets so that all buildings front at least one (1) primary street. Vehicular access should not be located off a primary street, unless the parcel is fronted by more than two (2) primary streets.

(5) Blocks may include interior alleys or lanes.

(6) Typical lot configuration. All lots shall have frontage along a public street unless otherwise specified in building type requirements. Flag lots are prohibited.

c. **Temporary structures.**

(1) **General requirements.** Refer to chapter 10-17 Fencing and Screening, for all landscaping and screening requirements.

(2) **Description and intent.** Temporary structures are allowed in all districts according to the following guidelines:

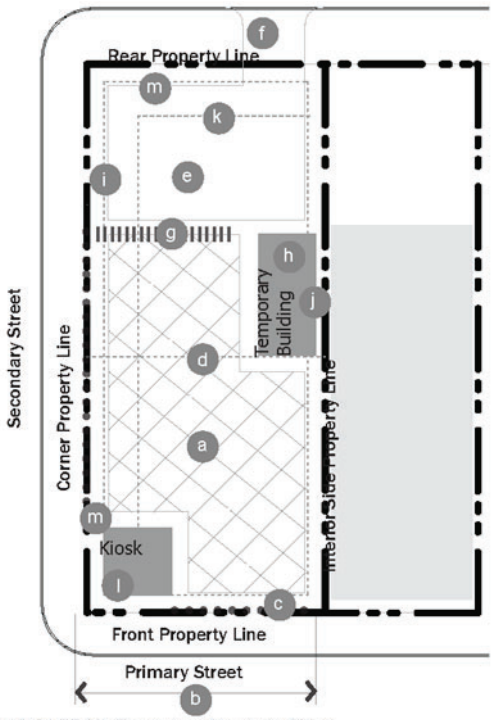


Figure 10-21-5E (1). Temporary Structure Siting

(a) The small scale activity or display area can be a patio for outdoor eating or display of goods and should constitute the majority of the site. The frontage required continues the streetwall of the adjacent buildings, allowing a continuous pedestrian experience from the street with views into the outdoor space.

(b) Two (2) accessory structures are permitted. A temporary building may be erected in the rear of the lot and allows patrons to enter the building. A permanent kiosk may be located anywhere on the lot, but allows employees only in the interior.

(3) Regulations. Regulations for temporary structures are defined in the following table:

(4) Mobile food vendors. Refer to Section 10-3-14 Mobile food vendor vehicles and retail vendor vehicles, for all mobile food vendor requirements.

Chapter 4. Use Standards

10-4-1. Agricultural Use Standards 1
10-4-2. Residential Use Standards 2
10-4-3. Lodging Use Standards 6
10-4-4. Commercial Retail Use Standards 6
10-4-5. Commercial Service Use Standards 7
10-4-6. Commercial Entertainment Use Standards 7
10-4-7. Eating and Drinking Use Standards 8
10-4-8. Medical Use Standards 8
10-4-9. Vehicle Related Use Standards 8
10-4-10. Energy Industrial Uses 9
10-4-11. Industrial Use Standards 9
10-4-12. Transportation Use Standards 9
10-4-13. Alternative Energy Use Standards 10
10-4-14. Medical and Adult Use Cannabis Use Standards 21
10-4-15. Institutional, Public, and Utility Use Standards 23
10-4-16. Accessory Use Standards 32
10-4-17. Temporary Use Standards 40

10-4-1. Agricultural Use Standards

A. **Apiary.** Apiaries shall be subject to the applicable provisions of Title 8, Chapter 18 of the City of Yorkville Code of Ordinances.

10-4-2. Residential Use Standards

A. **Dwelling, Duplex**.

1. The main entrances to a duplex shall face the primary street.

2. A minimum of one (1) of the parking spaces, as required in Section 10-5-1(H) of this Title, shall be provided in an attached or detached garage. Attached garages are encouraged to be located on rear or side façades. If attached garages are located on the primary façade they shall comply with the following standards.

   a. Setback a minimum of twenty-five (25) feet from the street right-of-way or the required front yard setback, whichever is greater.

   b. **Garage Set Ahead.**

      (1) The garage may be set ahead a maximum of five (5) feet from the front façade of the home, inclusive of porches, bay windows, or other minor projections.

      (2) If the garage is set ahead from the front façade of the home, as detailed in (a) above, it shall not exceed forty-five (45) percent of the façade's total width.

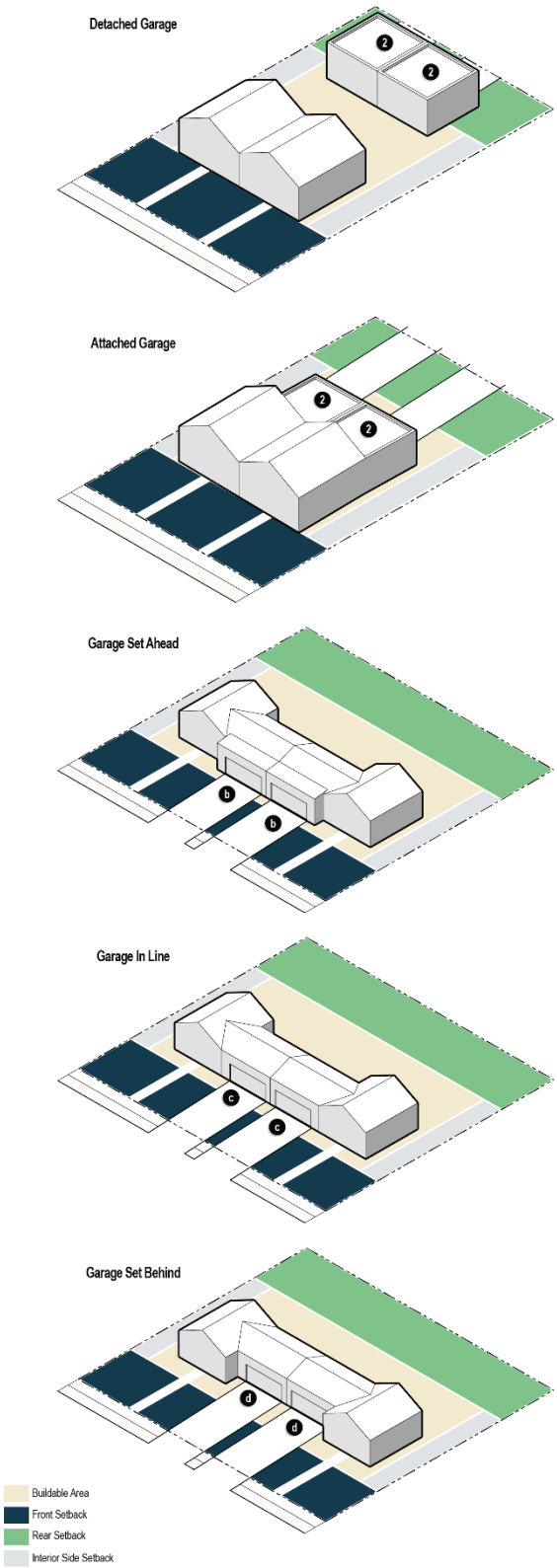
   c. **Garage In Line.** If the garage is in line with the front façade of the home, exclusive of porches, bay windows, or other minor projections, it shall not exceed fifty (50) percent of the façade's total width.

   d. **Garage Set Behind.**

      (1) The garage may be set behind the front façade of the home, exclusive of porches, bay windows, or other minor projections, a minimum of one (1) foot.

      (2) If the garage is set behind the front façade of the home, as detailed in (a) above, it shall not exceed fifty-five (55) percent of the façade's total width.

Figure 4.1. Duplex Dwelling Standards



B. **Dwelling, Multi-Unit**.

1. The main entrance to a multi-unit dwelling shall face the primary perimeter or internal street, unless otherwise allowed in subsection (5) below.

2. All off-street parking shall be located to the side or rear of the primary building. Off-street parking located to the side of the primary building shall be set back a minimum of one (1) foot from the front elevation of the primary building.

3. A maximum of one (1) curb cut shall be permitted per street frontage unless otherwise recommended by the Public Works Director and approved by the Planning and Zoning Commission.

4. Service areas, dumpsters, utilities and the required nonvegetative screening thereof shall not be visible from rights-of-way.

5. **Multi-Building Developments**. Developments with multiple multi-unit dwelling buildings shall meet the following additional standards.

   a. The primary façade shall include a building entrance and be oriented towards the following (listed in priority order). Primary façades shall not be oriented towards off-street parking lots, garages, or carports.

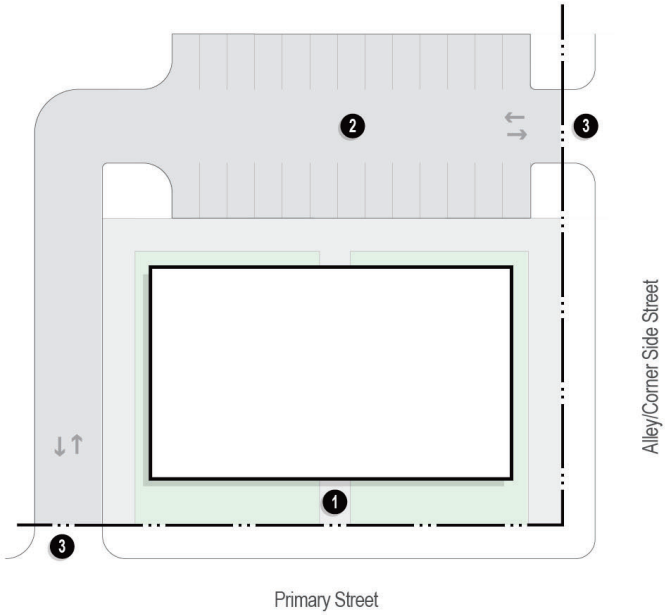
      (1) Perimeter Streets,

      (2) Internal Streets,

      (3) Parks or other common open space, or

      (4) Secondary internal streets.

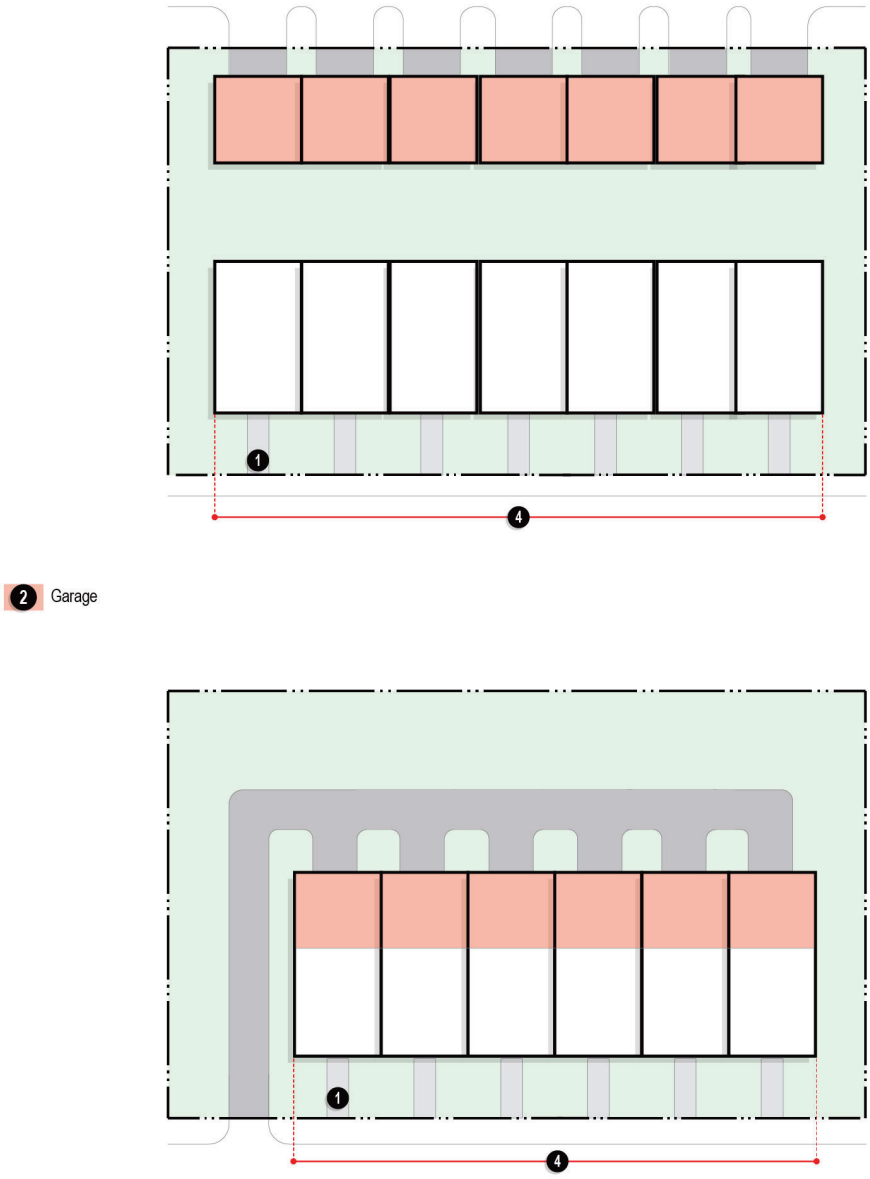
Figure 4.2. Multi-Unit Dwelling Standards



C. **Dwelling, Townhouse**.

1. The entrance to a townhouse shall face the primary public street unless otherwise approved.
2. A minimum of one (1) of the parking spaces, as required in Section 10-5-1(H) of this UDO, shall be provided in an attached or detached garage.
3. Attached garages shall be located on rear or side façades unless otherwise approved.
4. A maximum width of a townhome cluster shall be two hundred (200) lineal feet.
5. The siting of the townhouse units in a cluster shall be staggered in order to define street edges, entry points, and public gathering spaces.

Figure 3.3. Townhouse Dwelling Standards



D. **Mobile Home Park.**

1. The minimum site size shall be ten (10) acres.

10-4-3. Lodging Use Standards

A. **Short-Term Rental.** Short-term rentals shall be subject to the hotel tax provisions established in Title 3, Chapter 1, Section 3-2-7 of the City of Yorkville Code of Ordinances.

10-4-4. Commercial Retail Use Standards

A. **Adult Uses**.

1. **Limitations on Adult Uses**.

a. *Distance from another existing adult use*: An adult use shall not be allowed within five hundred (500) feet of another preexisting adult use.

b. *Distance from zoning districts*: An adult use shall not be located within seven hundred (700) feet of any zoning district which is zoned for single-unit suburban residence district (R-1), single-unit traditional residence district (R-2), , two-unit attached residence district (R-2D), multi-unit attached residence district (R-3), general multi-unit residence district (R-4), local business district (B-1), mixed use district (B-2), general business district (B-3), agricultural district (A-1).

c. *Distance from school or place of worship*: An adult use shall not be located within five hundred (500) feet of a preexisting school or place of worship.

d. *Distance from business selling alcoholic beverages and cannabis dispensaries*: An adult use shall not be located in a building which contains another business that sells or dispenses in some manner alcoholic beverages or Cannabis Dispensing Organization as defined in this UDO.

e. *Arterial roadways*: Adult uses which are located next to an arterial roadway, as defined in the City's comprehensive plan, must provide a twenty-five (25) foot setback from any property line.

f. *Nonarterial roadways*: Adult uses which are located next to a nonarterial roadway, as defined in the City's comprehensive plan, must provide a ten (10) foot setback from the side and rear property lines and shall provide a twenty-five (25) foot setback from the front property line.

g. *Traffic study*: A traffic study may be required as part of the special use permit approval process.

2. **Measurement of Distance**. For the purposes of this Section, measurements shall be made in a straight line, without regard to intervening structures or objects, from the property line of the lot or parcel containing the adult use to the property line of the lot or parcel containing the nearest adult use, school, place of worship, cannabis dispensary, or district zone for residential use.

3. **Exterior Signage and Display**. No adult use shall be conducted in any manner that permits the observation of any material, depicting, describing, or relating to "specified sexual activities", "specified anatomical areas" or otherwise deemed to be obscene by display, decoration, sign, show window, or other opening from any public way or from any property not licensed as an adult use.

4. **Display of License and Permit**. Every licensee (per Chapter 11 Section 3-11-5 of the City of Yorkville Code of Ordinances) shall display a valid license in a conspicuous place within the adult use business so that same may be readily seen by persons entering the premises.

5. **Employment of Persons Under the Age of Eighteen (18) Prohibited**. It shall be unlawful for any adult use licensee or their manager or employee to employ in any capacity within the adult business any person who is not at least eighteen (18) years of age.

6. **Hours of Operation**. All areas within the premises of an adult use business shall be cleared of customers and secured from customers and the public in general during the time when not permitted open for operation, and no person, other than the licensee or their employees or agents, shall be permitted within the area of such premises during such hours as listed below:

   a. *Monday through Saturday*: 7:00am to 1:00am the next day

   b. *Sunday*: 11:00am to 1:00am the next day

7. **Violation and Penalty**. Each day of violation of the requirements of this Section shall constitute a separate and punishable offense.

10-4-5. Commercial Service Use Standards

A. **Indoor Shooting Gallery/Gun Range**.

1. When located in a multiple-tenant building, shall only be located in an end unit and with the gallery/range not adjacent to an adjoining unit.

2. The minimum building setback for indoor shooting gallery/gun range facilities shall be fifty (50) feet from any property line that abuts a residentially zoned property.

3. The retail operations of any indoor shooting gallery/gun ranges shall occupy not more than twenty-five (25) percent of the total floor area.

B. **Storage, Outdoor Self-Storage**.

1. All storage facilities shall be in completely enclosed buildings or structures when located in a Manufacturing Zoning District or when located within one hundred fifty (150) feet of a property in a Residential Zoning District.

2. There shall be a minimum of twenty (20) feet between buildings.

3. Truck and storage pod rentals are permitted accessory uses.

10-4-6. Commercial Entertainment Use Standards

A. **Commercial Entertainment, Outdoor.**

1. All golf course and driving range perimeters shall be fully enclosed in netting not less than thirty-two (32) feet in height, with the maximum height to be established in the Special Use process as specified in Section 10-8-5.

2. The netting shall be at least ninety (90) percent transparent.

B. **Golf Course**.

1. Regulation size golf courses are permitted provided that no clubhouse or accessory building shall be nearer than five hundred (500) feet to any dwelling on an adjacent zoning lot, with the exception of golf courses in the A-1 District where the minimum separation requirement shall be three hundred (300) feet.

10-4-7. Eating and Drinking Use Standards

A. **Brewpub.**

1. Brewpubs operations will be ancillary to a restaurant or eating establishment, and the brewing component of the facility shall be no more than twenty-five (25) percent of the total floor area. If off-premises consumption is allowed, all sales must be in a sealed container with a total maximum production of one hundred fifty-five thousand (155,000) gallons per calendar year inclusive of on-premises and off-premises.

B. **Microbrewery/Microwinery/Microdistillery**

1. **Microbreweries**.

a. Microbreweries, where if off-premises consumption is allowed, all sales must be in a hand capped, sealed container with a total maximum production of one hundred fifty-five thousand (155,000) gallons per calendar year inclusive of on-premises and off-premises sales.

b. Microbrewery operations will be ancillary to a restaurant or eating establishment, and the brewing component of the facility shall be no more than twenty-five (25) percent of the total floor area.

2. **Microdistilleries and Microwineries**.

a. Outdoor storage of equipment, production waste or product for microdistilleries and microwineries is strictly prohibited when located in a business district. However, outdoor storage of spent grains or grapes may be permitted to be stored outdoors in appropriate silos or containers in the manufacturing districts, provided the storage is screened from public view. Screening may be with fencing, landscaping, or a combination of both.

b. All microdistilleries and microwineries located in business districts must have off-street or rear accessible loading and unloading facilities.

c. Microdistilleries or microwineries located in business districts must include an ancillary tasting room with a minimum of one hundred fifty (150) square feet. Retail sales of the product from a microdistillery or microwinery are permitted on-site and shall be consistent with state and City laws.

10-4-8. Medical Use Standards

RESERVE

10-4-9. Vehicle Related Use Standards

A. **Automobile Rental; Automobile Sales and Service/Open Sales Lot; Boat Sales and Rental; Recreational Vehicle Sales and Rental; and Truck and Trailer Sales/Rental.**

1. Open sales and rental lots shall be exempt from the landscape spacing requirements for the parking area perimeter zone and instead may cluster required landscape elements in order to preserve views to goods offered for sale.

2. Outdoor facilities shall be enclosed by an opaque fence or wall a minimum six (6) feet in height.

10-4-10. Energy Industrial Uses

RESERVE

10-4-11. Industrial Use Standards

A. **Artisan Manufacturing**.

1. Gross floor area shall not exceed ten thousand (10,000) square feet.
2. Outdoor storage and/or outdoor operations or activities shall be prohibited.
3. Retail sales of goods manufactured on-site shall be permitted but shall be limited to twenty-five (25) percent of the total area of the building.
4. A maximum of one (1) residential unit shall be permitted as a special use, but shall be limited to the upper floor or to the rear of the artisan manufacturing use and shall not exceed twenty five (25) percent of the gross floor area.

B. **Assembly, Production, Manufacturing, Testing, Repairing, or Processing**.

1. All related activity shall take place within completely enclosed buildings unless otherwise specified.
2. Within one hundred fifty (150) feet of a residentially zoned property or a property in the B-1, B-2, or PI Districts, all storage shall be in completely enclosed buildings or structures.
3. Storage not located within one hundred (150) feet of a residentially zoned property or a property in the B-1, B-2, or PI Districts may be open to the sky but shall be enclosed by solid walls or fences (including solid doors or gates thereto) with a minimum height of eight (8) feet. In no case shall the solid walls or fences be lower in height than the enclosed storage.
4. Solid fences or walls enclosing storage shall be meet the building foundation landscape requirements per Section 10-5-3(C).

10-4-12. Transportation Use Standards

RESERVE

10-4-13. Alternative Energy Use Standards

A. **General Requirements for all Alternative Energy Uses**.

1. **Applicability**. The provisions of this Section are to establish zoning parameters by which solar and wind energy systems may be installed in the City. Additional renewable energy solutions not mentioned herein may be authorized subject to compliance with the applicable codes and standards of the City.

2. **Use**. Alternative energy systems shall be an accessory to the principal permitted use of a site.

3. **Abandoned Systems**. All alternative energy systems inactive or inoperable for twelve (12) continuous months shall be deemed abandoned. If the system is deemed abandoned, the owner is required to repair or remove the system from the property at the owner's expense within ninety (90) days after notice from the City. If the owner does not comply with said notice, the Building Code Official shall enforce this as a violation of the Yorkville Zoning Ordinance.

4. **Signage**. No attention getting device is permitted on any alternative energy system. One (1) sign shall be permitted to indicate the emergency contact information of the property owner or operator. Said sign shall not exceed two (2) square feet in size. Graphics, colors, corporate logos, and text on wind energy systems located within business or manufacturing zoned properties are permitted, subject to the discretion of the City Council.

5. **Safety**. All wind energy systems shall be equipped with manual and/or automatic controls and mechanical brakes to limit rotation of blades to prevent uncontrolled rotation.

6. **Lighting**. Alternative energy systems shall not be illuminated, except as required by the FAA or those used in commercial applications such as streetlights.

7. **Shadow Flicker**. No habitable portion of an existing adjacent structure shall be subject to shadow flicker from a wind turbine. Shadow flicker onto an adjacent roof and/or exterior wall which does not contain any windows, doors, and like openings shall be acceptable. If shadow flicker occurs, the operation of the wind turbine shall cease during those times which cause the shadow flicker.

8. **Screening**. There shall be no required mechanical screening for alternative energy systems.

9. **Design**. Wind energy systems and associated tower shall be a nonreflective color. The City Council may impose such conditions as are necessary to eliminate, if at all possible, any adverse effects such system may have on surrounding properties.

10. **Compliance**. Wind energy systems shall meet or exceed current standards of the international building code and Federal Aviation Administration (FAA) requirements, any other agency of the state or federal government with the authority to regulate wind energy systems, and all City codes.

11. **Building Code/Safety Standards**. Any owner or operator of an alternative energy system shall maintain said system in compliance with the standards contained in the current and applicable state or local building codes and any applicable standards for said energy systems that are published by the International Building Code, as amended from time to time. If, upon inspection, the United City of Yorkville concludes that an alternative energy system fails to comply with such codes and standards and constitutes a danger to persons or property, the City Code Official shall require immediate removal of the system at the owner's expense.

B. **Solar Farm**.

1. No solar farm shall be erected on any lot less than three (3) acres in size.

2. A solar farm use may occupy up to eight-five (85) percent of a given parcel in the M-1 or M-2 District or up to eighty (80) percent of a given parcel in any other District.

3. A certified professional engineer shall certify that the foundation and design on the solar panels are within accepted professional standards, given local soil and climate conditions.

4. Power and communication lines running between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground.

5. Off-street parking provided on site shall be paved. Gravel or other unpaved materials shall be prohibited.

6. Systems, equipment, and structures shall not exceed thirty feet (30) in height when ground mounted.

7. Groundcover as specified in Section 10-5-3(A)(7) shall be provided beneath all solar panels.

8. Ground mounted solar energy collection systems as part of a solar farm shall have a minimum setback for all equipment, excluding fences, of:

    a. *Front and Corner Yards*: one hundred (100) feet,

    b. *Side and Rear Yards*: fifty (50) feet from nonresidential property lines and one hundred (100) feet from residential property lines.

9. Systems equipment and structures shall be fully enclosed and secured by a fence or wall with a height of eight (8) feet. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.

    a. **Warnings.**

        (1) Warning signs shall be provided at the entrance to the facility and along the perimeter of the solar farm in locations determined necessary by the Zoning Officer.

        (2) The signs shall be less than four (4) square feet and made with letters and numbers at least three (3) inches in height and shall include the 911 address and an emergency phone number of the operator which shall be answered twenty-four (24) hours a day by a live operator. A nonemergency phone number for the operator shall also be displayed.

10. **Outdoor Storage.** Only the outdoor storage of materials, vehicles, and equipment that directly support the operation and maintenance of the wind farm shall be allowed except for outdoor storage that is expressly allowed in the zoning district specified elsewhere in this title.

11. **Materials Handling, Storage, and Disposal.**

    a. All solid wastes related to the construction, operation, and maintenance of the solar farm shall be removed from the site promptly and disposed of in accordance with all federal, state, and local laws.

    b. A list of hazardous fluids that may be used on site shall be provided. All hazardous materials related to the construction, operation, and maintenance of the solar farm shall be handled, stored, transported, and disposed of in accordance with all applicable local, state, and federal laws.

12. **Decommissioning Plan.** Prior to receiving approval, the applicant shall submit a decommissioning plan to ensure that the solar farm project is properly decommissioned, which shall include:

    a. Provisions describing the triggering events for decommissioning the solar farm project. Any nonfunctioning solar panel/array of the project shall be decommissioned within thirty (30) days unless the operator has shown to the Zoning Administrator that it is diligently repairing such solar panel/array or component.

    b. Procedures for the removal of structures, debris, and cabling, including those below the soil surface,

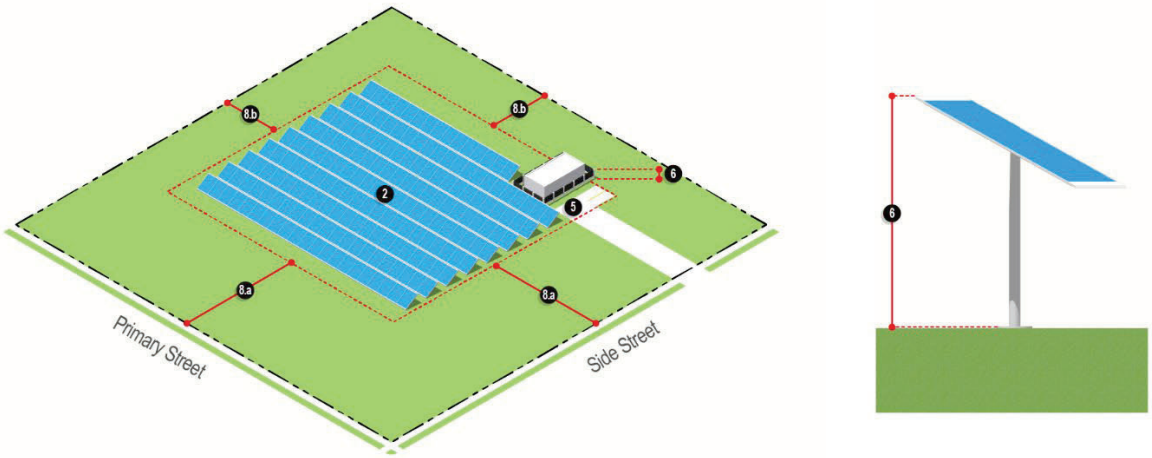
    c. Provisions for the restoration of the natural soil and vegetation,

    d. An estimate of the decommissioning costs certified by a professional engineer, to be updated every three (3) years or as determined necessary by the Zoning Administrator. The Zoning Administrator may request an independent third-party verification of the decommissioning costs at any time. The costs for this verification shall be reimbursed by the applicant and/or operator.

    e. Financial assurance, secured by the owner or operator, for the purpose of performing the decommissioning, in an amount equal to one-hundred and twenty (120) percent of the professional engineer's certified estimate of the decommissioning cost.

    f. A provision that the terms of the decommissioning plan shall be binding upon the owner or operator and any of his successors, assigns, or heirs.

Figure 4.4. Solar Farm Standards



C. **Building-Mounted Solar Energy Systems**.

1. **Location**. Building-mounted solar energy systems are allowed on the principal and accessory structures, any roof face and side and rear building facades. The systems are allowed on the front or exterior side building facades if the following conditions are met:

   a. Solar access is optimized on the front and exterior side facades.

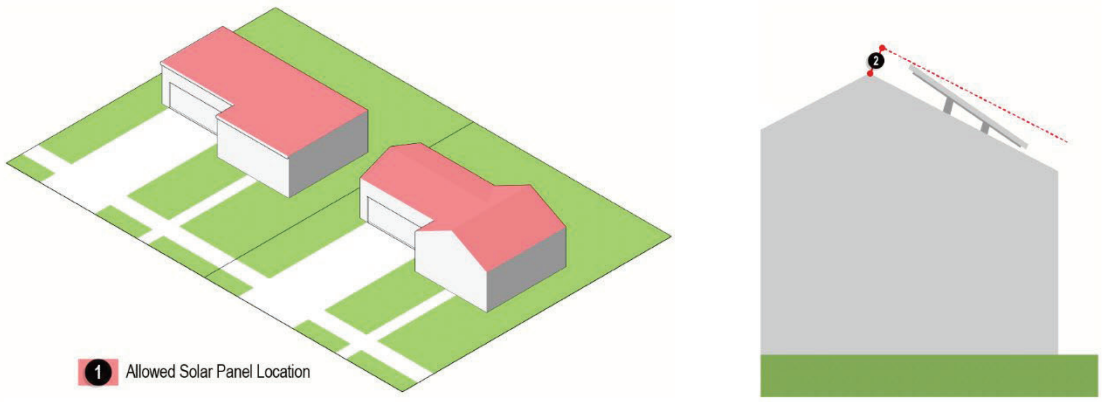
   b. Systems are simultaneously used to shade the structure's doors or windows..

2. **Height**. Systems shall not extend beyond three (3) feet parallel to the roof surface of a pitched roof. Nor shall the system extend beyond four (4) feet parallel to the roof surface of a flat roof unless completely concealed or equal to the height of the parapet wall, whichever is greater. If the system is flush-mounted, the system must be less than eight (8) inches from the roof surface. Refer to Figure 4.5 of this Section.

3. **Quantity**. The total square footage may not exceed the total area of the roof surface of the structure to which the system is attached.

4. **Projection**. The system may project up to four (4) feet from a building facade or roof edge. The system may project into an interior side or interior rear setback but shall be no closer than five (5) feet to the interior side or interior rear property line.

Figure 4.5. Building-Mounted Solar Energy System Standards



D. **Freestanding Solar Energy Systems – Accessory Use**.

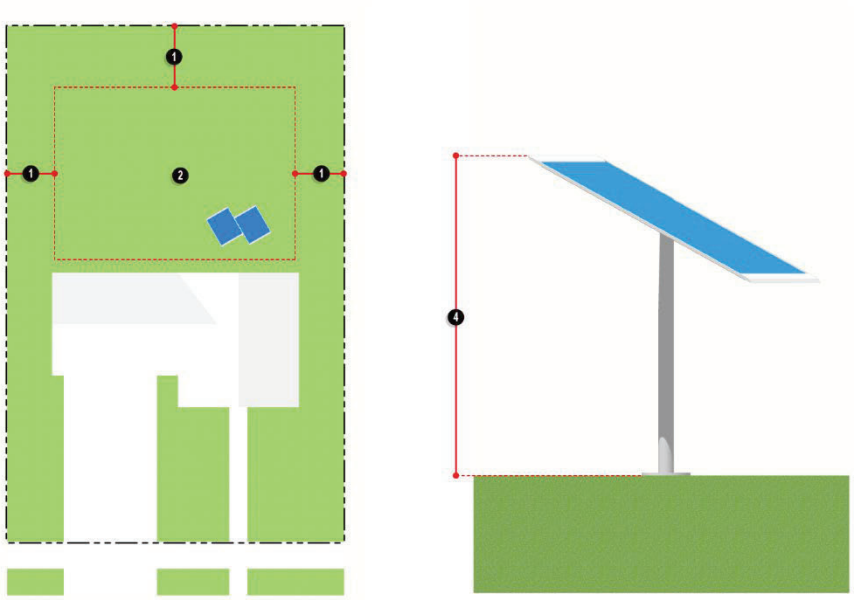
1. **Setbacks**. All parts of any freestanding solar energy system shall be set back eight (8) feet from the interior side and interior rear property lines.

2. **Permitted Yard Locations**. Freestanding solar energy systems shall not be located within the required front yard or corner side yard. They shall not be permitted within any utility, storm or drainage, water, sewer, or other type of public easement. The use of guywires as supports for a freestanding solar energy system shall be prohibited.

3. **Solar Glare**. Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.

4. **Maximum Height**. Maximum height of freestanding solar energy systems shall be fifteen (15) feet unless otherwise approved by the Zoning Administrator.

Figure 4.6. Freestanding Solar Energy System - Accessory Use Standards



E. **Freestanding Solar Energy System - Principal Use**.

1. **Setbacks**. All parts of any freestanding solar energy system shall meet the setbacks established for the district in which the system is located.

2. **Permitted Yard Locations**. A freestanding solar energy system shall not be located closer to the public right-of-way than the front façade of the principal building on the adjacent lot(s). They shall not be permitted within any utility, storm or drainage, water, sewer, or other type of public easement. The use of guywires as supports for a freestanding solar energy system shall be prohibited.

3. **Solar Glare**. Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.

4. **Maximum Height**. Maximum height of a freestanding solar energy system shall be fifteen (15) feet unless otherwise approved.

F. **Wind Farm.**

1. No wind farm shall be erected on any lot less than four (4) acres in size.

2. **Design and Installation.**

a. **Safety Certification.**

(1) Wind farm systems shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI). Applicants shall submit certificates of design compliance that equipment manufacturers have obtained from Underwriters Laboratories (UL), Det Norske Veritas (DNV), Germanischer Lloyd Wind Energic (GL), or an equivalent third party prior to plan approval.

(2) Following plan approval, a professional engineer shall certify, as part of the building permit application, that the foundation and tower design of the wind farm system is within accepted professional standards, given local soil and climate conditions.

b. **Controls and Brakes.** All wind farm systems shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.

c. **Electrical Components.** All electrical components of the wind farm systems shall conform to applicable local, state, and national codes, and relevant national and international standards (e.g., ANSI and international electrical commission). Utility lines connecting the towers, substations, etc., shall be placed underground where practical.

d. **Turbine Consistency**. To the extent feasible, the project shall consist of turbines of similar design and size, including tower height. Further, all turbines shall rotate in the same direction.

e. **Warnings.**

(1) A reasonable visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.

(2) Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of fifteen (15) feet from the ground.

(3) Warning signs shall be provided at the entrance to the facility and along the perimeter of the solar farm in locations determined necessary by the Zoning Officer.

(4) The signs shall be less than four (4) square feet and made with letters and numbers at least three (3) inches in height and shall include the 911 address and an emergency phone number of the operator which shall be answered twenty-four (24) hours a day by a live operator. A nonemergency phone number for the operator shall also be displayed.

f. **Climb Prevention.** All wind farm towers must be unclimbable by design or protected by anti-climbing devices such as:

(1) Fences with locking portals at least six (6) feet high, or

(2) Anti-climbing devices twelve (12) feet vertically from the base of the wind farm tower.

g. **Setbacks.** Wind farm towers and appurtenant structures shall meet the following minimum setbacks.

(1) Wind farm towers shall be six (6) times the height of the wind farm tower or at least three thousand, two hundred fifty (3,250) feet, whichever is greater, from any principal structure or use on the subject or neighboring property.

(2) Wind farm towers shall be one and one-tenth (1.10) times the wind farm tower height from public roads, third party transmission lines, and communication towers.

(3) Wind farm towers shall be one thousand six hundred forty (1,640) feet from adjacent property lines, as measured from the center of the wind farm tower foundation.

(4) No part of a wind farm tower or foundation shall encroach on a public or private sewage disposal (septic) system

(5) Above ground transmission facilities and poles shall be set back one-hundred fifty (150) feet from any portion any principal structure or use on the subject or neighboring property.

h. **Use of Public Roads.** An applicant, owner, or operator proposing to use any City or County Road for the purpose of transporting and installation of wind farm or substation parts and/or equipment for construction, operation, or maintenance of the wind farm or substations, shall:

(1) Identify all such public roads, and

(2) Obtain applicable weight and size permits from relevant government agencies prior to construction.

(3) To the extent an applicant, owner, or operator must obtain a weight or size permit from the City, County, or State, the applicant shall provide:

(a) Financial assurance, in a reasonable amount agreed to by the relevant parties, for the purpose of repairing any damage to public roads caused by constructing, operating, or maintaining the wind farm prior to the issuance of building permits.

(b) A signed copy of any agreements pertaining to the use of public roads prior to the issuance of building permits.

i. **Outdoor Storage.** Only the outdoor storage of materials, vehicles, and equipment that directly support the operation and maintenance of the wind farm shall be allowed except for outdoor storage that is expressly allowed in the zoning district specified elsewhere in this title.

3. **Operation.**

a. **Maintenance.**

(1) The owner or operator of the wind farm must submit, upon request a summary of the operation and maintenance reports to the City. In addition to the annual summary mentioned in this subsection, the owner or operator must furnish such operation and maintenance reports, as the City reasonably requests.

(2) Any replacement of equipment that is not a like-kind replacement using the same equipment in plan as approved shall require that an amendment to the special use.

b. **Materials Handling, Storage, and Disposal.**

(1) All solid wastes related to the construction, operation, and maintenance of the wind farm shall be removed from the site promptly and disposed of in accordance with all federal, state, and local laws.

(2) A list of hazardous fluids that may be used on site shall be provided. All hazardous materials related to the construction, operation, and maintenance of the wind farm shall be handled, stored, transported, and disposed of in accordance with all applicable local, state, and federal laws.

c. **Decommissioning Plan.** Prior to receiving approval, the applicant shall submit a decommissioning plan to ensure that the wind farm project is properly decommissioned, which shall include:

(1) Provisions describing the triggering events for decommissioning the wind farm project. Any nonfunctioning wind turbine of the project shall be decommissioned within thirty (30) days unless the operator has shown to the Zoning Administrator that it is diligently repairing such wind turbine or component.

(2) Procedures for the removal of structures, debris, and cabling, including those below the soil surface,

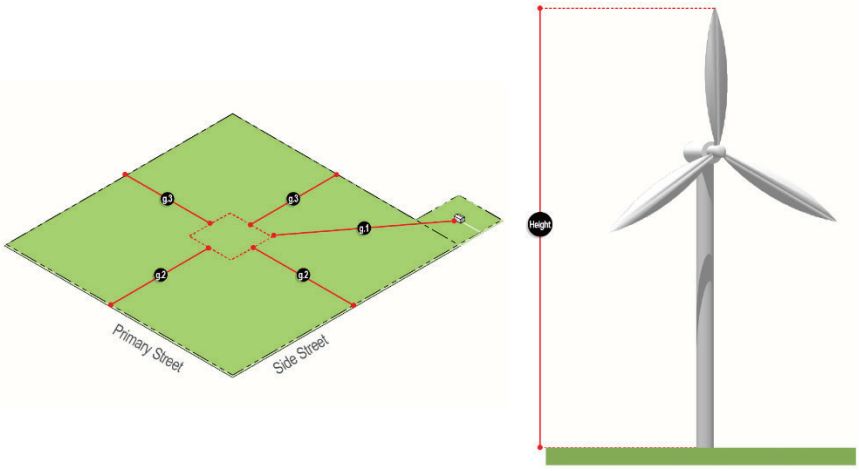
(3) Provisions for the restoration of the natural soil and vegetation,

(4) An estimate of the decommissioning costs certified by a professional engineer, to be updated every three (3) years or as determined necessary by the Zoning Administrator. The Zoning Administrator may request an independent third-party verification of the decommissioning costs at any time. The costs for this verification shall be reimbursed by the applicant and/or operator.

(5) Financial assurance, secured by the owner or operator, for the purpose of performing the decommissioning, in an amount equal to one-hundred and twenty (120) percent of the professional engineer's certified estimate of the decommissioning cost.

(6) A provision that the terms of the decommissioning plan shall be binding upon the owner or operator and any of his successors, assigns, or heirs.

Figure 4.7. Wind Farm Standards



G. **Building-Mounted Wind Energy Systems**.

1. **Location**. Building-mounted wind energy systems are allowed on all principal and accessory structures and shall be affixed to the roof deck of a flat roof or to the ridge or slope of a pitched roof and may not be affixed to the parapet or chimney of any structure.

2. **Setback**. The systems must be set back a minimum of five (5) feet from the edge or eave of the roof.

3. **Quantity**. One (1) turbine is allowed for every five hundred (500) square feet of the combined roof area. For a pitched roof, each surface of the roof shall be included in the roof area calculation.

4. **Noise**. Building-mounted wind energy systems shall not exceed the following:

   a. Fifty-five (55) dBA when in or adjacent to all residential districts.

   b. Sixty (60) dBA when in or adjacent to all nonresidential districts.

5. **Height**. The maximum height for a building-mounted wind energy system is fifteen (15) feet. The system is measured from the roof surface on which the system is mounted to the highest edge of the system with the exception of any roof pitches ten to twelve (10:12) or greater. The system shall not exceed fifteen (15) feet above the maximum permitted height of the zoning district. Refer to Figure 4.8 of this Section.

6. **Design.** All systems shall employ a helix-style design employing airfoil blades mounted on a vertical rotor shaft. Fan- and turbine-style designs shall be prohibited.

7. **Appearance Standards.** Graphics, colors, corporate logos, and text on wind energy systems located within business or manufacturing zoned properties are permitted, subject to the discretion of the City Council.

8. **Warnings.**

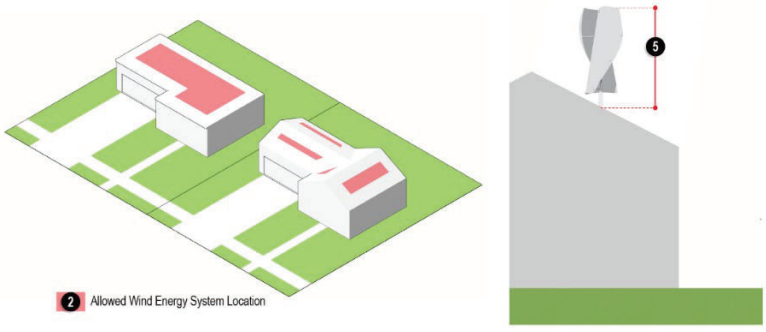
   a. A reasonable visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.

   b. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of fifteen (15) feet from the ground.

   c. Warning signs shall be provided at the entrance to the facility and along the perimeter of the solar farm in locations determined necessary by the Zoning Officer.

   d. The signs shall be less than four (4) square feet and made with letters and numbers at least three (3) inches in height and shall include the 911 address and an emergency phone number of the operator which shall be answered twenty-four (24) hours a day by a live operator. A nonemergency phone number for the operator shall also be displayed.

Figure 4.8. Building-Mounted Wind Energy Systems



H. **Freestanding Wind Energy System – Accessory Use**.

1. **Clearance**. In all zoning districts, the minimum clearance between the lowest tip of the rotor or blade and the ground is fifteen (15) feet. See Figure 4.9 of this Section.

2. **Permitted Yard Locations**. A freestanding wind energy system shall not be located within the required front yard or corner side yard. They shall not be permitted within any utility, storm or drainage, water, sewer, or other type of public easement. The use of guywires as supports for a freestanding wind energy system shall be prohibited.

3. **Height**. The maximum height for a freestanding wind energy system shall be one hundred seventy-five (175) feet measured from the base to the highest edge of the system.

4. **Setbacks**. The base of the system shall be set back 1.1 times (110 percent) the height of the highest edge of the system from all property lines, overhead utility line poles, communication towers, public sidewalks or trails, public rights-of-way, and other freestanding wind energy systems. Any system or any ancillary equipment shall not be located within any required setbacks of the respective zoning district.

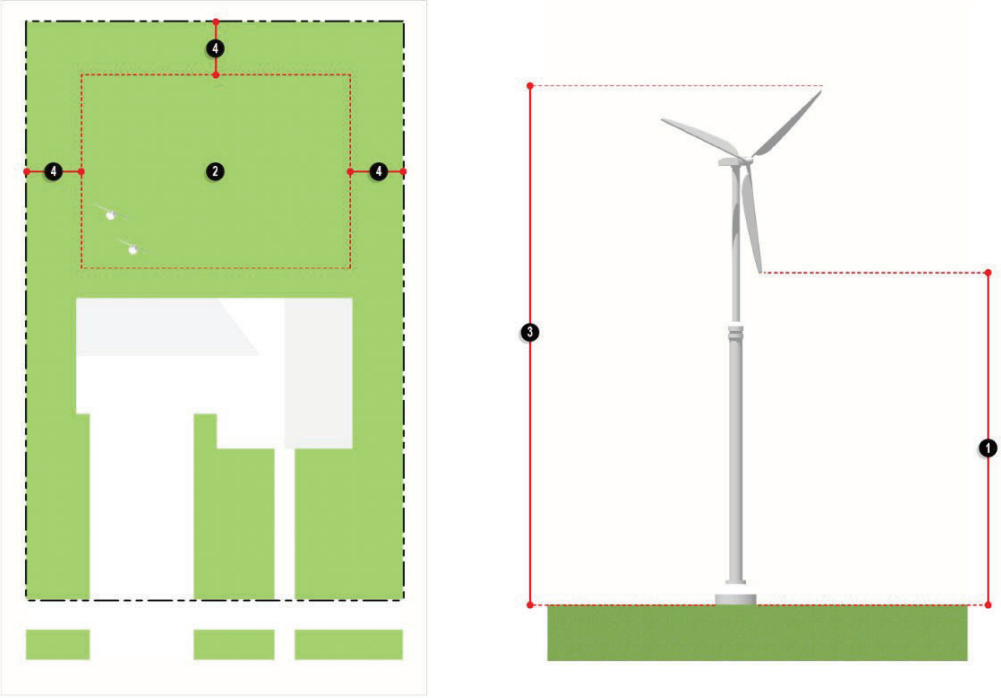
5. **Access**. A freestanding wind energy system and all components shall be protected against unauthorized access by the public. Climbing access to the tower shall not start until twelve (12) feet above grade.

6. **Noise**. A freestanding wind energy system shall not exceed the following:

   a. Fifty-five (55) dBA when in or adjacent to all residential districts.

   b. Sixty (60) dBA when in or adjacent to all nonresidential districts.

Figure 4.9. Freestanding Wind Energy System - Accessory Use Standards



I. **Freestanding Wind Energy System – Principal Use**.

1. **Clearance**. In all zoning districts, the minimum clearance between the lowest tip of the rotor or blade and the ground is fifteen (15) feet. See Figure 4.10 of this Section.

2. **Permitted Yard Locations**. All parts of any freestanding wind energy system shall meet the setbacks established for the district in which the system is located.

3. **Height**. The maximum height for a freestanding wind energy system shall be one hundred seventy-five (175) feet measured from the base to the highest edge of the system.

4. **Setbacks**. The base of the system shall be set back 1.1 times (110 percent) the height of the highest edge of the system from all property lines, overhead utility line poles, communication towers, public sidewalks or trails, public rights-of-way, and other freestanding wind energy systems. Any system or any ancillary equipment shall not be located within any required setbacks of the respective zoning district.

5. **Access**. Freestanding wind energy systems and all components shall be protected against unauthorized access by the public. Climbing access to the tower shall not start until twelve (12) feet above grade.

6. **Noise**. A freestanding wind energy system shall not exceed the following:

   a. Fifty-five (55) dBA when in or adjacent to all residential districts.

   b. Sixty (60) dBA when in or adjacent to all nonresidential districts.

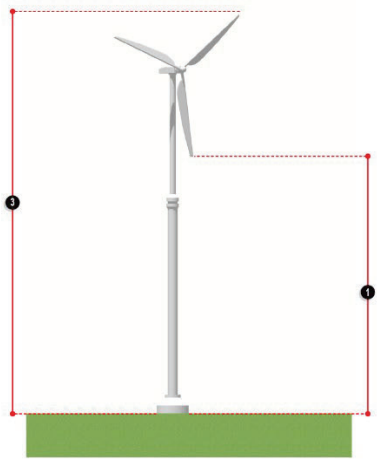
7. **Warnings.**

   a. A reasonable visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.

   b. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of fifteen (15) feet from the ground.

      (1) Warning signs shall be provided at the entrance to the facility and along the perimeter of the solar farm in locations determined necessary by the Zoning Officer. The signs shall be less than four (4) square feet and made with letters and numbers at least three (3) inches in height and shall include the 911 address and an emergency phone number of the operator which shall be answered twenty-four (24) hours a day by a live operator. A nonemergency phone number for the operator shall also be displayed.

Figure 4.10. Freestanding Wind Energy System - Principal Use Standards



10-4-14. Medical and Adult Use Cannabis Use Standards

A. **General Requirements for all Cannabis Uses**.

1. **Business Hours**. Business hours for all cannabis businesses shall be from 10:00 a.m. to 8:00 p.m. Monday through Saturday and 12:00 p.m. to 5:00 p.m. on Sundays.

2. **On-Premises Consumption**. On-premises consumption of cannabis products in all cannabis businesses operations is prohibited.

3. **Signage**.

   a. Recreational cannabis dispensaries shall be limited to one (1) wall-mounted sign per business.

   b. All cannabis establishments shall be prohibited from having electronic message board signs.

   c. Signage for cannabis establishments shall not contain cannabis imagery such as leaves, plants, smoke, paraphernalia, or cartoonish imageries.

B. **Cannabis Craft Grower**.

1. Facility may not be located within five hundred (500) feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this section.

2. Facility may not be located within two hundred fifty (250) feet of the property line of a pre-existing property zoned or used for residential purposes, unless in the A-1 zoning district where the residential use is owned by the same owner as the adult-use cannabis craft grower, regardless of corporate boundary.

3. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act.

4. Cannabis craft growers may co-locate with a dispensing organization or a cannabis infuser organization, or both, only on properties zoned within the M-1 or M-2 districts.

5. Cannabis craft grower shall be limited to one (1) facility within the boundaries of the City.

C. **Cannabis Cultivation Center**.

1. Facility may not be located within five hundred (500) feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this Section.

2. Facility may not be located within two hundred fifty (250) feet of the property line of a pre-existing property zoned or used for residential purposes, regardless of corporate boundary.

3. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act.

4. Cannabis cultivation center shall be limited to one (1) facility within the boundaries of the City.

D. **Cannabis Dispensing Organization**.

1. Facility may not be located within five hundred (500) feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this section.

2. Facility may not be located in a dwelling unit or within two hundred fifty (250) feet of the property line of a pre-existing property zoned or used for residential purposes, regardless of corporate boundary.

3. Facility shall have a maximum gross floor area of five thousand (5,000) square feet, of which at least seventy-five (75) percent of the floor area occupied by a dispensing organization shall be devoted solely to the activities the dispensing cannabis or cannabis products as authorized by the Act and shall not sell food or alcohol for consumption on the premises.

4. Drive-through facilities are prohibited.

5. E-commerce delivery service platforms are prohibited.

6. Cannabis dispensing organizations shall be limited to one (1) facility within the boundaries of the City.

E. **Cannabis Infuser Organization**.

1. Facility may not be located within five hundred (500) feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this section.

2. Facility may not be located in a dwelling unit or within two hundred fifty (250) feet of the property line of a pre-existing property zoned or used for residential purposes, regardless of corporate boundary.

3. Infuser organizations may co-locate with a dispensing organization or a cannabis craft grower organizations, or both, only on properties zoned within the M-1 or M-2 Districts. In such instances, the maximum gross floor area dedicated to the dispensing organization shall be five thousand (5,000) square feet of which seventy-five (75) percent of the floor area must be devoted to the activities authorized by the Act.

4. Cannabis infuser organizations shall be limited to one (1) facility within the boundaries of the City.

F. **Cannabis Processing Organization**.

1. Facility may not be located within five hundred (500) feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this section.

2. Facility may not be located in a dwelling unit or within two hundred fifty (250) feet of the property line of a pre-existing property zoned or used for residential purposes, regardless of corporate boundary.

3. At least seventy-five (75) percent of the floor area occupied by a dispensing organization shall be devoted solely to the activities the dispensing cannabis or cannabis products as authorized by the Act, and shall not sell food or alcohol for consumption on the premises.

4. Cannabis processing organizations shall be limited to one (1) facility within the boundaries of the City.

G. **Cannabis Transporting Organization**.

1. Facility may not be located within five hundred (500) feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home, residential care home, or religious institutions, regardless of corporate boundary. Commercial/trade schools shall not be classified as a public or private school for purposes of this section.

2. Facility may not be located in a dwelling unit or within two hundred fifty (250) feet of the property line of a pre-existing property zoned or used for residential purposes, regardless of corporate boundary.

3. The transporting organization shall be the sole use of the space in which it is located. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Act.

4. Cannabis transporting organization shall be limited to one (1) within the boundaries of the City.

10-4-15. Institutional, Public, and Utility Use Standards

A. **Telecommunication Tower and Antennae.**

1. **Applicability.**

a. **New Towers and Antennas.** All new towers or antennas in Yorkville shall be subject to these regulations, except as provided in subsections B through E of this section inclusive.

b. **Amateur Radio Station Operator/Receive Only Antennas.** This chapter shall not govern any tower, or the installation of any antenna, that is under eighty (80) feet in height and is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive only antennas. No receive only antenna shall exceed the highest point on the nearest residential rooftop of a dwelling by more than ten (10) feet.

c. **Preexisting Towers or Antennas.** Existing towers and existing antennas which predated this chapter, shall not be required to meet the requirements of this chapter other than the requirements of Sections 10-4-15(A)(2)(f), (A)(2)(h), and (A)(2)(r) of this chapter. All preexisting towers and antennas shall be subject to the tower and antenna administrative fee.

d. **AM Array.** For purposes of implementing this chapter, AM array, consisting of one (1) or more tower units and supporting ground system which functions as one (1) AM broadcasting antenna, shall be considered one (1) tower. Measurements for setbacks and separation distances shall be measured from the outer perimeter of the towers included in the AM array. Additional tower units may be added within the perimeter of the AM array by right.

e. **Within Public Right-of-Way:** If the tower and/or antenna is situated within the public right-of-way, such tower and/or antenna must meet the requirements of title 7, chapter 8, "Construction of Utility Facilities in Rights-of-Way", of this Code.

2. **General Requirements.**

a. **Principal or Accessory Use.** Antennas and towers may be considered either principal or accessory uses. A different existing use of an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot.

b. **Lot Size.** For purposes of determining whether the installation of a tower or antenna complies with Yorkville's development regulations, including, but not limited to, setback requirements, lot coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased parcels within such lot.

c. **Inventory of Existing Sites.** Each applicant for approval of an antenna and/or tower shall provide to the Zoning Officer an inventory of its existing towers, antennas, or sites approved for towers or antennas, that are either within the jurisdiction of Yorkville or within one (1) mile of the border thereof, including specific information about the location, height, and design of each tower. The Zoning Officer may share such information with other applicants applying for administrative approvals or special use permits under this chapter or other organizations seeking to locate antennas within the jurisdiction of Yorkville, provided, however that the Zoning Officer is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

d. **Aesthetics.** Towers and antennas shall meet the following requirements:

(1) Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness.

(2) At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural settings and surrounding buildings.

(3) If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

e. **Lighting.** Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views.

f. **State or Federal Requirements.** All towers must meet or exceed current standards or regulations of the FAA, the FCC and any other agency of the state or federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this chapter shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a more restrictive compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.

g. **Building Codes/Safety Standards.** Any owner or operator of an antenna, antenna structure or tower shall maintain the antenna, antenna structure or tower in compliance with the standards contained in the current and applicable state or local building codes and the applicable standards for towers that are published by the national electrical code NFPA 70 and international building code; radio, television sec. 3108, as amended from time to time. If, upon inspection, the City of Yorkville concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such standards. Failure to bring the antenna, antenna structure, or tower into compliance within the thirty (30) day period shall constitute grounds for the removal of the antenna, antenna structure or tower at the owner's expense.

h. **Measurement.** For purposes of measurement, tower setbacks and tower separation distances shall be calculated and applied to facilities located in Yorkville irrespective of municipal and county jurisdictional boundaries.

i. **Not Essential Services.** Antennas, antenna structures, and towers shall be regulated and permitted pursuant to this chapter and shall not be regulated or permitted as essential services, public utilities, or private utilities.

j. **Public Notice.** For purposes of this chapter, any special use request, variance request, or appeal of an administratively approved use or special use shall require public notice and individual notice by the City of Yorkville to all abutting property owners and all properties that are located within two hundred fifty feet (250) feet of the zoning lot in question. Streets, alleys and watercourses shall not be considered in the determination of "abutting" nor in calculating the two hundred fifty (250) feet.

k. **Signs.** No signs shall be allowed on an antenna or tower other than those required by the FCC.

l. **Buildings and Support Equipment.** Buildings and support equipment associated with antennas or towers shall comply with the requirements of Section 10-4-15 (A)(4)(k) of this chapter.

m. **Multiple Antenna/Tower Plan.** The City of Yorkville encourages all plans for towers and antenna sites to be submitted in a single application for approval of multiple towers and/or antenna sites. Applications for approval of multiple sites shall be given priority in the review process.

n. **Antenna on Existing Structures.** Any antenna may be approved by the City of Yorkville as an accessory use to any commercial, industrial, professional, institutional, or multi-unit structure of eight (8) or more dwelling units, provided:

(1) The antenna does not extend more than thirty (30) feet above the highest point of the structure;

(2) The antenna complies with all applicable FCC and FAA regulations; and

(3) The antenna complies with all applicable building codes and safety standards as referenced in subsection g of this section.

o. **Antennas on Existing Towers.** An antenna which is attached to an existing tower may be approved by the zoning officer and, to minimize adverse visual impacts associated with the proliferation and clustering of towers, collocation of antennas by more than one (1) carrier on existing towers shall take precedence over the construction of new towers, provided such collocation is accomplished in a manner consistent with the following:

(1) **Additional Antenna.** A tower which is modified or reconstructed to accommodate the collocation of an additional antenna shall be of the same tower type as the existing tower, unless the Zoning Officer allows reconstruction as a monopole.

(2) **Height.**

(a) An existing tower may be modified or rebuilt to a taller height, not to exceed thirty (30) feet over the tower's existing height, such height not exceeding one hundred fifty (150) feet in total, to accommodate the collocation of an additional antenna.

(b) The height change referred to in subsection (O)(2)(a) of this section may only occur one (1) time per communication tower.

(c) The additional height referred to in subsection (O)(2)(a) of this section shall not require an additional distance separation. The tower's premodification height shall be used to calculate such distance separations.

(3) **On-Site Location.**

(a) A tower which is being rebuilt to accommodate the collocation of an additional antenna may be moved on-site within fifty (50) feet of its existing location.

(b) After the tower is rebuilt to accommodate collocation, only one (1) tower may remain on the site.

(c) A relocated on-site tower shall continue to be measured from the original tower location for purposes of calculating separation distances between towers. The relocation of a tower hereunder shall in no way be deemed to cause a violation of this chapter.

(d) The on-site relocation of a tower which comes within the separation distances to residential units or residentially zoned lands as established in this zoning ordinance shall only be permitted when approved by the Zoning Officer.

(4) **New Towers in Nonresidential Zoning Districts.** An applicant may locate any new tower as provided in Table 10-3-12(B), provided that: a) a licensed professional engineer certifies the tower can structurally accommodate the number of shared users proposed by the applicant; b) the Zoning Officer concludes the tower is in conformity with the goals set forth in this subsection o and the requirements of this subsection; c)

the tower meets the setback and separation requirements Section 10-4-15(A)(4)(e) of this chapter; and d) the tower meets the following height and usage criteria:

(a) For a single user, up to and including one hundred twenty (120) feet in height;

(b) For two (2) users, up to one hundred fifty (150) feet in height; and

(c) For three (3) or more users, up to and including one hundred eighty (180) feet in height.

p. **Roadway Access.** All sites on which antennas, antenna structures and towers are located must have a passable roadway access of compacted macadam base not less than seven (7) inches thick surfaced with not less than two (2) inches of asphaltic concrete or some comparable dustless material.

q. **Fencing.** The structures upon any site upon which an antenna, antenna structure, or tower is located shall be surrounded by an opaque screen which is no less than six (6) feet in height and equipped with an appropriate anticlimbing device. Screening materials shall include either wooden or chainlink fencing. Shrubbery and bushes shall be required, in addition to the wooden or chainlink fence, unless specifically waived by Yorkville in its discretion in appropriate cases.

r. **Disguised Structures.** The provider of an antenna, antenna structure, or tower may propose to disguise the proposed antenna, antenna structure or tower. Any such disguise must be aesthetically consistent with the character of the surrounding area and environment, and be constructed in such a manner where the health or safety of Yorkville residents shall not be endangered. Yorkville may require the disguise of an antenna, antenna structure or tower as a condition of approval of a building permit or special use permit if the antenna, antenna structure or tower is to be erected on a golf course or other public recreational area.

s. **Annual Administrative Fee and Certifications.**

(1) The annual administration fee payable to the City of Yorkville by any owner and/or operator of an antenna, antenna structure, or tower shall be the sum of thirty-five (35) dollars which shall be due on or before January 10th of each calendar year commencing with calendar year 2001.

(2) In the event a tower is inspected and a certification provided by the owner and/or operator of said tower or related facility showing compliance with all regulations, the above fee shall be the only fee charged. In the event the owner and/or operator of an antenna, antenna structure, or tower fails to have the certification as is required annually to be filed with the City under the terms of this subsection, the owner and/or operator shall reimburse the City for the actual cost of the outside consultant the City deems necessary to conduct said inspection which shall be a minimum of three hundred fifty (350) dollars and any additional cost incurred therein.

(3) The City of Yorkville reserves the right to increase or decrease the amount of the administrative fee as it deems necessary. A separate administrative fee shall be paid by each user or collocator on a tower.

(a) **Permit Required.** Prior to the construction of an antenna, antenna structure or tower the provider of the radio, television, or telecommunications services shall obtain a permit from Yorkville for the erection of such antenna, antenna structure or tower. An applicant for a permit for an antenna, antenna structure, or tower shall pay a fee in accordance with the fee schedule set forth in title 8, chapter 10 of this Code, plus any reasonable legal, engineering, or consulting fees at the conclusion of the review.

(b) **Waiver of Provisions.** An applicant can request a waiver of any provision of this chapter upon the showing of appropriate justification and benefit to the public. Such request shall be treated as a request for a variance and the appropriate procedures thereto shall apply.

3. **Permitted Uses.**

   a. **General.** The following uses listed in this section are deemed to be permitted uses and shall not require a special use permit.

   b. **Uses.** Antennas, antenna structures and towers are permitted as an accessory use as provided in Table 10-3-1(B) except that part of any zoning district which is located in a floodplain, so long as said antennas or towers conform to the following and all other requirements of this title:

      (1) Antennas and towers may be located on property owned, leased, or otherwise controlled by Yorkville, particularly and expressly including Yorkville's water tower sites, and City Hall and police station-sites, provided that a lease authorizing such antenna, antenna structure, or tower has been approved by Yorkville.

      (2) Antennas or towers are permitted to be located on the Burlington Northern Railroad easement running southwest and northeast through Yorkville, subject to Section (A)(2)(a) through (s).

4. **Special Uses and Accessory Uses.**

   a. **General Provisions.**

      (1) Radio and telecommunications and towers used for radio transmission, or television transmission when allowed as a Special Use shall be subject to the special use provisions contained within Section 10-8-5 of this title and applications for special use permits shall be subject to the procedures and requirements of this title, except as modified in this chapter.

      (2) In granting a special use permit, the Plan Commission may impose conditions to the extent the Plan Commission concludes such conditions are necessary to minimize any adverse effect of the proposed tower on adjoining properties.

      (3) Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer.

      (4) An applicant for a special use permit shall submit the information described in this section and a nonrefundable fee as established by resolution of the City Council of Yorkville to reimburse Yorkville for the cost of reviewing the application.

      (5) Antennas, antenna structures and towers shall be allowed as special uses only consistent with all of the requirements of this chapter in the following zoning districts and for the following uses.

         (a) R-1, Single-Unit Suburban Residence: For commercial/trade school, place of worship/assembly, golf course, or public utility facilities only;

         (b) R-2, Single-Unit Traditional Residence: For commercial/trade school, place of worship/assembly, golf course, or public utility facilities.

   b. **Information Required.** In addition to any information required for applications for special use permits referenced above, each petitioner requesting a special use permit under this chapter for an antenna, antenna structures, and tower shall submit a scaled site plan and a scaled elevation view and other supporting drawings, calculations, and other documentation signed and sealed by appropriate licensed professionals, showing the location, type and dimensions of all improvements, including information concerning topography, radio frequency coverage, tower height requirements, setbacks, drives, proposed means of access, parking, fencing, landscaping, adjacent uses, adjacent roadway, and other information deemed necessary by Yorkville to be necessary to assess compliance for this chapter. In addition, the following information shall be supplied:

      (1) Legal description of the parent track and leased parcel (if applicable);

(2) The setback distance between the proposed structure and the nearest residential unit, platted residentially zoned properties and unplatted residentially zoned property;

(3) The separation distance from other structures in the inventory of existing sites submitted pursuant to Section 10-4-15 (A)(2)(c) shall be shown on an updated site plan or map and the applicant shall also identify the type of construction of the existing structure(s) and the owner/operator of the existing structure(s), if known;

(4) A landscape plan showing specific landscape materials; the method of fencing and finish color and, if applicable, the method of camouflage and illumination;

(a) A description of compliance with Sections 10-4-15 (A)(2)(c)(e)(f)(g)(h)(i)(m) of this chapter and all applicable federal, state or local laws;

(b) A notarized statement by the applicant as to whether construction of the tower will accommodate collocation of additional antennas for future users;

(c) Identification of the entities providing the backhaul network for the structure(s) described in the application and other cellular sites owned or operated by the applicant in Yorkville;

(d) A description of the suitability of the use of existing towers, other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed new tower; and

(e) A description of the feasible location(s) of future towers or antennas within Yorkville based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected.

(5) An applicant shall be notified within thirty (30) days if the application is incomplete. The City shall make a decision on collocation within ninety (90) days and all other siting applications within one hundred fifty (150) days of the receipt of a completed application.

c. **Factors Considered in Granting Special Use Permits:** The City of Yorkville shall consider the following factors in determining whether to issue a special use permit above and beyond those factors referenced in Section 10-8-5 of this title. The City of Yorkville may waive or reduce the burden on the petitioner of one (1) or more of these criteria if Yorkville concludes that the goals of this chapter are better served thereby.

(1) Height of the proposed antenna, antenna structure or tower;

(2) Proximity of the antenna, antenna structure or tower to residential structures and residential district boundaries;

(3) Nature of uses on adjacent and nearby properties;

(4) Surrounding topography;

(5) Surrounding tree coverage and foliage;

(6) Design of the antenna, antenna structure or tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;

(7) Proposed ingress and egress.

d. **Height.** No antenna, antenna structure, or tower shall exceed a height of one hundred (100) linear feet in aerial height. Where an arm has been installed to facilitate collocation of an additional antenna on the existing antenna structure or tower, the arm shall not exceed a length of twelve (12) linear feet.

e. **Setbacks and Separation.**

(1) **Setbacks.** Antennas, antenna structures or towers must be set back a distance equal to the height of the antenna, antenna structure, or tower from any off-site, residential structure. Antenna structures, guylines, and equipment shelters must satisfy the minimum setback requirements for the governing zoning district.

(2) **Separation.** The following separation requirements shall apply to all towers and antennas for which a special use permit is required; provided, however, that the Plan Commission may reduce the standard separation requirements if the goals of this chapter would be better served thereby, or if enforcement of said setback would effectively prohibit said tower:

(a) **Separation From Off-Site Uses/Designated Area.**

(i) Tower separation shall be measured from the base of the tower to the lot line of the off-site uses and/or designated areas as specified in Table 10-4-15(A)(4)(e)(2) of this section.

(ii) Separation requirements for towers shall comply with the minimum standards established in Table 10-4-15(A)(4)(e)(2) of this section.

Table 10-4-15 (A)(4)(e)(2): Separation Requirements

Off-Site Use/Designated Area	Separation Distance
Single-unit or duplex principal use	500 feet
Vacant single-unit or duplex use on residentially zoned land which is either platted or has preliminary subdivision plan approval which is not expired	500 feet
Vacant unplatted residentially zoned lands, including unplatted residential use property without a valid preliminary subdivision plan or valid development plan approval and any multi-unit residentially zoned land	500 feet
Existing multi-unit residential	100 feet or 100 percent of the tower height, whichever is greater
Nonresidentially zoned land or nonresidential uses	None
The Fox River or any watercourse	500 feet as measured from the shore
Major highways (as defined in the Yorkville comprehensive plan)	500 feet from the right-of-way

(3) **Separation Distances Between Towers**. Separation distances between towers shall be applicable for and measured between the proposed tower and preexisting towers. The separation distances shall be measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan, of the proposed tower. The separation distances shall be as shown in Table 10-4-15(A)(4)(e)(3) of this section.

Table 10-4-15 (A)(4)(e)(3): Existing Tower Separation Requirements

Existing Tower Type	Separation Distance (feet)			
	Lattice	Guyed	Monopole (Taller Than 75 Feet)	Monopole (Shorter Than 75 Feet)
Lattice	1,000	1,500	500	250
Guyed	1,000	1,750	1,500	1,250
Monopole (Taller than 75 feet)	500	1,500	250	250
Monopole (Shorter than 75 feet)	250	1,250	250	250

f. **Siting on Wetland Prohibited.** No antenna, antenna structure, or tower shall be located in an area which has been designated as a wetland either by the City of Yorkville, Kendall County, the State of Illinois Department of Natural Resources, the United States Department of the Interior or the United States Army Corps of Engineers, and any and all governmental bodies and agencies having jurisdiction.

g. **FCC Signage.** To the extent that signage is required by the FCC on an antenna structure, or tower, that signage shall constitute no more than five (5) percent of the square footage of the antenna, antenna structure, or tower or shall be no larger than is required by the FCC, whichever shall constitute the smallest signage area.

h. **Preservation of Landscape.** Existing mature tree growth and natural landforms on the proposed antenna, antenna structure, or tower site shall be preserved to the maximum extent possible.

i. **Utilities and Access Required.** Radio and telecommunications antennas, antenna structures, and towers, including, but not limited to, those used for small wireless services, small wireless facilities, and unlicensed wireless services, shall be required to include adequate utilities, access, and/or other facilities necessary for the servicing of the antenna, antenna structure or tower. All such utilities shall be buried.

j. **Signal Interference.** No signal transmission from any antenna, antenna structure, or tower shall interfere with police, fire, public works or any other governmental radio band signals. In the case of the possibility of such interference based upon the frequencies selected for the proposed antenna, antenna structure, or tower, the petition for special use shall be denied.

k. **Equipment Shelter and Equipment Cabinets.** A provider of a radio, television, or telecommunications antenna, antenna structure, or tower may provide an equipment shelter on the site of the antenna, antenna structure, or tower. The square footage of the equipment shelter may not exceed more than twenty (20) percent of the total square footage of the antenna, antenna structure or tower ground site or four hundred fifty (450) square feet, whichever is greater. At any antenna, antenna structure, or tower site in which more than one (1) antenna has been collocated, no more than three (3) equipment shelters shall be allowed. Multiple equipment shelters shall be contained under one (1) roof if at all practicably possible. No equipment shelter shall be approved as part of the site plan unless appropriate electrical power and road ingress and egress facilities are planned for inclusion at the equipment shelter site.

l. **Equipment Cabinets.**

(1) In residential districts, the equipment cabinet or structure may be located in a front or side yard provided the cabinet or structure is no greater than four (4) feet in height or twenty-four (24) square feet of gross floor area and the cabinet/structure is located a minimum of six (6) feet from all lot lines. The cabinet/structure shall be screened by hedging or shrubbery with an ultimate height of at least forty-two (42) inches to forty-eight (48) inches and a planted height of at least thirty-six (36) inches.

(2) In a rear yard, provided the cabinet or structure is no greater than six (6) feet in height or sixty-four (64) square feet in gross floor area. The structure or cabinet shall be screened by hedging or shrubbery with an ultimate height of eight (8) feet and a planted height of at least thirty-six (36) inches. In all other instances, structures or cabinets shall be screened from view of all residential properties which abut or are directly across the street from the structure or cabinet by a solid fence six (6) feet in height or a hedge with an ultimate height of eight feet (8') and a planted height of thirty-six (36) inches.

(3) In business and manufacturing districts the equipment cabinet or structure shall be no greater than six (6) feet in height or sixty-four (64) square feet in gross floor area. The structure or cabinet shall be screened by a hedge or shrubbery with an ultimate height of eight (8) feet and a planted height of at least thirty-six (36) inches. In all other instances, structures or cabinets shall be screened from view of all residential properties which abut or are directly across the street from the structure or cabinet by a solid fence six (6) feet in height or a hedge with an ultimate height of eight (8) feet and a planted height of at least thirty-six (36) inches.

m. **Code Requirements.** Any antenna, antenna structure, or tower must meet code requirements established by the National Electrical Code, NFPA 70 and International Building Code; Radio, Television Towers Codes currently in effect as required by Yorkville and all applicable marking and lighting standards as established by the Federal Aviation Administration.

n. **Removal of Abandoned Antennas, Antenna Structures, or Towers.** Any antenna, antenna structure, or tower that is not operated for a continuous period of twelve (12) months or for which the annual administrative fee is not paid within a twelve (12) month period shall be considered abandoned, and the owner of such antenna, antenna structure, or tower shall remove same from within ninety (90) days of receipt of written notice from Yorkville notifying the owner of such abandonment. If such antenna, antenna structure, or tower is not removed within said ninety (90) days Yorkville shall remove such antenna, antenna structure, or tower at the owner's expense and file a lien against the real estate for the cost of removal or such other action as provided by law. If there are two (2) or more users of a single antenna, antenna structure, or tower, then this provision shall not become effective until all users cease using the antenna, antenna structure, or tower.

o. **Collocation.** A request for approval of a special use permit for the installation of an antenna, alternative antenna, antenna structure or tower, the Zoning Board may by express condition require that the applicant shall allow, on a commercially reasonable basis, other providers of small wireless telecommunications services to collocate additional antennas or antenna structures on a freestanding pole which is part of applicant's proposed small wireless facility, where collocation is technologically feasible.

7. **Nonconforming Uses.**

a. **Prohibited Expansion of Nonconforming Use.** Towers that are constructed and antennas that are installed in accordance with the provisions of this chapter shall not be deemed to constitute the expansion of a nonconforming use or structure.

b. **Preexisting Towers.** Preexisting towers shall be allowed to continue their usage as they presently exist. Routine maintenance (including replacement with a new tower of like construction and height) shall be permitted on such preexisting towers. New construction other than routine maintenance on a preexisting tower shall comply with the requirements of this chapter.

c. **Rebuilding Damaged or Destroyed Nonconforming Antennas, Antenna Structures or Towers.** Notwithstanding any provision in this chapter to the contrary, bona fide nonconforming antennas, antenna structures or towers or antennas that are damaged or destroyed may be rebuilt without having first obtained administrative approval or a special use permit and without having to meet the separation requirements specified elsewhere in this chapter. The type, height, and location of the tower on-site shall be of the same type and intensity as the original facility approved. Building permits to rebuild a facility shall comply with the then applicable building codes and shall be obtained within one hundred eighty (180) days from the date the facility is damaged or destroyed. If no permit is obtained within the time specified or if said permit expires, the tower or antenna shall be deemed abandoned as specified in Section 10-4-15 (A)(4)(n) of this chapter.

8. **Annual Reporting of Information.** Each owner of an antenna, antenna structure, or tower regulated under this chapter, and including those previously existing structures which would have been regulated under this chapter, shall, on an annual basis, furnish Yorkville with such information as is required by Yorkville to aid with the administration of this chapter, such as changes in availability of space on any tower for collocation of additional antennas, plans to abandon a position on a tower, thereby leaving space for the possible collocation of another antenna, plans and/or willingness to modify said tower and antenna structure so as to provide for the possibility of collocation, or intentions to abandon a tower structure, or other nonproprietary information as may be required by Yorkville. Upon written notice from the City of Yorkville to the owner thereof, the effective date of this chapter, which tower and/or antenna structure would otherwise be regulated by this chapter, shall register with Yorkville, and shall provide such nonproprietary information as is deemed useful by Yorkville for administration of this chapter. This section is specifically deemed to have retroactive effect.

10-4-16. Accessory Use Standards

A. **Accessory Buildings and Accessory Structures, Permanent**.

1. **Location**. Accessory buildings and structures shall be subject to the following locational requirements:

   a. If located entirely within the required rear or side yard the accessory building or structure shall be located a minimum of five (5) feet from side and rear property lines.

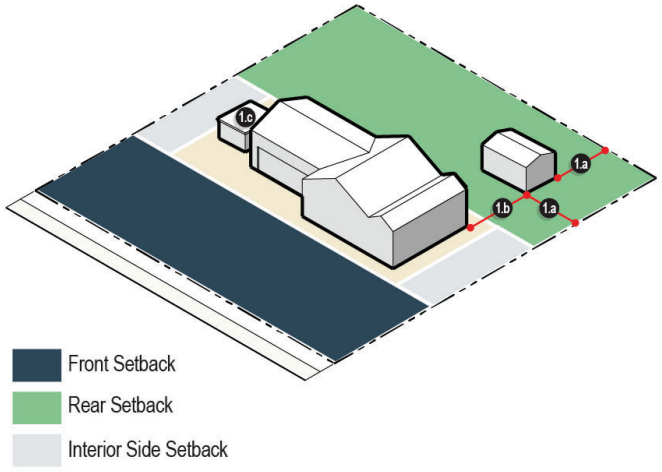
   b. Only accessory buildings shall be located at least ten (10) feet from the principal building, however, accessory structures may be attached to or located adjacent to the principal building.

   c. If located entirely within the buildable area of the lot, the accessory building or structure shall not be located between the primary building and the front property line.

   d. No permanent accessory building or structure shall be located within a public utility easement or within a designated stormwater overflow route.

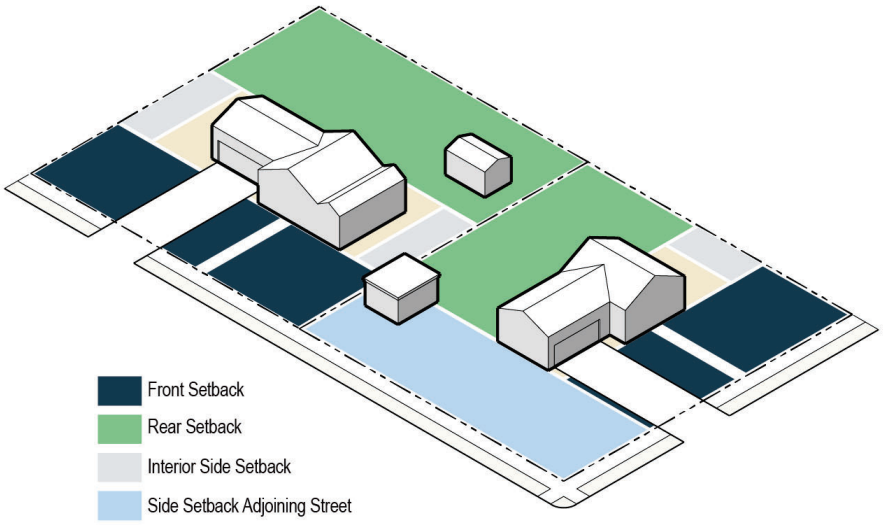
   e. If located partially in a required yard and partially in the buildable area of the lot, the accessory building or structure shall maintain the required side setback for the full length of the property and be a minimum of five (5) feet from the rear property line.

Figure 4.11. Permanent Accessory Buildings and Accessory Structures Standards



2. **Location on Reversed Corner Lots**. On a reversed corner lot in a residence district and within fifteen (15) feet of any adjacent property to the rear in a residence district, no accessory building or permanent accessory structure or portion thereof shall be closer to the side lot line abutting the street than a distance equal to sixty (60) percent of the minimum depth required in Table 10-3-9(A) for the front yard on such adjacent property to the rear. Further, in the above instance, no such accessory building or structure shall be located within five (5) feet of any part of a rear lot line which coincides with a side lot line or portion thereof of property in a residence district.

Figure 4.12. Permanent Accessory Building and Accessory Standards - Location on Reversed Corner Lots



3. **Time of Construction**. No accessory building or permanent accessory structure with a connected water supply shall be constructed on any zoning lot prior to the start of construction of the principal building to which it is accessory, or as provided in section 10-3-3 of this title for contiguous parcels.

4. **Height of Accessory Buildings or Structures in Required Rear Yards**. No accessory building or permanent accessory structure or portion thereof shall exceed fifteen (15) feet in height when located within the required rear yard.

B. **Accessory Commercial Unit**

1. Only one (1) ACU may be allowed per lot.
2. An accessory commercial unit (ACU) shall be located in a permanent accessory building or structure subject to all standards in Section 10-4-16(A).
3. Outdoor seating, drive-throughs, outdoor display areas, and rooftop decks associated with an ACU shall be prohibited.
4. An ADA-compliant pedestrian circulation system shall connect the primary entrance of the ACU building with the sidewalk in a way that does not require out-of-direction travel.
5. The hours of operation shall be limited to between 7 am and 9 pm daily.
6. The City Council may limit the number of customers or clientele served by the ACU per day during the Special Use Permit process.
7. The ACU shall use the same mailbox, water meter, and trash containers as the principal use. The use of additional mailboxes, water meters, or trash containers by the secondary dwelling unit separate from the principal use shall be prohibited.
8. The owner of the property on which the ACU is situated shall continue to occupy the principal residential structure on-site as their primary residence.

C. **Domestic Hens.** The keeping of domestic hens shall be subject to the provisions of Title 8, Chapter 19 of the City of Yorkville Code of Ordinances.

D. **Drive Throughs.**

1. Drive throughs shall be permitted a maximum of four (4) menu boards per lane.
2. Each menu board or pre-order board shall not exceed sixty (60) square feet in area and ten (10) feet in height. Menu boards and pre-order boards may utilize electrically activated changeable copy message centers for one hundred (100) percent of the permitted menu board or pre-order board area and must follow all regulations of Section 10-6-5(B).
3. Any structural element of a drive through, including pavement, speaker boxes, or menu signs shall be located a minimum distance of five hundred (500) feet from the property line of any residentially zoned parcel.
4. Any speaker or intercom associated with a drive through shall not be audible beyond the boundaries of the property.
5. Stacking spaces and lanes for drive through stations shall not impede on- and off-street traffic movement, shall not cross off-street parking areas or drive aisles and shall not impede pedestrian access to a public building entrance.
6. Drive through lanes shall be separated from off-street parking areas. Individual lanes shall be striped, marked, or otherwise delineated, subject to City Engineer approval.
7. Drive through facilities shall be provided with a bypass lane with a minimum width of twelve (12) feet unless an alternative means of exit is approved by the City Engineer.
8. Stacking lanes shall have a minimum depth of twenty (20) feet per stacking space and the following minimum lane widths:
    a. One (1) lane: twelve (12) feet.
    b. Two (2) or more lanes: ten (10) feet per lane.
    c. Drive through facilities shall be required to provide a minimum number of stacking spaces as detailed in Table 10-4-16 (D).

Table 10-4-16(D) Drive Through Stacking Requirements		
Use	**Minimum Stack**	**Measure From**
Automated Teller Machine	3 per machine	teller machine
Bank Teller Lane	2 per lane	teller or window
Restaurant	6 per order box	order box[1]
Carwash Stall, Automatic	5 per stall	stall entrance
Carwash Stall, Manual	3 per stall	stall entrance
Oil Change Shop	3 per service bay	service bay entrance
Pharmacy	4 per lane	machine or window
Other	as determined by the Zoning Officer	
1. Four (4) of the required stacking spaces are to be located between the order-box and pick-up window, including the stacking space at the order box.		

E. **Dwelling, Accessory**.

1. One (1) accessory dwelling unit shall be permitted on a lot. The accessory dwelling shall only be allowed on a lot on which the sole principal use is a single-unit dwelling.

2. Detached accessory dwelling units shall not exceed nine hundred (900) square feet or ten (10) percent of size of the lot, whichever is less.

3. Attached accessory dwelling units shall not exceed nine hundred (900) square feet or thirty (30) percent of the size of the principal building, whichever is less.

4. Detached and attached secondary dwelling units shall be located to the rear of the primary building.

5. Only one (1) entrance shall be located on the front façade of the primary building. Entrances to secondary dwelling units must be located on the side or rear façade.

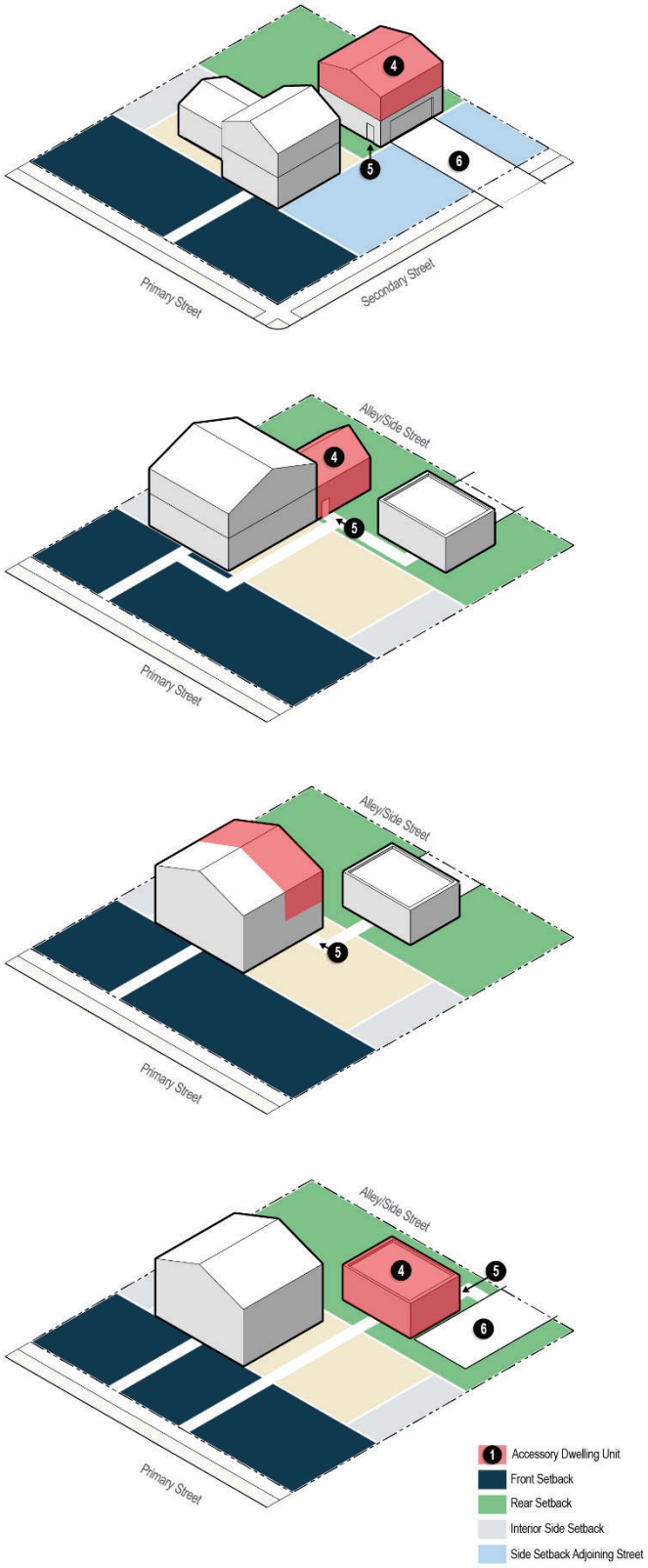
6. Both the principal structure and the accessory dwelling unit shall be served by one (1) common driveway connecting the principal and accessory dwelling units to a public or private road.

7. Parking for the accessory dwelling unit shall be in addition to the parking space(s) required for the primary dwelling unit. The parking for the accessory dwelling unit shall not be located in the required front yard setback. A tandem parking space, where one (1) car is parked behind another within the driveway, with the spaces required for the primary building shall be prohibited.

8. The accessory dwelling shall use the same mailbox, water meter, and trash containers as the principal dwelling unit. The use of additional mailboxes, water meters, and trash containers by the accessory dwelling unit separate from the principal dwelling unit shall be prohibited.

9. Accessory dwelling units shall be similar in character to the primary building and to abutting properties including roof pitch, eaves, exterior building cladding materials, windows, trim, color, and landscaping.

Figure 4.13. Accessory Dwelling Unit Standards



F. **Recreational Vehicle, Trailer, and Boat Parking**.

1. **Permanently Affixing to Ground Prohibited**. Recreational vehicles, trailers, and other recreational equipment shall not be permanently affixed to the ground as principal or accessory structures on a lot in any district.

2. **Improved Hard Surface**. Recreational vehicles, trailers, boats, and other recreational equipment shall be parked on a driveway or a parking pad as specified in Section 10-5-2(B)(4) if constructed in a front or side yard but may be parked on the grass if located in the rear yard as approved only by the City Engineer.

3. **Number**. A maximum of one (1) recreational vehicle, trailer, boat, or other recreational equipment shall be parked on a lot any given time, in addition to any automobiles permitted by the Zoning Ordinance.

4. **Location**. Recreational vehicles, trailers, boats, and other recreational equipment shall be located per the following:

   a. If located entirely within the required rear yard the recreational vehicle, trailer, boat, or other recreational equipment shall be located a minimum of five (5) feet from side and rear property lines,

   b. If located entirely within the buildable area of the lot the recreational vehicle, trailer, boat, or other recreational equipment shall not be located between the primary building and the front property line, or

   c. If located partially in the required rear yard and partially in the buildable area of the lot the recreational vehicle, trailer, boat, or other recreational equipment shall maintain the required side yard setback for the full length of the property and be a minimum of five (5) feet from the rear property line.

5. **Screening**. If a recreational vehicle, trailer, boat, or other recreational equipment is parked on a driveway located within the required side yard setback it shall be screened from the adjacent property with a six (6) foot high opaque fence.

G. **Home Occupations**. The standards for home occupations are intended to ensure compatibility with other permitted uses and maintain the existing character of the surrounding area. Any gainful activity which is not a permitted home occupation as defined in this title shall be considered a business use and shall not be allowed under the provisions of this Section. Any such use existing on the effective date of this title shall be subject to provisions of Chapter 9 for the elimination of a nonconforming use.

1. Any customary home occupation shall be permitted provided that:

   a. It is conducted entirely within the dwelling by the residents of the dwelling and when such home occupation is clearly incidental and secondary to the use of the dwelling for residential purposes.

   b. It does not require internal or external alteration;

   c. It does not involve construction features or use of equipment not customary in a dwelling;

   d. The entrance to the space devoted to such occupation shall be from within the dwelling;

   e. Not more than twenty-five (25) percent of the floor area, including the lookout basement, of the dwelling shall be devoted to such home occupation. If more than one (1) home occupation is operated in a residence, the combined total square footage devoted to all such home occupations shall not exceed twenty-five (25) percent of the floor area of the dwelling;

   f. There is no display or activity that will indicate from the exterior of the dwelling that it is being used in part for any use other than a dwelling.

   g. No electrical or mechanical equipment is used, except such as is customarily used for purely domestic or household purposes;

   h. Off-street parking is provided in accordance with the provisions of Section 10-5-1(H), of this title;

i. Limited amounts of goods, commodities or stock in trade shall be received, retained, used, or stored on, or physically transferred from the premises;

j. Teaching of musical instruments and dancing shall be conducted only in a single-unit detached dwellings; It does not interfere with the reasonable use and enjoyment of adjacent properties, such as, but not limited to, those home occupations that create any form of electromagnetic interference or cause fluctuation in line voltage outside of the dwelling in which the home occupation is conducted;

k. It does not generate any solid waste or sewage discharge in a volume or type which is not normally associated with a residential use in the zoning district; and

l. In-home daycare/childcare services shall meet the following provisions:

(1) Any person operating an in-home daycare/childcare service shall obtain a license from the Illinois Department of Children and Family Services before commencing the operation of such service.

(2) Any person operating an in-home daycare/childcare service shall obtain an operational permit from the Bristol Kendall Fire District.

(3) In home daycare/childcare services are limited to no more than twelve (12) children under the age of twelve (12) at any one (1) time, unless approved through a special use permit pursuant to Section 10-8-5 of this title.

2. Any home occupation requiring a local, state, or federal license shall be obtained.

3. The following home occupations are prohibited:

a. Selling or manufacturing of firearms;

b. Automobile repair services;

c. Jobbing, wholesale, or retail businesses, unless conducted entirely by mail, electronically, or telephone;

d. Manufacturing business;

e. Medical clinic or hospital;

f. Animal hospital or kennel (animal grooming services are permitted);

g. Restaurant;

h. Mortuary and funeral parlors; and

i. Commercial automobile repair;

j. Any activity that produces noxious matter or employs or produces flammable matter.

H. **Outdoor Displays**. In the business and manufacturing districts outdoor displays are permitted accessory uses provided that the following provisions are met. However, nothing in this section shall waive the prohibition of outdoor storage as defined and regulated in this title.

1. **Accessory Use**. Outdoor displays shall be permitted only as an accessory use on the same lot as a permitted or special use of the business or operation located there and shall not operate as a separate enterprise.

2. **Nature of Merchandise**. The goods, merchandise, or products offered for sale in an outdoor display area must be of such a nature that they are not typically located within a permanent building or structure, such as vehicles, trailers, farming equipment, landscape supplies, propane or other material contained in a pressurized tank, ice/vending machines, recycling containers and automated teller machines (ATM). Goods, merchandise or products that are

typically located within a permanent building or structure, such as clothing and prepared food, shall not be offered for sale in a permanent outdoor display area.

3. **Location**.

   a. **Setbacks**. Outdoor display areas may be located in front of, on the side of, or behind the primary building, but shall not encroach upon the required minimum yard setbacks for the zoning district in which it is located.

   b. **Parking**. Outdoor display areas may be located within existing parking spaces but only if there is a sufficient number of other parking spaces available to meet the minimum parking requirements of the use(s) on the property, as provided in Section 10-5-1(H)(5) of this title.

   c. **Pedestrian Walkways**. Outdoor display areas may be located on a pedestrian walkway if an unobstructed portion of the walkway measuring not less than three (3) feet in width shall be continuously maintained for pedestrian access and no point of ingress or egress from any building or any individual unit within any building shall be blocked at any time.

   d. **Right-of-Way**. Unless otherwise provided by this title, outdoor display areas shall not be located on any public or private right-of-way.

   e. **Lawn**. Outdoor display areas may be located on concrete, asphalt, or brick paver areas and shall not be located on lawn areas or required landscape areas.

   f. **Near Single-Unit Residence District**. No outdoor display areas shall be located within fifty (50) feet of any single-unit residentially zoned district, exclusive of rights-of-way.

4. **Size**. Outdoor display areas shall be limited to thirty-five (35) percent of the gross floor area of the primary building or tenant space to which the outdoor display area is an accessory, with the exception of vehicle, trailer and farming equipment dealerships.

5. **Visibility**. Outdoor display areas shall comply with the Vision Clearance requirements of section 10-5-6 of this title.

6. **Maintenance**. All outdoor display areas must be maintained and displayed in a neat, orderly, and safe manner at all times.

10-4-17. Temporary Use Standards

A. **Accessory Structures, Temporary.**

1. Temporary accessory structures shall be allowed for between thirty (30) days and six (6) months as approved through a temporary use permit as specified in Section 10-8-3(F).

2. If located entirely within the required yard the accessory building or structure shall be located a minimum of five (5) feet from side and rear property lines.

3. Temporary accessory structures may be attached to or located adjacent to the principal building.

4. If located entirely within the buildable area of the lot the temporary accessory structure shall not be located between the primary building and the front property line.

5. If located partially in the required rear yard and partially in the buildable area of the lot, the temporary accessory structure shall maintain the required side yard setback for the full length of the property and be a minimum of five (5) feet from the rear property line.

6. **Time of Construction**. No temporary accessory structure with a connected water supply shall be constructed on any zoning lot prior to the start of construction of the principal building to which it is accessory.

B. **Mobile Food Vendor Vehicles and Retail Vendor Vehicles**.

1. **Purpose**. The purpose of this section is to encourage and regulate the operation of mobile food vendor and retail vendor vehicles subject to operational standards, on public and private property within the City. These operational standards and application procedures are intended to recognize the opportunity for unique outdoor portable fare and added convenience to persons living and working within Yorkville, while protecting the health, safety and welfare of the general public.

2. **General Provisions**.

   a. Mobile food vendor vehicles and mobile retail vendor vehicles shall obtain a certificate of registration from the office of the City Clerk in accordance with title 3, chapter 5 of the City of Yorkville Municipal Code.

   b. Mobile food vendor vehicles and mobile retail vendor vehicles must comply with all federal, state, county, and local business tax, sales tax, and other tax requirements.

   c. It shall be a violation to operate a mobile food vendor vehicle or mobile retail vendor vehicle at any location except in compliance with the requirements of this section.

   d. Mobile food vendor vehicles and mobile retail vendor vehicles are permitted in all zoning districts of the City, subject to the location and operational standards established in this title.

   e. Mobile food vendor vehicles and mobile retail vendor vehicles shall not:

      (1) obstruct or interfere with the free flow of pedestrian or vehicular traffic, including but not limited to, access to or from any business, public building, or dwelling;

      (2) conflict with the vision clearance requirements of section 10-5-6 of this title; or

      (3) prevent access of emergency vehicles.

   f. Drive-through vending is prohibited. No vendor shall make sales to any person in a vehicle.

   g. No amplified music or loudspeakers shall be permitted.

h. Any exterior lighting provided on the mobile food vendor vehicles or mobile retail vendor vehicles shall comply with the standards of Section 10-5-7.

i. No sales or service of alcohol shall be allowed by mobile food vendor vehicles.

j. Mobile food vendor vehicles and mobile retail vendor vehicles shall provide at least one (1) trash receptacle for use by patrons and in a convenient location that does not impede pedestrian or vehicular traffic. All litter or debris generated immediately within the vicinity of the mobile food vendor vehicle or mobile retail vendor vehicle shall be collected and removed by the mobile operator.

3. **Location and Operational Standards**.

a. **Mobile Food Vendor Vehicles and Mobile Retail Vendor Vehicles Operating within the Public Right-of-Way**.

(1) Mobile food vendor vehicles and mobile retail vendor vehicles shall be legally parked in full compliance with all State and local parking provisions which apply to the location at which it is parked, including any sign prohibiting the parking or standing of a vehicle or indicating a parking time limit.

(2) Operation of mobile food vendor vehicles and mobile retail vendor vehicles within City parks shall be subject to rules and regulations established by the Park Board.

(3) No unattended mobile food vendor vehicle or mobile retail vendor vehicle shall be parked or left overnight within a public right-of-way or on any other public property.

(4) Mobile food vendor vehicles or mobile retail vendor vehicles shall not operate within the public right-of-way within five hundred (500) feet from any K-12 school building, as defined by the State of Illinois, between the hours of 7:00 a.m. and 4:00 p.m. on regular school days, unless as part of a permitted special event or rally.

(5) Mobile food vendor vehicles or mobile retail vendor vehicles shall not be parked within twenty-five (25) feet from a street intersection with a crosswalk, traffic light, or stop sign, or within twenty-five (25) feet from a railroad crossing.

(6) Mobile food vendor vehicles or mobile retail vendor vehicle operators shall be responsible for organizing customer queuing in a manner that maintains a clear path along the sidewalk that is at least four (4) feet wide and does not interfere with or obstruct the free passage of pedestrians.

(7) All sales and service shall be limited solely to that side of the mobile food vendor vehicle or mobile retail vendor vehicle facing away from the public street.

(8) Mobile food vendor vehicles and mobile retail vendor vehicles shall not encroach onto a public sidewalk with any part of the vehicle, or any other equipment or furniture related to the operation of its business, except for required refuse receptacles.

(9) Mobile food vendor vehicles greater than thirty-five (35) feet in length, or that occupy more than two (2) on-street parking spaces, are not permitted to operate in the public right-of-way adjacent to residentially zoned properties.

(10) Mobile food vendor vehicles or mobile retail vendor vehicles shall not block a lawfully placed monument sign of another business.

b. **Mobile Food Vendor Vehicles and Retail Vendor Vehicles Operating on Private Property**.

(1) Mobile food vendor vehicles and retail vendor vehicles may be permitted to operate on private property as a temporary accessory use in all zoning districts.

(2) Mobile food vendor vehicles and retail vendor vehicles shall not occupy more than eight (8)of the required parking spaces on an improved lot or exceed the maximum lot coverage for the district in which it is located on an unimproved lot.

(3) The maximum number of mobile food vendor vehicles and retail vendor vehicles permitted on a site shall be determined as follows:

(a) One (1) mobile food vendor vehicle or retail vendor vehicle may operate on the site for every five hundred twenty-five (525) square feet of paved area (at least thirty-five (35) feet by fifteen (15) feet in dimension); except that mobile food vendor vehicles or retail vendor vehicles greater than thirty-five (35) feet in length require a space at least seventy feet (70) by fifteen (15) feet.

(b) Mobile food vendor vehicle and retail vendor vehicle operations shall occur upon a paved, level parking area or surface.

(c) Mobile food vendor vehicles and retail vendor vehicles parked within required parking areas shall not impede pedestrian or vehicle ingress or egress through the remainder of the parking area or adjacent public right-of-way.

(d) Mobile food vendor vehicles and retail vendor vehicles may be permitted to have canopies and outdoor seating areas, provided these additional outdoor accessories may not occupy more than two (2) parking spaces per mobile food vendor vehicle or retail vendor vehicle.

c. **Canteen Trucks Operating on Private Property**.

(1) Canteen trucks may operate on an unimproved lot or parcel, only if such lot or parcel or an adjoining lot or parcel is undergoing permitted construction activity.

(2) Canteen trucks shall not block fire lanes, designated construction traffic lanes for ingress or egress, or access to or from the construction site.

(3) No unattended canteen truck shall be parked overnight on any property.

d. **Private Vendor Service by Mobile Food Vendor Vehicles and Mobile Retail Vendor Vehicles**.

(1) Mobile food vendor vehicles and mobile retail vendor vehicles may provide private sales service within the public right-of-way and on private property in residential districts only.

(2) Private vendor services by mobile food vendor vehicles and mobile retail vendor vehicles shall be limited to private guests of the event host only. No walk-up customers are permitted.

(3) Payment shall occur directly between the event host and the mobile food vendor vehicle and retail vendor vehicle. No payment transactions shall occur for individual orders.

(4) All operational standards for operating a mobile food vendor vehicle and mobile retail vendor vehicle as provided in this section shall apply.

C. **Storage of Roadway Construction Materials**.

1. A temporary use permit and building permit shall be required prior to the establishment of a storage area for roadway construction materials. In addition to all required permit application materials, the following shall be required:

   a. A site plan depicting the location of proposed construction material storage locations, site ingress and egress, stormwater runoff control measures, other stormwater management practices, and any other information requested by the Zoning Officer shall be required; and

   b. A traffic plan.

2. Roadway construction material storage areas shall be utilized between the hours of 7:00am and 10:00pm only.

D. **Portable Outdoor Storage Device**. Portable outdoor storage devices are allowed in any district provided they are issued a temporary use permit and meet the following conditions:

1. Only one portable outdoor storage device may be located on a lot at a time.

2. No portion of any portable outdoor storage device may extend onto the public right-of-way, including but not limited to sidewalks, parkways, streets, or alleys unless otherwise approved through the temporary use permit.

3. The portable outdoor storage device shall not exceed eight (8) feet in width, twelve (12) feet in length and eight (8) feet in height, or seven-hundred sixty-eight (768) cubic feet.

4. The portable outdoor storage device must be located on an impervious surface.

5. Placement of a portable outdoor storage device shall be limited to thirty (30) days per residential lot, per calendar year.

6. Placement of a portable outdoor storage device shall be limited to sixty (60) days per business, manufacturing, institutional, open space, or agricultural lot, per calendar year.

7. Every portable outdoor storage device must be locked and secured when not being loaded or unloaded.

8. The temporary use permit shall be prominently displayed during the approval period.

9. The Planning and Zoning Commission may approve containers that exceed the allowable number, size, surface, or length of time.

E. **Temporary and Seasonal Uses**.

1. **Purpose**. To further encourage the revitalization of the downtown and other areas within the City, these standards are intended to provide a temporary but unique environment for relaxation, social interaction, and food or beverage consumption within public rights-of-way and public sidewalks without impeding the free and safe flow of pedestrian or vehicular traffic.

2. **General Provisions**.

   a. **Encroachment**. A sidewalk cafe or parklet cafe shall not be considered an "encroachment" so long as all outdoor facilities related thereto are temporary in nature, are not permanently affixed so as to extend below or above the sidewalk or public right-of-way, involve no penetration of the sidewalk surface or public right-of-way, are not attached to any building and are readily removable without damage to the surface of the sidewalk or public right-of-way.

   b. **Time Period**. Sidewalk cafes and parklet cafes may be permitted from April 1st through October 31st. Time extensions may be granted for sidewalk cafe and parklet cafe operations per the discretion of the Zoning Administrator on a case-by-case basis. Parklet cafes not removed after October 31st and without an approved extension may be removed by the City at the owner's expense.

c. **Permit**.

(1) Sidewalk cafes and parklet cafes shall require a permit pursuant to the standards established in 10-4-16(E) of this title.

(2) Outdoor dining on a public sidewalk or within the right-of-way may occur only pursuant to the issuance of a permit.

(3) A sidewalk cafe or parklet cafe permit is non-transferrable.

d. **Prohibited Locations**. Outside dining will not be permitted on sidewalks or within the public right-of-way designated by the City Council as shared bicycle and pedestrian trails or paths.

e. **Seating**. Seating in the sidewalk cafe or parklet cafe shall not be included to meet the required guest seating capacity for any license classification.

f. **Indemnification**. The permittee shall defend, indemnify, and hold the City, and its employees harmless from and against any loss or damage arising from the use or existence of the improvements or encroachment authorized under the sidewalk cafe or parklet cafe permit.

3. **Development and Design Standards**. The following standards, criteria, conditions and restrictions shall apply to all sidewalk cafes and parklet cafes, provided, however, that the Zoning Administrator or designee may impose additional conditions and restrictions to protect and promote the public health, safety, or welfare to prevent a nuisance from developing or continuing, and to comply with all other City ordinances and applicable state and federal laws.

a. **Sidewalk Café**.

(1) **Design Elements**.

(a) Elements of a typical sidewalk cafe may include, but are not limited to, the following: barriers, planters, tables, chairs, umbrellas, menu display, heat lamps and ingress/egress access point.

(b) The design, material, and colors used for the furniture and fixtures within the sidewalk cafe shall complement the architectural style and colors of the building facade and public street furniture, if any, and withstand inclement weather.

(2) **Setbacks**.

(a) No element of the sidewalk cafe, as described above, may obstruct the pedestrian way in a manner which reduces the depth of the pedestrian way to less than five (5) feet. Light poles, tree wells, fire hydrants and other such items may fall within the pedestrian path allowed between the curb and the leading edge of the sidewalk cafe.

(b) A sidewalk cafe shall not unreasonably obstruct the visibility of neighboring businesses. In such cases a sidewalk cafe operator may be required to adjust the layout of the outdoor dining area per the recommendation of the Zoning Administrator or designee.

(c) Sidewalk cafes must be located a minimum distance of one hundred (100) feet from the nearest residential zoned district.

(d) The width of the sidewalk cafe must not extend beyond the frontage of the business establishment unless written notarized consent of the adjacent business and property owner has been provided to the Zoning Administrator.

(e) Sidewalk cafes located at a street corner must maintain a ten (10) foot setback from the corner of the building along both frontages.

(f) For sidewalk cafes located adjacent to a driveway or an alley, setback distances will be at the discretion of the Zoning Administrator in locations where unusual circumstances exist or where public safety would be jeopardized.

(3) **Barriers**.

(a) The perimeter of sidewalk cafes that extend more than three (3) feet into the public right-of-way shall be enclosed by barriers that are durable, removable, and maintained in good condition.

(b) Sidewalk cafes that extend three (3) feet or less into the public right-of-way and do not serve alcohol are not required to be enclosed by a barrier.

(c) Sidewalk cafes that serve alcohol must be surrounded by a barrier in all cases. Barrier access point must be controlled by the sidewalk cafe operator/business establishment. Business establishment owners should maintain compliance with Yorkville's Liquor Control Ordinance standards for serving alcohol outside of enclosed businesses.

(d) Moveable barriers and all furniture shall be removed at the end of each business day unless otherwise approved by the Zoning Administrator or designee. Moveable barriers shall be capable of being removed through the use of recessed sleeves and posts, wheels that can be locked in place, and/or weighted bases. Barrier segment bases should be flat with tapered edges that are between one-fourth (0.25) inch and one-half (0.5) inch thick.

(e) The maximum height of any barrier shall not exceed three (3) feet six (6) inches. The lowest point in the barrier should be no more than six (6) inches in height above the ground to comply with ADA detectable warning regulations.

(f) Rigid fence sections may be placed end-to-end to create the appearance of a single fence. Sectional fencing shall be composed of metal or wood and shall be painted or finished in a complementary color to the building color or accent materials. Sectional fencing may be constructed from other materials such as but not limited to aircraft cable, fabric, steel or iron elements if approved by the Zoning Administrator or designee.

(g) **Planters**.

(i) Planters may also be used as a barrier or planter boxes as barrier components.

(ii) Planters must be no more than three (3) feet in height and plant materials may be up to three (3) feet tall.

(iii) Planters shall be kept in clean condition, contain living plants, and be removed at the end of each business day.

(h) Access openings must be kept clear of all materials and should measure no less than forty-four (44) inches wide.

(4) **Awnings and Umbrellas**.

(a) The use of awnings over the outdoor dining area or removable table umbrellas may be permitted provided they do not interfere with street trees.

(b) No portion of the awning shall be less than eight (8) feet above the sidewalk and no portion of the umbrella shall be less than seven (7) feet above the sidewalk.

(c) Awnings may extend up to five (5) feet from the front of the building's facade or cover up to fifty (50) percent of the outdoor dining area, whichever is less.

(d) Awnings shall have no support posts located within the public right-of-way.

(e) A separate building permit must be obtained prior to the installation of the awning.

(f) Notwithstanding any provisions in this Code, signs and logos shall be permitted on umbrellas or awnings in outdoor dining areas.

(5) **Prohibited Items**.

(a) Permanently affixed furniture to the public sidewalk is prohibited.

(b) Shelves, serving stations, flimsy plastic tables and chairs, unfinished lumber or splintering wooden materials, rusted metal, and loudspeakers, are prohibited.

(c) Tying or otherwise securing sidewalk cafe elements to trees, lamp posts, street signs, streetlights, and/or hydrants is prohibited.

(d) Chain link, rope rails, and chain are prohibited as barrier materials.

(e) Rails, buckets, flag poles, and newspaper stands are prohibited.

(f) No alterations or coverings should be made to the sidewalks or placed over the sidewalk cafe space. Platforms, artificial turf, paint, or carpet in sidewalk cafe areas is prohibited.

(g) If wait service is not provided in the sidewalk cafe area, the business establishment is required to supply a waste receptacle. If wait service is provided, the business establishment is prohibited from placing a waste receptacle in the sidewalk cafe.

b. **Parklet Café**.

(1) The parklet cafe site shall be located on at least one (1) parking spot within the public way and appurtenances thereof shall be a minimum of two (2) feet from the nearest edge of sidewalk. Parklet cafes are restricted to City of Yorkville public streets and shall not be permitted on any state, county or township roadways.

(2) Tables, chairs, umbrellas or other fixtures in the parklet cafe:

(a) Shall not be placed within five (5) feet of fire hydrants, alleys or bike racks.

(b) Shall not be placed within five (5) feet of a pedestrian crosswalk.

(c) Shall not block designated ingress, egress, or fire exits from or to the business establishment or any other structures.

(d) Shall not be physically attached, chained, or in any manner affixed to any structure, tree, signpost, or light pole.

(e) May be removed by the City at owner's expense if not installed per approved plans or installed after permit expiration.

(f) Shall be maintained in a clean, sanitary, and safe manner.

(g) Shall consist of commercial-grade furniture.

(h) Shall not be placed outside or hang over the designated parklet cafe area.

(3) The parklet cafe shall be located in such a manner that a distance of not less than four (4) feet is maintained at all times as a clear and unobstructed pedestrian path. For the purpose of the minimum clear path, traffic signs, trees, light poles and all similar obstacles shall be considered obstructions.

(4) The parklet cafe, along with the sidewalk and roadway immediately adjacent to it, shall be maintained in a neat and orderly manner at all times. Debris shall be removed as required during the day and again at the close of each business day. Maintenance details shall include access panels and how drainage will be provided along the existing drainage way.

(5) Parklet cafe decking must be flush with the curb and may not have more than a one-half (0.5) inch gap from the curb.

(6) The parklet cafe platform shall allow for access underneath the platform and curbside drainage may not be impeded.

(7) All rails around the parklet cafe must be capable of withstanding a two hundred (200) pound horizontal force.

(8) The parklet cafe shall be required to have reflective tape, soft hit posts, wheel stops and, depending on the proposed location, may be required by the Zoning Administrator or designee to have edging such as planters, railing or cables.

(a) If cables are used, vertical spacing between cables may not exceed six (6) inches.

(9) Umbrellas and other decorative material shall be made of treated wood, canvas, cloth, or similar material that is manufactured to be fire-resistant. No portion of an umbrella shall be less than six (6) feet eight (8) inches above the sidewalk. Umbrellas must be secured.

(10) Temporary signage such as menu boards or easels may be permitted in parklet cafes.

(11) No food preparation, food or beverage storage, refrigeration apparatus or equipment shall be allowed in the parklet cafe unless authorized by the Zoning Administrator or designee as part of a special event.

(12) No amplified entertainment shall be allowed in the parklet cafe unless authorized by the Zoning Administrator or designee as part of a special event.

(13) Parklet cafes shall meet the vision clearance requirements of Section 10-5-6 of this title.

Chapter 5. Development Standards

10-5-1. Off-Street Parking and Loading 1
10-5-2. Driveways 18
10-5-3. Landscape 22
10-5-4. Screening 36
10-5-5. Fences 39
10-5-6. Vision Clearance 41
10-5-7. Outdoor Lighting 42

10-5-1. Off-Street Parking and Loading

A. **Purpose**. The purpose of this section is to regulate off-street parking and loading areas on private property outside the public right-of-way. The regulations are intended to achieve the following:

1. Relieve traffic congestion on streets by providing adequate, but not excessive, off-street parking;
2. Encourage the use of alternate forms of transportation including bicycling, transit, walking, and ride sharing services;
3. Avoid unnecessary conflicts between vehicles, bicycles, and pedestrians; and
4. Minimize negative impacts on adjacent properties and the environment.

B. **General Provisions**.

1. **Application**. The off-street parking and loading provisions in this section shall apply to the following:

   a. **New Development.** All new buildings, structures, and land uses established after the adoption of this title must comply with the parking and loading regulations established in this section.

   b. **Expansion**. When an existing building or structure increases in intensity or is expanded, the number of parking spaces and/or loading facilities must be modified to meet the parking and loading regulations. The number of parking spaces and/or loading facilities that must be modified will be determined by the unit of measurement specified for that land use in Table 10-5-1(H)(5). However, no building or structure lawfully erected or use lawfully established prior to the effective date shall be required to provide additional parking spaces and/or loading facilities unless the aggregate increase in units of measurements is greater than fifteen (15) percent.

   c. **New Use**. Whenever the existing use of a building or structure is changed to a new use, parking or loading facilities shall be provided as required for such new use, unless otherwise approved as a Variation as detailed in Section 10-8-9. However, if said building or structure was erected prior to the effective date of this title, additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use if the latter were subject to the parking and loading provisions of this title.

2. **Existing Parking and Loading Facilities**. Accessory off-street parking or loading facilities which are located on the same lot as the building or use served and were in existence on the effective date of this title shall not be required to reduce the amount of parking and loading facilities regulated in this title. A change of occupancy is not a change of use unless the new occupant is considered in a different use classification.

3. **Control of Off-Site Parking Facilities**. Where required parking facilities are provided on land other than the zoning lot on which the building or use served by such facilities is located, they shall be and remain in the same possession or ownership as the zoning lot occupied by the building or use to which the parking facilities are necessary. No such off-site parking facilities shall be authorized and no zoning certificate shall be issued where the plans call for parking facilities other than on the same zoning lot until and unless approved as an Variation as detailed in Section 10-8-9. Prior to approval as an Administrative Exception, the owners of the multiple properties shall provide an agreement in a form approved by the City Administrator with consultation from the City Attorney attesting that the off-site parking facilities will be maintained at all times during the life of the proposed use or building.

C. **Use of Parking Areas**.

1. All required off-street parking areas shall continually be available for the parking of operable vehicles of intended users of the site.

2. No off-street parking area shall be used for storage of equipment or materials except where otherwise approved.

D. **Requirements For All Parking.**

1. Drive aisles shall be required in the parking areas that have five (5) or more spaces.

2. All required parking lots, by this Code, shall comply with the accessibility requirements of the State of Illinois Accessibility Code and the ADA.

E. **Parking Stall and Aisle Dimensions**.

1. **Standard Parking Stall and Aisle Dimensions**. Standard parking spaces, including interlocking standard parking spaces, shall comply with the minimum dimensional and layout requirements specified in Table 10-5-1(E)(1) and as generally illustrated in Figure 5.1.

Table 10-5-1(E)(1) Standard Parking Stall and Aisle Dimensional Requirements

	Figure Reference					
	A	B	C	D	E	F
Parking Angle (degrees)	Space Width	Space Depth	Aisle Width (2-Way)	Aisle Width (1-Way)	Depth of Interlocking Spaces	Overhang
0	9'	20'	24'	12'	n/a	n/a
45	9'	18'	24'	12'	28.25'	2'
60	9'	18'	24'	18'	32'	2'
90	9'	18'	24'	24'	36'	2'

2. **Compact Parking and Motorcycle Stall and Aisle Dimensions**.

   a. Compact parking stalls and aisles shall comply with the minimum dimensional and layout requirements specified in Table 10-5-1(E)(2).

   b. In parking areas containing more than ten (10) spaces, up to five (5) percent of the spaces exceeding the first ten (10) spaces may be designed for compact vehicles.

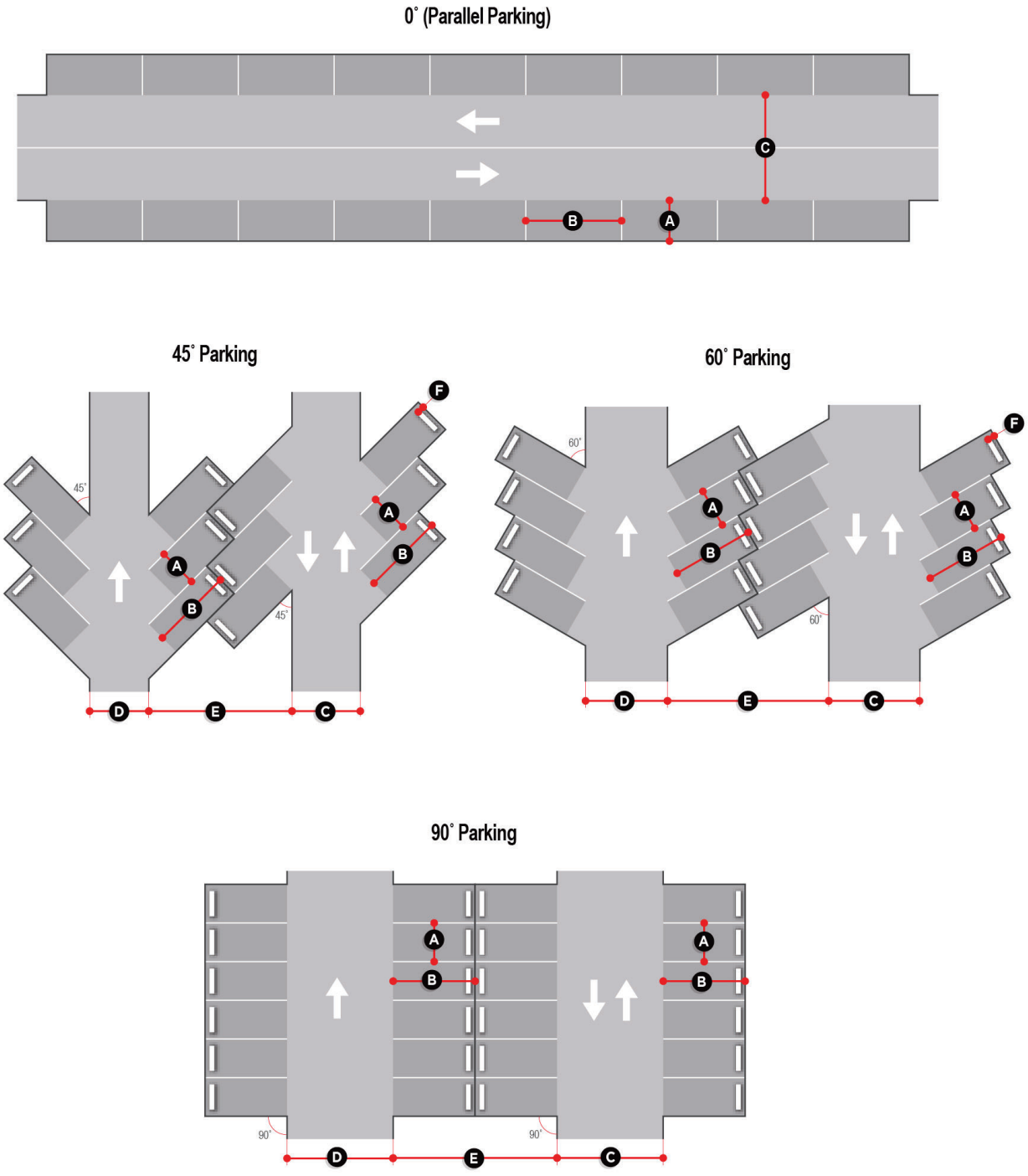
   c. Compact parking spaces shall be labeled for such purposes.

   d. Compact parking stalls shall be grouped together and separated from standard parking stalls. Striping of at least one half (1/2) foot in width shall be used to visually delineate the edge of the area used for compact vehicle parking spaces from standards parking stalls.

Table 10-5-1(E)(2) Compact Parking Space Dimensional Requirements

Parking Angle (degrees)	*Figure Reference* A Space Width	B Space Depth	C Aisle Width (2-Way)	D Aisle Width (1-Way)	E Depth of Interlocking Spaces	F Overhang
0	7.5'	18'	18'	12'	n/a	n/a
45	7.5'	15.5'	18'	12'	28.25'	1.5'
60	7.5'	16.25'	18'	16'	32'	1.5'
90	7.5'	15.5'	24'	24'	36'	n/a

Figure 5.1. Dimensional Requirements of Parking Spaces and Drive Aisles



F. **Access and Cross Access.**

1. **Access**. To ensure safe and efficient means of automobile access for all parking spaces, each required off-street parking space shall open directly upon an aisle or driveway unless the facility is serviced by a parking attendant.

2. **Cross Access**. To facilitate vehicular access between adjoining developments, encourage shared vehicle parking, and minimize access points along streets, new multi-unit, nonresidential, and mixed-use development or redevelopment shall comply with the following standards:

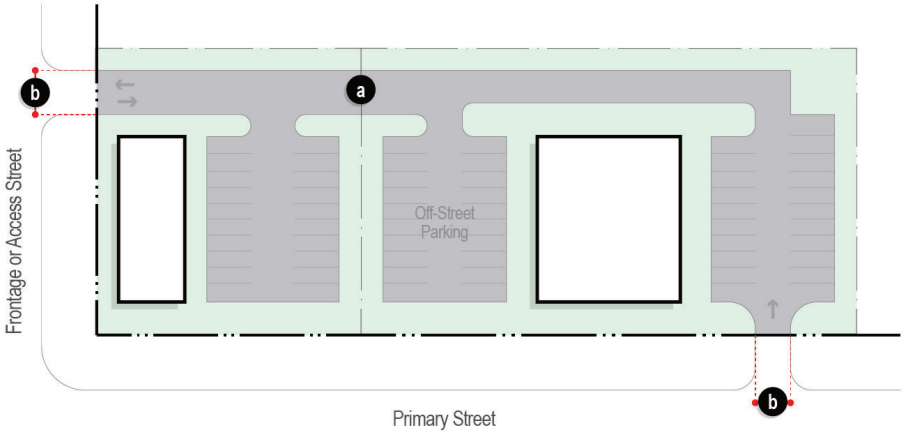
   a. Internal vehicular circulation systems shall be designed to allow for vehicular cross-access between the development's vehicle parking facilities and vehicle parking facilities in an adjoining multi-unit, nonresidential, or mixed-use development, or to the boundary of adjoining vacant land zoned to allow multi-unit, nonresidential, or mixed-use development.

   b. Required vehicular cross access between the adjoining lots shall be provided through the use of a frontage or service street (if the lots front on a major thoroughfare right-of-way), a single two-way maneuvering lane, or two one-way maneuvering lanes that are sufficiently wide to accommodate traffic by automobiles, service vehicles, loading vehicles, and emergency vehicles.

   c. The Zoning Administrator may waive or modify the requirement for vehicular cross access on determining that such cross access is impractical or undesirable because it would require crossing a significant physical barrier or environmentally sensitive area, would create unsafe conditions, or there exists an inability to connect to adjacent property. City Council shall have the authority to waive or modify vehicular cross access requirements for all public review processes involving review by City Council.

   d. Easements allowing cross access to and from properties served by a vehicular cross-access, along with agreements defining maintenance responsibilities of property owners, shall be recorded with the Register of Deeds for the county in which the properties are located before issuance of a Building Permit for the development.

Figure 5.2. Cross Access Standards



3. **Surfacing**. All open off-street parking areas shall be surfaced with a material and at a thickness per use type as specified in the City of Yorkville Standard Specifications Driveway and Parking Lot Paving Standards.

G. **Location**. Off-street parking spaces may be located in any yard defined by this title. The location of off-street parking spaces in relation to the use served shall be as prescribed below. All distances specified shall be property line to parking space and a main entrance to the use served.

1. **Residence Districts**. Parking spaces accessory to dwellings shall be located on the same zoning lot as the use served. Spaces accessory to uses other than dwellings may be located on a lot adjacent to, or directly across a street or alley from the lot occupied by the use served, but in no case at a distance in excess of three hundred (300) feet from such use.

2. **Business and Manufacturing Districts**. All required parking spaces shall be within one thousand (1,000) feet of the use served, except for spaces accessory to dwelling units (except those located in a hotel) which shall be within three hundred (300) feet of the use served. However, no parking spaces accessory to a use in a business or manufacturing district shall be located in a residence district unless authorized by the Planning and Zoning Commission in accordance with this title.

H. **Off-Street Parking Requirements**.

1. **Minimum Requirements**. Except as otherwise expressly stated, off-street parking spaces shall be provided in accordance with the parking ratio requirements established in Table 10-5-1(H)(5) Minimum Parking Requirements. Parking spaces reserved for specific user groups, other than ADA compliant spaces and spaces with electric vehicle charging stations, shall not count towards the minimum requirement.

2. **Maximum Requirements**. To minimize excessive areas of pavement, no off-street parking area for nonresidential or multi-unit uses shall exceed the required minimum number of parking spaces by more than twenty (20) percent, except as approved by the Zoning Administrator. In approving additional spaces, the Zoning Administrator shall determine that the parking is needed based on documented evidence of actual use and demand provided by the applicant.

3. **Parking in the B-2 District**. Nonresidential uses in the B-2 Mixed Use District shall be exempted from providing off-street parking as required in the form-based code.

4. **Calculations**. The following rules shall apply when calculating the required minimum number of parking spaces.

   a. **Fractions**. When measurements of the number of required spaces result in a fractional number, the fraction shall be rounded up to the next highest whole number.

   b. **Area Measurements**. Unless otherwise expressly stated, all area-based (square footage) parking standards must be computed on the basis of net floor area (NFA) as defined in Section 10-2-6(L) of this ordinance.

5. **Unlisted Uses**. In the case of uses not listed in Table 10-5-1(H)(5) Minimum Parking Requirements, the number of spaces for a similar use, as determined by the Zoning Administrator, shall apply.

Table 10-5-1(H)(5) Minimum Parking Requirements

Use	Minimum Parking Requirement, 8,000 sq ft or less	Minimum Parking Requirement, more than 8,000 sq ft
Agricultural Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Agricultural uses		
Apiaries	n/a	n/a
Campground	1/campsite	1/campsite
Commercial feeding of fish, poultry, livestock		
Cultivation of nonfood crops and seeds used of cellulosic biofuels production		
Farming/Cultivation		
Forestation		
Grain elevators and storage	n/a	n/a
Nursery/greenhouses	1/1,000 sqft	0.5/1,000 sqft

Table 10-5-1(H)(5) Minimum Parking Requirements		
Use	**Minimum Parking Requirement, 8,000 sq ft or less**	**Minimum Parking Requirement, more than 8,000 sq ft**
Recreational camp - private	1/campsite	1/campsite
Riding academies with stables	1/6 stalls	1/6 stalls
Roadside stand	1/200 sq ft	1/200 sq ft
Stables or paddocks	n/a	n/a
Residential Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Dwelling, duplex	1/unit	1/unit
Dwelling, multi-unit	1.25/unit	1.25/unit
Dwelling, single-unit		
Dwelling, accessory		
Dwelling, townhouse	1/unit	1/unit
Senior housing, dependent	0.25/unit	0.25/unit
Senior housing, independent	0.5/unit	0.5/unit
Lodging Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Bed and breakfast inn		
Hotel		
Motel		
Short-term rental	1/lodging unit	0.5/lodging unit
Commercial Retail Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Adult uses		
Building material sales		
Liquor store		
Pawnbrokers/pawnshops		
Retail store, general - less than one (1) acre		
Retail store, general greater than one (1) acre	3/1,000 sq ft	2/1,000 sq ft
Commercial Service Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Adult daycare facility		
Animal hospital		
Art galleries/art studio		
Auction house		
Bank		
Commercial laboratory		
Commercial/trade school		
Daycare facility		
Dry cleaning establishment		
Entertainment production studio		
Financial institutions and services		
Funeral home/mortuary/crematorium		
Health and fitness club/center		
Indoor shooting gallery/range	3/1,000 sq ft	2/1,000 sq ft

Table 10-5-1(H)(5) Minimum Parking Requirements		
Use	**Minimum Parking Requirement, 8,000 sq ft or less**	**Minimum Parking Requirement, more than 8,000 sq ft**
Kennel, commercial or private dog kennels		
Massage establishment		
Off track betting (OTB) establishments		
Professional care services		
Professional services/offices	2/1,000 sq ft	1/1,000 sq ft
Radio and television studios	3/1,000 sq ft	2/1,000 sq ft
Storage, indoor single-building climate controlled	3/10 storage units	3/12 storage units
Storage, outdoor self storage	1/45 storage units	1/55 storage units
Tattoo and body piercing establishment		
Veterinary clinic	3/1,000 sq ft	2/1,000 sq ft
Commercial Entertainment Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Amusement park		
Commercial entertainment, indoor		
Commercial entertainment, outdoor		
Community / Recreation center		
Golf course, miniature		
Golf course		
Golf driving range		
Indoor Event/Recreation Conversion		
Outdoor music venues		
Skating rink		
Stadium		
Swimming pool - indoor		
Theater, live performance	As deemed appropriate by the City Engineer	As deemed appropriate by the City Engineer
Theater, motion picture		
Eating and Drinking Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Brewery/Winery/Distillery tasting room		
Brewpub		
Microbrewery, microdistillery, and microwinery		
Prepared Food Service Establishment		
Restaurant		
Tavern - nightclub or lounge	3/1,000 sq ft	2/1,000 sq ft
Medical Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Hospital		
Medical clinic / office		
Treatment center	1/300 sq ft	1/300 sq ft
Vehicle Related Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Automobile parts/accessories sales		
Automobile rental	1/1,000 sq ft	0.5/1,000 sq ft
Automobile repair	1/200 sq ft	1/200 sq ft

Table 10-5-1(H)(5) Minimum Parking Requirements

Use	Minimum Parking Requirement, 8,000 sq ft or less	Minimum Parking Requirement, more than 8,000 sq ft
Automobile sales enclosed and service/open sales lot		
Boat sales and rental		
Boat storage	1/1,000 sq ft	0.5/1,000 sq ft
Car wash	1/car wash bay	1/car wash bay
Gasoline service station	1/gas pump and 1/300 sq ft accessory retail space	1/gas pump and 1/300 sq ft accessory retail space
Heavy machinery and equipment rental		
Recreational vehicle sales and service	1/1,000 sq ft	1.5/1,000 sq ft
Semi-truck repair	1/service bay	1/service bay
Truck and trailer sales/rental	1/1,000 sq ft	0.5/1,000 sq ft
Truck, truck-tractor, truck trailer, car trailer or bus storage yard - not include motor freight terminal	n/a	n/a
Energy Industrial Uses	*As specified below*	*As specified below*
Battery Uses		
Data Center	70,000 sq ft or less: 20	More than 70,000 sq ft: 0.3 / 1,000 sq ft
Refrigerated Warehouse (Cold Storage)	150,000 sq ft or less: 0.5/1,000 sq ft	More than 150,000 sq ft: 0.3/1,000 sq ft
Industrial Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Aggregate materials extraction, processing and site reclamation (stone and gravel quarries)		
Artisan manufacturing		
Assembly, production, manufacturing, testing, repairing, or processing		
Bakery (wholesale - retail component special use)		
Blacksmith or welding shop		
Brewery/winery/distillery		
Contractor facilities with outdoor storage		
Dry cleaning plant		
Manufacturer of firearms and ammunition		
Newspaper publishing		
Research laboratories		
Wholesaling and warehousing - local cartage express facilities - including motor freight terminal	0.5/1,000 sq ft	0.3/1,000 sq ft
Transportation Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Airport		
Bus or truck garage or streetcar house		
Bus or truck storage yard		
Motor freight terminals		
Railroad passenger station	As determined by parking demand study (1)	As determined by parking demand study (1)
Railroad repair shops, maintenance buildings and switching yards		
Alternative Energy Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Solar farm	2	n/a
Building mounted solar energy systems	n/a	n/a

Table 10-5-1(H)(5) Minimum Parking Requirements

Use	Minimum Parking Requirement, 8,000 sq ft or less	Minimum Parking Requirement, more than 8,000 sq ft
Freestanding solar energy systems - accessory use		
Freestanding solar energy systems - principal use		
Wind farm	max of 2	n/a
Wind energy system, building-mounted		
Wind energy system, freestanding - accessory use	n/a	n/a
Wind energy system freestanding - principal use	max of 2	n/a
Medical and Adult Cannabis Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Cannabis Craft Grower	n/a	n/a
Cannabis Cultivation Center	1/1,000 sq ft	0.5/1,000 sq ft
Cannabis Dispensing Organization	3/1,000 sq ft	2/1,000 sq ft
Cannabis Infuser Organization		
Cannabis Processing Organization	0.5/1,000 sq ft	0.3/1,000 sq ft
Cannabis Transporting Organization	As determined by parking demand study (1)	As determined by parking demand study (1)
Institutional, Public, and Utility Uses	*8,000 sq ft or less*	*More than 8,000 sq ft*
Cemetery		
College, university or junior college		
Communications use		
Electric substation		
Filtration plant		
Fire station		
Library		
Parks	As determined by parking demand study(1)	As determined by parking demand study (1)
Place of worship/assembly	1/6 seats	0.5/6 seats
Playground		
Police station	As determined by parking demand study (1)	As determined by parking demand study (1)
Post office		
Preschool	3/1,000 sq ft	3/1,000 sq ft
Public utility - electric substations and distribution centers, gas regulation centers and underground gas holder stations		
Public utility facilities (other)		
Radio and television towers - commercial		
Sanitary landfill		
School, public or private		
Sewage treatment plant		
Solid waste disposal site		
Utility company maintenance yard		
Utility service yard or garage	As determined by parking demand study (1)	As determined by parking demand study (1)

(1) The applicant shall propose an appropriate parking requirement specific to their proposal, which shall be supported by a parking study, and shall be approved by the City Engineer.

I. **Fee-In-Lieu of Off-Street Parking.** An applicant may request to pay a fee-in-lieu of the off-street parking required in this Section. The City will allocate the fee to construct and maintain public parking facilities.

1. All requests for a fee-in-lieu of off-street parking shall be subject to approval by the City Council. A maximum of twenty (20) percent of the off-street parking required in this subsection may be substituted for the provision of a fee-in-lieu of parking.

2. The developer shall provide the average cost of an off-street parking space as provided per the City of Yorkville's adopted ordinances and as verified by the City Engineer.

3. An approved payment in lieu of providing parking shall be paid prior to issuance of a building permit.

J. **Reserved Parking Spaces**.

1. **Curb-Side Pickup**.

a. A maximum of five (5) percent of required parking spaces specified in Table 10-5-1(H)(5) may be reserved for curb-side pickup patrons.

b. Parking spaces reserved for curb-side pickup patrons shall be located either to the side of the principal building, in the rear of the parking lot, away from main building entrances so as not to inhibit pedestrian travel between the principal building entrance and off-street parking areas, near employee exits or in another location approved by the Zoning Administrator.

c. The Zoning Administrator may reduce the minimum number of parking spots required by one (1) space per parking spot reserved for curbside pickup patrons.

2. **Ride Share Pickup and Drop Off**.

a. A maximum of five (5) percent of required parking spaces may be reserved for ride share pick up and drop off.

b. Parking spaces reserved for ride share pick up and drop off shall be located either to the side of the principal building, in the rear of the parking lot, away from main building entrances, or in another location approved by the Zoning Administrator.

c. The Zoning Administrator may reduce the minimum number of parking spots required by one-half (0.5) space per parking spot reserved for ride share pick up and drop off.

K. **Electric Vehicle Charging Stations**.

1. **Quantity Required**. Any parking structure, parking area serving a multiunit use, or any parking area with fifty (50) or more parking spaces, shall install the infrastructure required to accommodate a minimum of one (1) electric vehicle charging station per every fifty (50) parking spaces.

2. **Measurement.** The number of electric vehicle charging stations required shall be determined based on the number of vehicle spaces provided that allow for electric vehicle charging. Double counting by using dual chargers per a single station but not providing the required number of vehicle spaces shall be prohibited.

L. **Allowed Reductions to Required Parking**. Table 10-5-1(L) establishes reductions to required parking that may be approved by the Zoning Administrator.

Table 10-5-1(L) Allowed Reductions to Required Parking

Adjustment Type	Criteria	Adjustment Amount
Pedestrian Access	Nonresidential use is located where residents of all residential and mixed-use areas within 1,320 feet of the subject property can walk to and from the nonresidential use on a continuous sidewalk system (ignoring intervening streets).	10% reduction
Public Parking Lots	Nonresidential use is located within 900 feet of a parking lot that is available for use by the public without charge (either directly or through a validation program in which the subject use participates).	10% reduction
On-Street Parking	Single-family or duplex residential is located along one or more public street frontages where public parking is permitted.	One legal on-street parking space (to a maximum of two parking spaces) can be substituted for every required off-street parking space provided the on-street space is located on a public right-of-way immediately abutting the property or tenant space seeking the parking adjustment. Where a partial space straddles an extension of a side property line, the space may be counted by the abutting property owner in front of whose property 50% or more of the space is located.
	Multifamily residential or nonresidential use located along one or more public street frontages where public parking is permitted.	One legal on-street parking space can be substituted for 0.5 of every required off-street parking space provided the on-street space is located on a public right-of-way immediately abutting the property or tenant space seeking the parking adjustment.
Curbside Parking	Commercial retail or eating and drinking use offering an online curbside pickup option.	One curbside parking space can be substituted for every required off-street parking space to a maximum 5% reduction of the total number of off-street parking spaces.

M. **Shared Parking**.

1. **Purpose**. Shared parking is the use of a parking space by vehicles generated by two (2) or more individual land uses without conflict or encroachment. Shared parking for multiple uses creates better pedestrian connections and reduces reliance on private vehicles because multiple trips may be taken by walking. Shared parking is encouraged for the benefits it provides as long as the use follows the conditions and standards listed below.

2. The ability to share spaces is the result of two (2) conditions:

    a. Vehicles accumulate at different times; either by hours, days, or seasons.

    b. Relationship of the uses allows for multiple visits in one (1) auto trip.

3. **Shared Parking Uses**. The uses listed subsections (a) and (b) are uses that are generally considered prime candidates for shared parking. While these are considered the main uses to have shared parking, the Zoning Administrator has the final authority on what uses may or may not share parking regardless of if the use is listed in the subsections below or not.

    a. For purposes of this Section, the following uses are considered daytime uses:

        (1) Office Uses,

        (2) Commercial Service Uses,

        (3) Commercial Retail Uses,

        (4) Industrial Uses, and

        (5) Other similar primarily daytime uses, as determined by the City Council.

    b. For purposes of this Section, the following uses are considered evening or weekend uses:

        (1) Physical Health and Entertainment Uses,

        (2) Public/Semi-Public Uses,

        (3) Eating and Drinking Uses, and

        (4) Other similar primarily nighttime or weekend uses, as determined by the City Council.

4. **Standards**.

   a. The applicant must demonstrate that the shared parking area has a sufficient amount of spaces for the uses they intend to share the area with. The Zoning Administrator may require the applicant to provide data to support the sufficient parking claim.

   b. The nearest parking space shall be no farther than one thousand (1,000) feet from the principal buildings, structures, or uses. The path from the parking space to the principal building should consider:

      (1) Adequate lighting.

      (2) Separation from the right-of-way.

      (3) Legal crosswalks for right-of-way crossing.

      (4) Asphalt, concrete, or similar surface material.

   c. A legal document between the property owners that guarantees access to the shared parking must be submitted to the Zoning Administrator. The document will be approved by the City before being recorded. The termination of the agreement must be approved by the City and the owners must provide proof that each establishment meets the criteria within this title.

N. **Pedestrian Circulation Standards**.

1. Off-street parking areas shall include on-site pedestrian circulation systems to ensure the safety of pedestrians, bicyclists, and motorists.

2. The on-site pedestrian circulation system shall comply with all ADA standards.

3. The on-site pedestrian circulation system shall be marked and must connect all buildings on the site to one another and provide connections to the required vehicle and bicycle parking spaces.

4. The on-site pedestrian circulation system must connect building entrances to adjacent public rights-of-way along direct routes that do not require significant out-of-direction travel.

5. The on-site pedestrian circulation system shall provide at least one (1) connection to adjacent properties along a shared street frontage. Connections must provide access to existing walkways on adjacent properties, or to the likely future location of walkways on those properties. The Zoning Administrator may waive this requirement upon determining that no walkway exists, a future walkway is unlikely to exist, or such connection would create a safety hazard.

6. Connections to existing and future planned trails shall be provided.

O. **Bicycle Parking**. The purpose of this section is to provide sufficient, safe, and convenient bicycle parking to encourage bicycling as a form of transportation, reducing traffic congestion, air pollution, wear and tear on roads, and use of fossil fuels, while fostering healthy physical activity.

1. **Types of Parking.** The following types of bicycle parking shall be allowed:

a. **Short-Term Parking.**

(1) **Bicycle Rack.** A bicycle rack is a device that is capable of supporting a bicycle in a stable position that secures the bicycle with at least two (2) points of contact. A single rack provides two (2) parking spots. The rack shall be no taller than three (3) feet tall and no less than eighteen (18) inches in length.

(2) **Bicycle Shelter.** A bicycle shelter is a covered parking area and provides all weather protection. The shelter should be designed to hold many bicycles. It is preferred that the shelter be close to other forms of transportation to encourage bicycle riding throughout the City.

b. **Long-Term Parking.**

(1) **Bicycle Locker.** A bicycle locker provides an all-weather, high security, and long-term parking solution. The enclosure should be made out of durable material that will keep the bicycle safe from weather or vandalism. The locker must be able to be locked to prevent theft and it must be able to be unlocked by the user for easy access. It is preferred that bicycle lockers are placed near other forms of transportation to encourage bicycle riding throughout the City.

(2) **Bicycle Station.** A bicycle station provides the highest level of service for long term parking. The station is intended to be a regional hub for bicycles in the area and it is expected for the station to provide services to cyclists. These services may include, but are not limited to, repair, lockers, showers, food and beverages, rental, and other storage facilities.

2. **Off-Street Parking Reduction For Bicycle Parking.**

a. A reduction in the number of off-street vehicle parking spaces required shall be permitted for the provision of bicycle parking provided that:

(1) No fee is required for using the bicycle parking made available;

(2) When calculation of the maximum number of reduced parking spaces results in a fraction, the resulting number shall be rounded to the next highest integer.

b. The reduction in the number of vehicle parking spaces shall be reduced by no more than one (1) space for every two (2) bicycle parking spaces, but no more than five (5) percent of the total required spaces.

c. This provision is applicable to all land uses except single-unit residential and two-unit residential.

P. **Land Banked Parking Facilities.** Land banking allows for the designation of a portion of land on a site that would be required for parking to be held and preserved as open space, rather than constructed as parking. This reduces the amount of impervious surface on a site for developments which otherwise would not have enough parked vehicles to fill the minimum required parking stalls, or "bank" the spaces until such time capacity warrants their construction.

1. **Standards.** The Planning and Zoning Commission may recommend to the City Council land banking of up to twenty-five (25) percent of the required parking spaces through the Variation process, as defined in Section 10-8-9 of this ordinance.

2. **Land Bank Plans Required.** The owner of the property making a land bank request shall submit a detailed land banked parking plan for review by the Planning and Zoning Commission with final approval by the City Council. The

land banked parking plan shall show both full compliance with the parking regulations of this chapter and the land bank area showing the reduced number of parking spaces.

3. **Termination of Land Bank.**

   a. The City Council shall have the right in its discretion to require the property owner or successor, to construct all or a portion of the land banked parking facilities. Instances for termination, shall include, but not be limited to:

      (1) The intensity of the use is increased,

      (2) The type of use changes,

      (3) There is an addition to the property or building.

   b. The Zoning Administrator will provide notice to the owner that the land banked parking facilities must be constructed and completed within one (1) year from the date of the notice.

Q. **Off-Street Loading Regulations and Requirements.**

1. **Location.** All loading berths shall be located on the same zoning lot as the use served. No loading berth for vehicles over two (2) tons of capacity shall be closer than fifty (50) feet to any property zoned or used for residential purposes unless all loading and unloading activities are located completely within the building, screened by the requirements for Transition Area D as detailed in Section 10-5-3(F)(3). No permitted or required loading berth that is open to the sky shall be located within any front or corner side yard and shall not be located within fifty (50) feet of the nearest point of intersection of any two (2) streets.

2. **Size.** Required size shall be determine on a case-by-case basis depending on the narrative provided by the petitioner or traffic study and shall be as approved by the Zoning Administrator.

3. **Surfacing.** All open off-street loading berths shall be improved with a compacted aggregate base not less than twelve (12) inches and surfaced with not less than four (4) inches of bituminous concrete or six (6) inches of concrete or some comparable all weather dustless material. The exact design to be determined based on projected use of the loading berth.

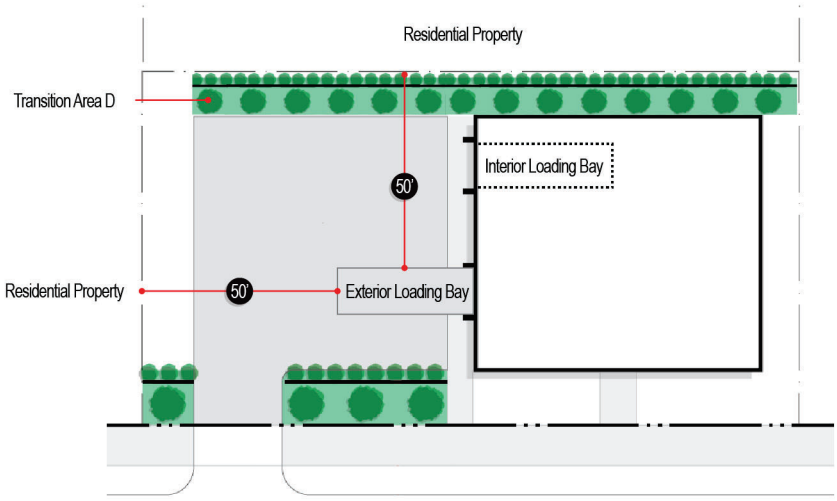
4. **Repair and Service.** No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities provided in any district.

5. **Loading Spaces Not to be Used for Parking Requirements.** Space allocated to any off-street loading berth shall not, while so allocated, be used to satisfy the space requirements for any off-street parking facilities or portions thereof.

6. **Special Uses.** For special uses other than prescribed hereinafter, loading berths adequate in number and size to serve such use, as determined by the Zoning Administrator, shall be provided.

7. **Required Off-Street Loading Spaces.** The number of loading spaces provided shall be determined on a case-by-case basis as approved by the Zoning Administrator and based on a narrative provided by the petitioner or traffic study. These spaces shall be provided in a manner that does not interfere with internal site circulation, ingress or egress to the site, access to or use of required off-street parking areas and pedestrian circulation areas, and with the public use of streets or alleys.

Figure 5.3. Off-Street Loading Spaces



10-5-2. Driveways

A. **General Driveway Standards**. All driveways shall comply with the City of Yorkville's surfacing requirements as established in the City's Standard Specifications.

B. **Single-Unit Driveway Standards**. A single slab driveway from the property line to legal, on-site parking shall be provided and shall be in conformance with the following criteria.

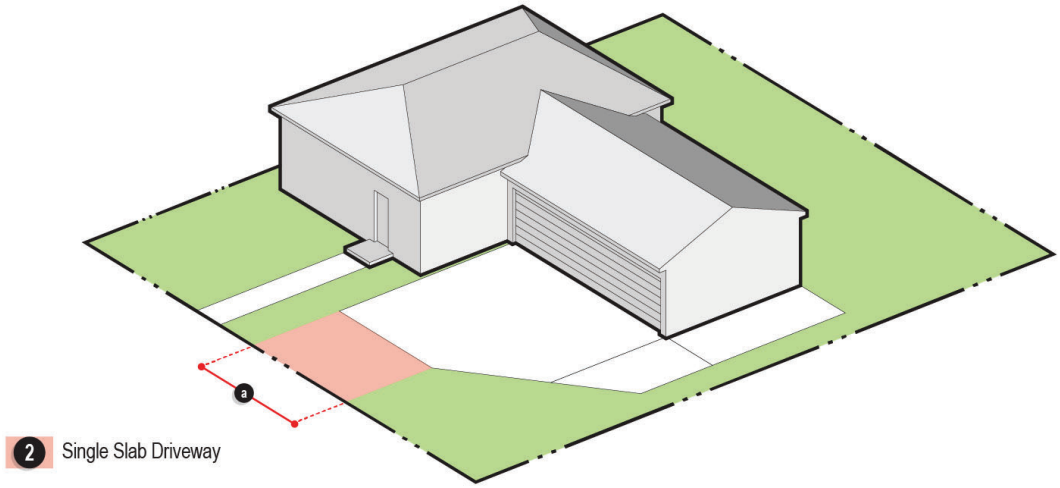
1. **Limit of One**. One (1) single slab driveway and one (1) curb cut shall be permitted per every seventy-five (75) feet of frontage of a single-unit residential lot. New residential parcels taking access from collector or arterial streets, shall share driveways in order to protect public safety by limiting curb cuts.

2. **Single-Slab Driveway Design Standards**.

a. Single-slab driveways shall not exceed twenty-five (25) feet in width at the property line.

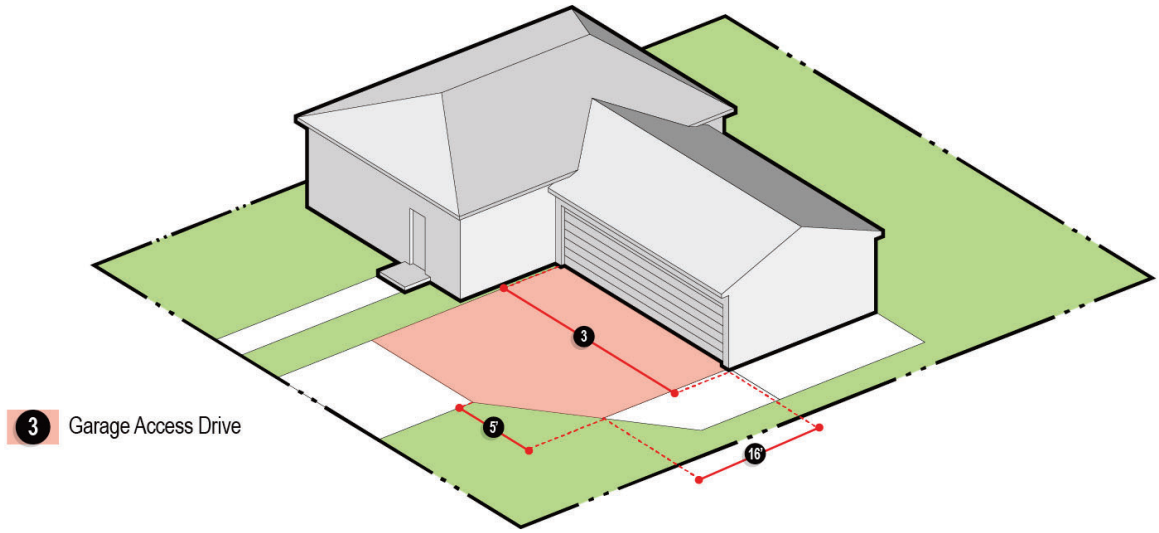
b. **Surfacing.** Single-slab driveways shall be surfaced as specified in the City of Yorkville's City Standard Specifications.

Figure 5.4. Single-Unit Driveway Standards



3. **Garage Access Drive**. A garage access drive, the width of the garage, as measured from the garage door(s) plus an additional one (1) foot on either side of the garage door(s), is permitted to extend for a distance of sixteen (16) feet from the garage doors before tapering, within five (5) feet, back to the maximum driveway width.

Figure 5.5. Garage Access Drive Standards



4. **Parking Pad**.

   a. **Limit of One**. A single-unit driveway may be extended to include one (1) parking pad.

   b. **Configuration**.

      (1) A parking pad shall be a maximum of ten (10) feet in width.

      (2) The portion of the parking pad adjacent to the driveway shall have a maximum length of twenty (20) feet, as measured from the front façade line of the garage. A minimum seven (7) foot taper shall be included in the twenty (20) foot maximum.

      (3) The portion of the parking pad adjacent to the garage shall have a maximum length equal to the depth of the garage, as measured from the front façade line of the garage.

   c. **Location**. The parking pad shall be set back a minimum of five (5) feet from any side property line and shall be outside of all easements.

   d. **Surfacing**. Parking pads shall be surfaced with material and at a thickness as specified in the City of Yorkville's City Standard Specifications.

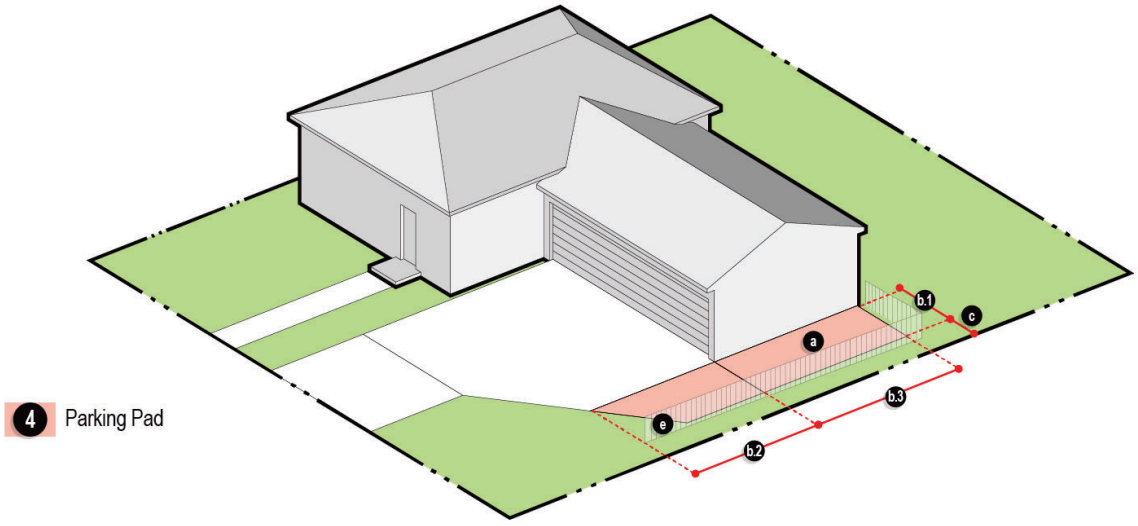
   e. **Screening**. All parking pads located within a required side yard shall be screened from view when facing adjoining property lines with material at least fifty (50) percent opacity and at a minimum height of five (5) feet. The provision of fencing subject to the requirements of Section 10-5-5 shall meet this requirement.

   f. **Covered Structures**. Covered structures located over parking pads shall not be allowed.

   g. **Vehicle Parking**. No vehicle over ten (10) feet in height may be parked on a parking pad.

   h. **Corner Lots**. Parking pads shall not be allowed on corner lots.

Figure 5.6. Parking Pad Standards



D. **Multi-unit and Nonresidential Driveway Standards**.

1. **Location**.

a. Where an off-street parking area of a corner lot abuts an alley or a corner side street, access to the off-street parking area shall be obtained from a driveway off the alley or corner side street.

b. No lot can have multiple driveways for purposes of vehicular ingress and egress without a minimum three hundred (300) foot separation between such curb cuts along a street.

2. **Driveway Design Standards**.

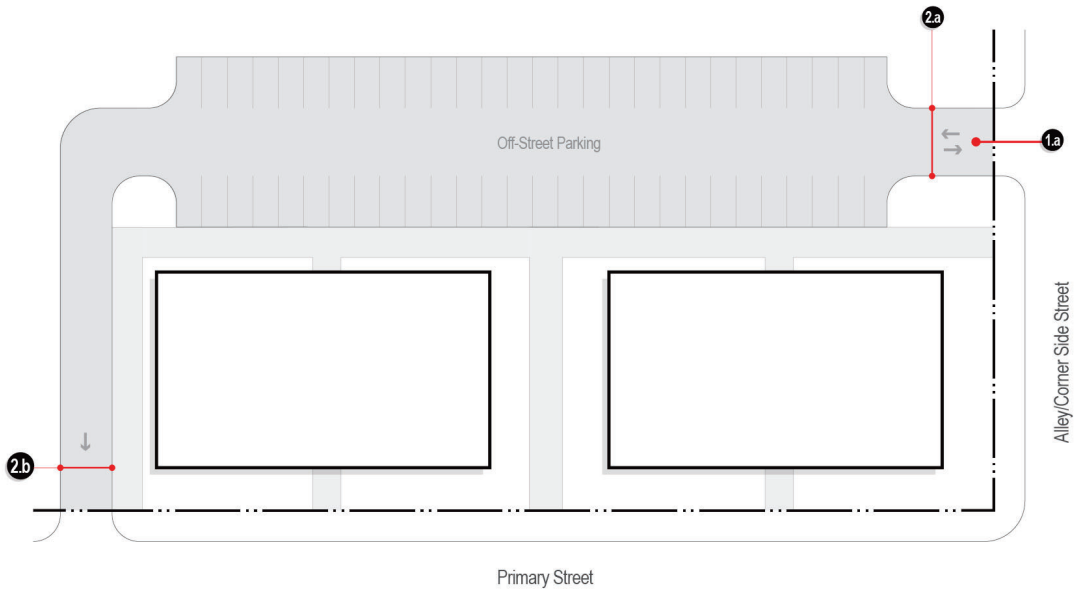
a. Two-way driveways for multi-unit and nonresidential uses shall be a minimum of twenty-five (25) feet and a maximum of thirty-six (36) feet at the property line.

b. One-way driveways for multi-unit and nonresidential uses shall be a minimum of sixteen (16) feet and a maximum of twenty (20) feet at the property line.

c. Driveways for multi-unit and nonresidential uses shall be surfaced with an asphaltic concrete or portland cement pavement.

E. **Vehicle Stacking For Drive Throughs.** Vehicle stacking spaces for drive through uses shall be provided as specified in Section 10-4-15(D).

Figure 5.7. Multi-unit and Nonresidential Driveway Standards



10-5-3. Landscape

Landscape improvements required by this section shall apply to all nonresidential, mixed use, and multi-unit development and consist of living vegetation in a combination of plants, trees, shrubs, native grasses, perennials, and/or groundcover. Unless otherwise stated in this section, all size specifications for plant materials shall be based upon the time of planting. When caliper is specified for tree planting, the caliper of the tree trunk shall be measured at average breast height (DBH typically 4.5 feet above ground). Any plant materials used to meet the requirements of this section shall not include any plant material identified as an invasive species by the Illinois Department of Natural Resources.

A. **Planting Types**.

1. **Canopy Trees**. A woody plant (deciduous or evergreen) having not less than a two and one-half (2.5) inch caliper with single central axis which typically reaches a mature height of not less than forty (40) feet and a mature spread of not less than fifteen (15) feet.

2. **Understory Trees**. A woody plant having not less than a one and one-half (1.5) inch caliper, or six (6) feet tall for multiple stem species, that normally attains a mature height of at least fifteen (15) feet.

3. **Evergreen Trees**. A tree having foliage that persists and remains green throughout the year and has a height of not less than six (6) feet at installation and maturing to a height of not less than twenty (20) feet.

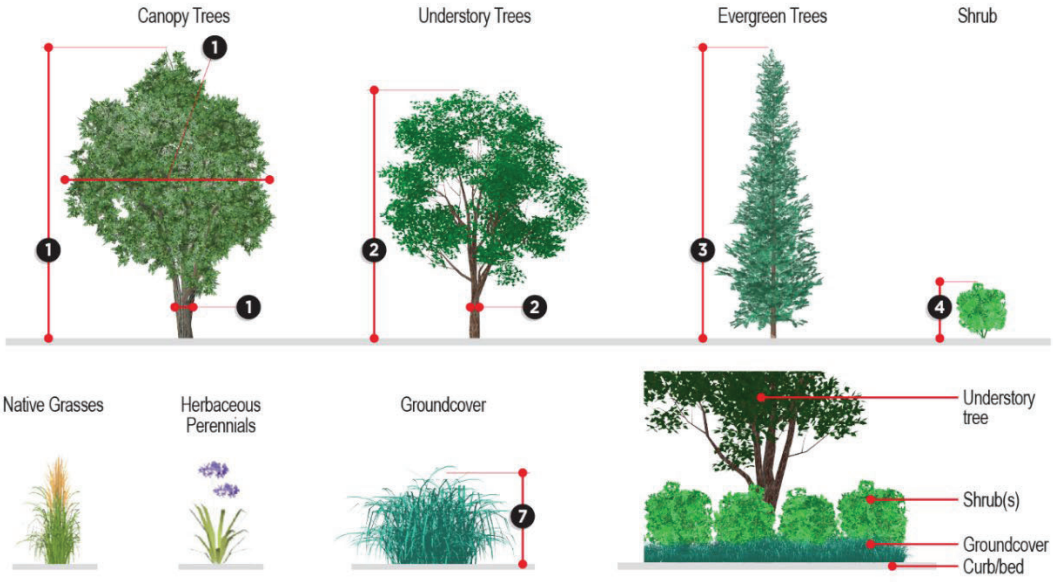
4. **Shrubs**. A woody plant (deciduous or evergreen) of low to medium height characterized by multiple stems continuous from its base and having a height of not less than two (2) feet, unless classified as a shrub by the State of Illinois.

5. **Native Grasses**. Grasses that are native to the State of Illinois or non-invasive ornamentals, but shall not include noxious weeds.

6. **Herbaceous Perennials**. Plants with non-woody stems whose above-ground growth largely or totally dies back during winter months but whose underground plant parts (roots, bulbs, etc.) survive.

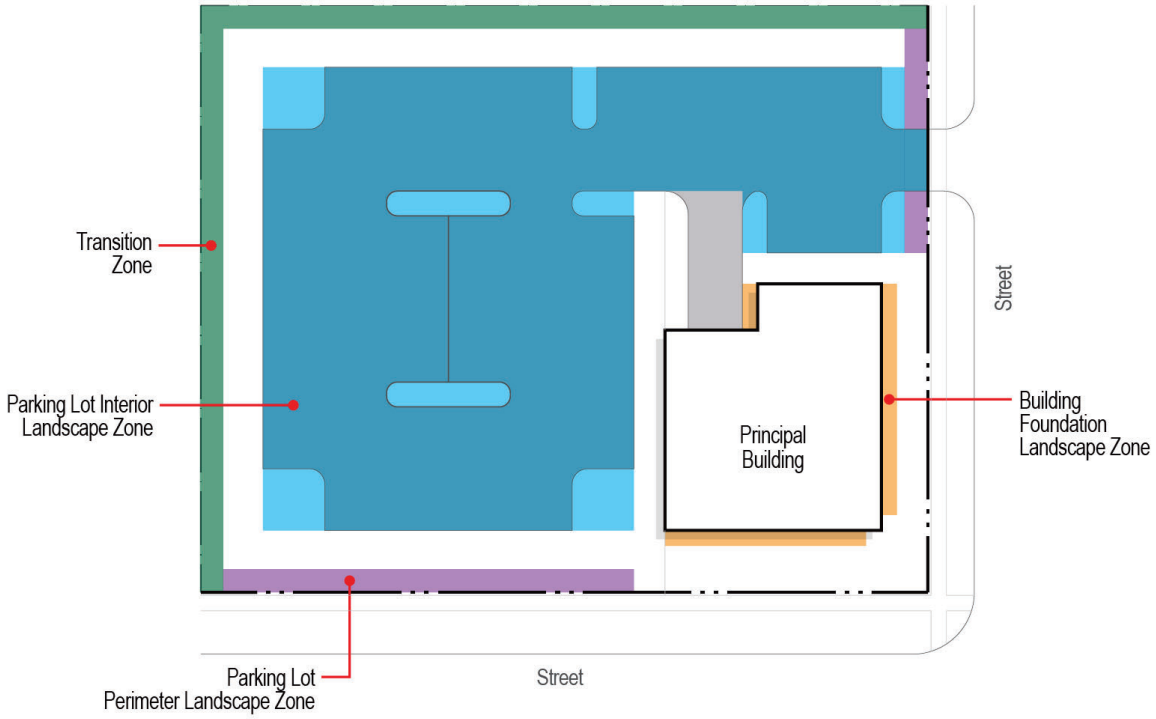
7. **Groundcover**. Spreading herbaceous plants, other than turf grass, prostrate shrubs, or woody vines normally reaching an average maximum height of eighteen (18) inches at maturity.

Figure 5.8. Planting Types



B. **Required Landscape Zones**. Figure 5.9 illustrates the location of the required landscape zones as detailed in the following sections. The Zoning Administrator may approve exceptions to the required landscape zone as they deem necessary allow adequate construction and use of the site.

Figure 5.9. Required Landscape Zones



C. **Building Foundation Landscape Zone**. All nonresidential, mixed-use, and multi-unit development where a front yard setback is required, with the exception of food processing facilities regulated by the FDA, shall include landscape located at the building foundation as required by this section. Landscape required by this section shall be in addition to landscape required under other sections of this title. It is the objective of this section to provide a softening effect at the base of buildings.

1. Applicable development is required to maintain a building foundation landscape zone at front and exterior side yards. Five (5) square feet of landscape area shall be provided per linear foot of building frontage facing the front and exterior side yards and shall be dispersed along the building foundation as approved by the Zoning Administrator.

2. Foundation plantings shall be designed to supplement buffer yard plantings to frame important views, while visually softening long expanses of walls.

3. Foundation plantings shall be installed in a manner that complements the architecture of the building, as approved by the Zoning Administrator, depending on site conditions and the location of walkways and driveways.

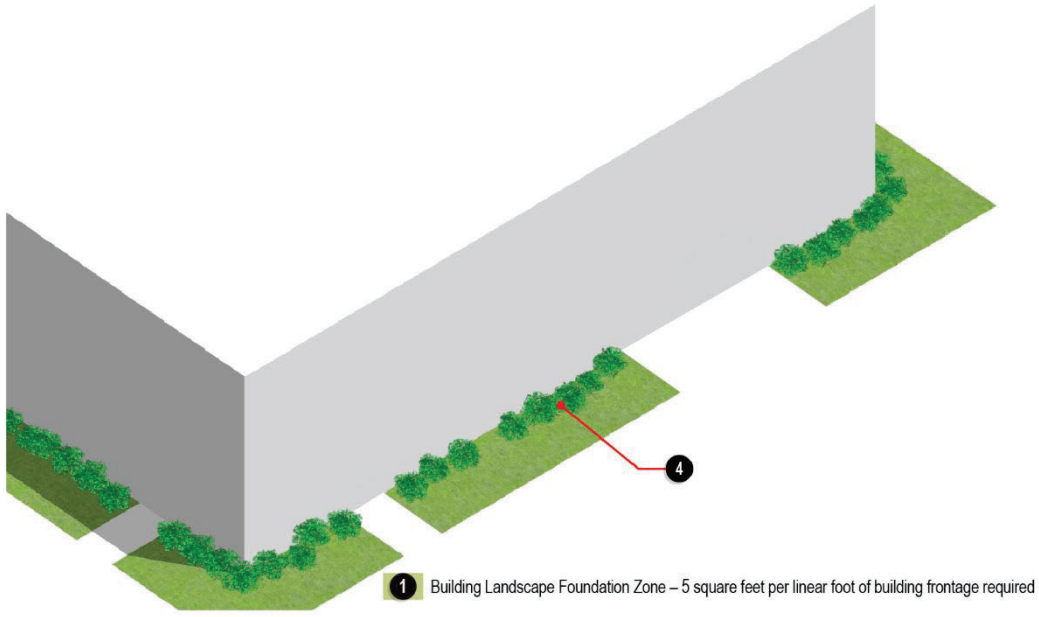
4. Foundation plantings shall be installed in groupings or clusters of individual plants in a manner that enhances the site's appearance as proposed by the developer and deemed appropriate by the Zoning Administrator.

5. Foundation plantings may include a mixture of the planting types specified in Section 10-5-3(A).

6. Where the area between the building and parking lot or street curb is entirely paved for pedestrian use, landscaping may consist of canopy trees planted in structural soils beneath tree grates or permeable pavement, at the rate of one (1) tree per fifty (50) linear feet of building facade. Minimum structural soil volume shall be six hundred (600) cubic feet per tree.

7. Above-ground stormwater planter boxes installed on-site may be substituted for foundation plantings as deemed appropriate by the Zoning Administrator.

Figure 5.10. Building Foundation Landscape Zone



D. **Parking Area Perimeter Landscape Zone**. Landscape required by this section shall be in addition to landscape required under other sections of this title. It is the objective of this section to provide screening between off-street parking areas and rights-of-way, and to provide for the integration of stormwater management with required landscaping.

1. **Location**. All off-street parking areas which abut a public or private right-of-way, excluding alleys, shall include landscape and trees as required by this section located between the back of curb of the off-street parking area and the right-of-way.

2. **Applicability**. The parking lot perimeter landscape regulations of this section apply to the following:

   a. The construction or installation of any new off-street parking area; and

   b. The expansion of any existing off-street parking area, in which case the requirements of this section apply only to the expanded area.

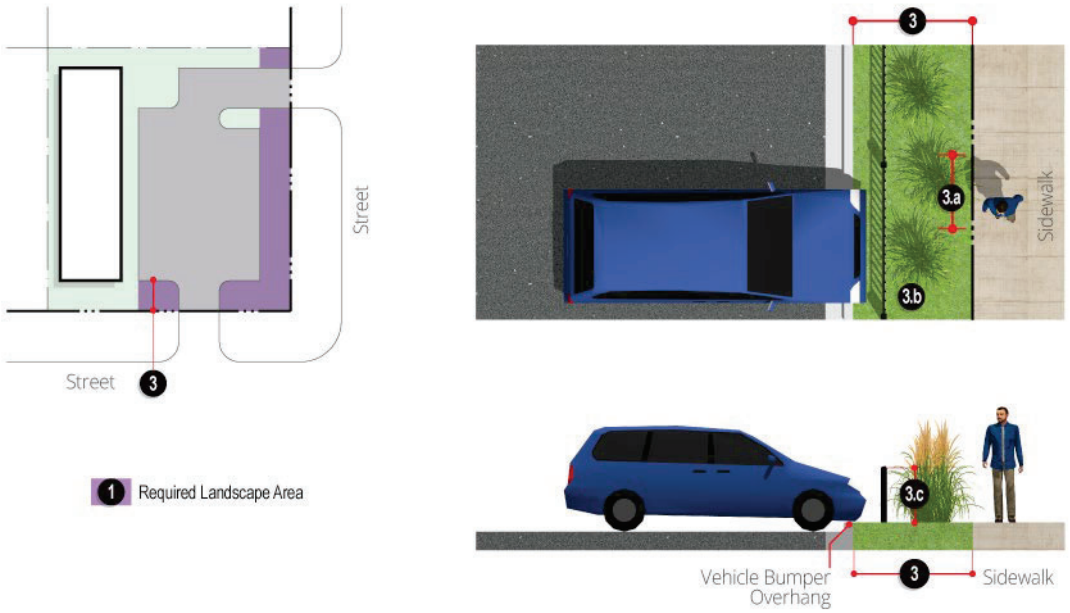
3. **Requirements**. Perimeter landscape shall be established along the edge of the off-street parking area and have a minimum width of seven (7) feet as measured from the back of curb of the off-street parking area, to accommodate vehicle bumper overhang and ensure planting areas that are adequate in size.

   a. One (1) shrub or native grasses shall be planted for every three (3) feet of landscape area length.

   b. Landscaped areas outside of shrubs/native grasses and tree masses shall be planted in finished groundcover including mulch or stonework.

   c. A low masonry wall or fence the height of which provides effective screening to a maximum height of three (3) feet may be used in conjunction with required landscaping as detailed above. Plant materials shall be installed between the sidewalk and the fence or wall to provide a softening effect.

Figure 5.11. Parking Area Perimeter Landscape Zone



E. **Parking Area Interior Landscape Zone**. All off-street parking areas shall include landscape and trees located within the off-street parking area as required by this section. Trees and landscape required by this section shall be in addition to trees and landscape required under other sections of this title. It is the objective of this section to provide shade within parking areas, break up large expanses of parking area pavement, support stormwater management where appropriate, improve the appearance of parking lots as viewed from rights-of-way, and provide a safe pedestrian environment.

1. **Applicability**. The parking area interior landscape zone regulations of this section apply to the following:

   a. The construction or installation of any new off-street parking lot containing ten (10) or more parking spaces; and

   b. The expansion of any existing off-street parking area if the expansion would result in ten (10) or more new parking spaces, in which case the requirements of this section apply only to the expanded area.

2. **Requirements**. For off-street parking areas consisting of ten (10) or more continuous spaces, interior parking area landscape as described in this section shall be required. Off-street parking areas consisting of fewer than ten (10) continuous spaces that are located in front or to the side of the principal building shall be required to terminate all rows of parking with a parking area end cap meeting the standards of subsection 4 below. Off-street parking areas consisting of fewer than ten (10) continuous spaces that are located to the rear of the principal building shall be exempt from parking area interior landscape zone requirements.

3. **Amount**. The amount of required parking area interior landscape shall be determined by the location of the off-street parking area in relation to the primary building as detailed below.

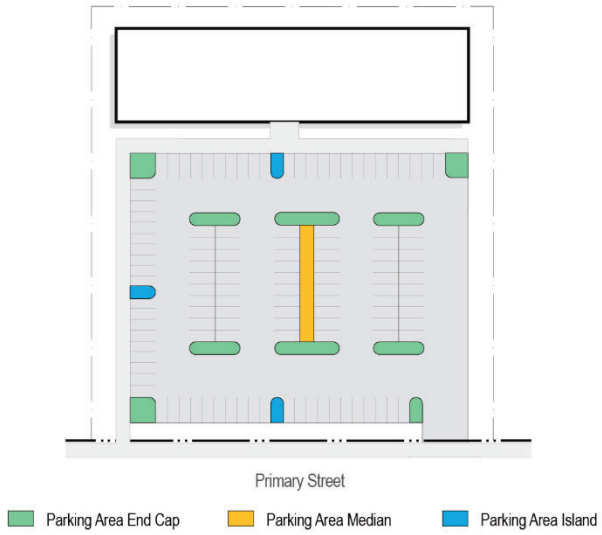
   a. **Off-Street Parking Areas in Front or Side of Primary Building**.

      (1) **Parking Area End Caps**. A parking area end cap shall be located at the end of any bay of parking bordered by a drive aisle, public or private street, or pedestrian circulation system.

      (2) **Parking Area Median Amount Requirement**. Parking area medians shall be placed between every third bay of parking.

      (3) **Parking Area Island Amount Requirement**. Parking area islands shall be located on parking bays which are not required to have parking area medians. Parking area islands shall be spaced not more than ten (10) continuous spaces apart.

Figure 5.12. Off-Street Parking Area Interior Landscape Zone in Front or Side of Primary Building

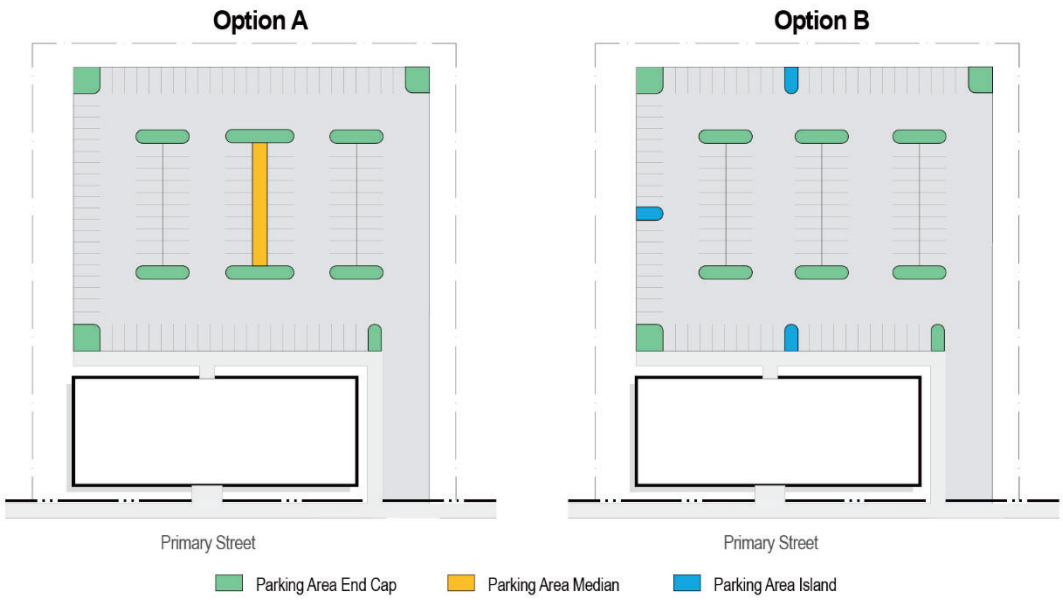


b. **Off-Street Parking Areas in Rear of Primary Building**.

(1) **Parking Area End Caps**. A parking area end cap shall be located at the end of any bay of parking bordered by a drive aisle, public or private street, or pedestrian circulation system.

(2) **Parking Area Median or Parking Area Island Amount Requirement**. The developer may choose to install either parking area medians or parking area islands. If the developer chooses to install parking area medians, they shall be placed between every third bay of parking. If the developer chooses to install parking area islands, they shall be spaced not more than one-hundred eighty (180) feet or more than twenty (20) continuous spaces apart.

Figure 5.13. Off-Street Parking Area Interior Landscape Zone in Rear of Primary Building



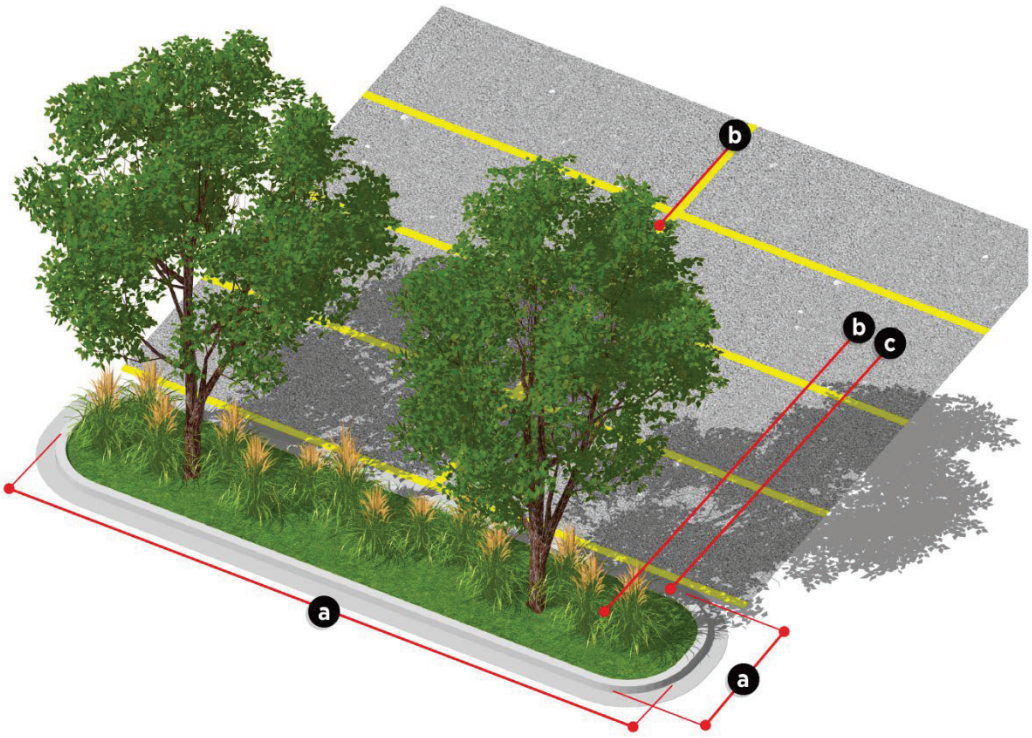
4. **Parking Area End Cap Standards**.

   a. **Size**. Parking area end caps shall be a minimum of ten (10) feet wide by eighteen (18) feet long as measured from the back of the curb to back of the curb and shall have a minimum soil depth of thirty-six (36) inches. Double rows of parking shall provide parking area end caps opposite one another to form a continuous single end cap.

   b. **Planting**. A minimum of one (1) canopy tree and three (3) native grasses shall be provided for every parking area end cap. If the end cap extends the width of a double bay, then two (2) canopy trees shall be provided. The mature height of the shrubs or native grasses shall not exceed thirty-six (36) inches and all canopy trees shall not branch below eight (8) feet to preserve site lines and visibility within the parking lot.

   c. **Design**. Parking area end caps shall be protected with concrete curbing or other suitable barriers approved by the Zoning Administrator. Such end caps shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials and proper stormwater management function.

Figure 5.14. Parking Area End Cap Standards - Double Bay Parking



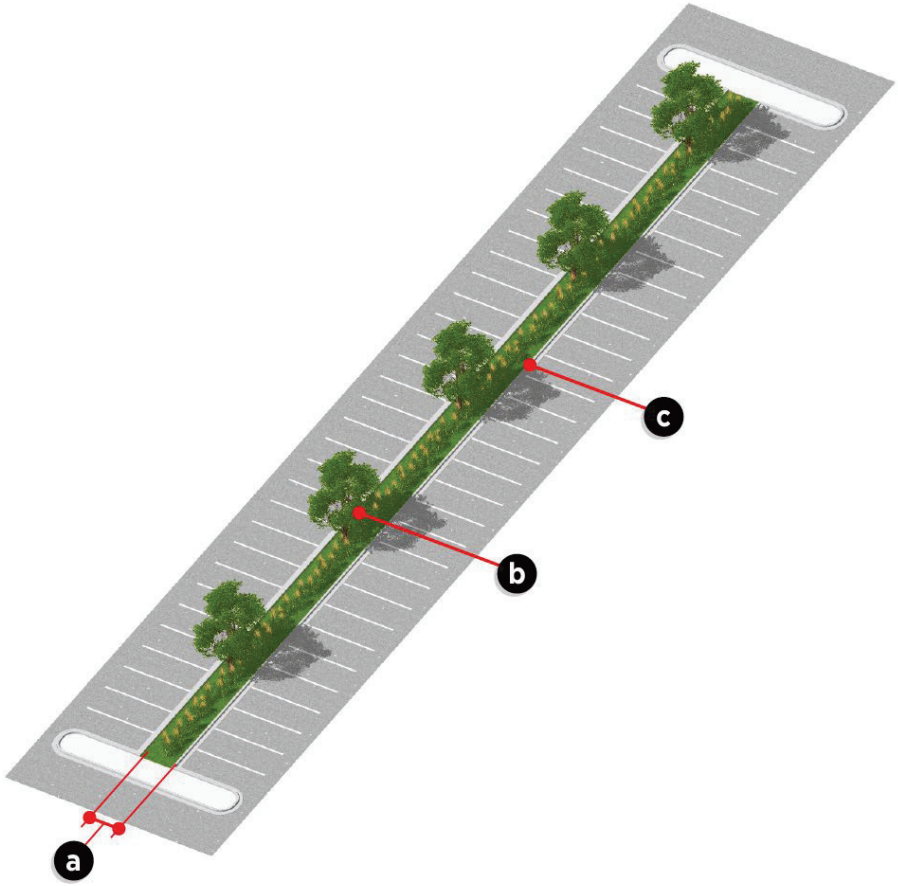
5. **Parking Area Median Standards**.

   a. **Size**. Parking area medians shall have a minimum width of ten (10) feet and minimum soil depth of thirty-six (36) inches.

   b. **Planting**. A minimum of one (1) canopy tree and fifteen (15) shrubs or native grasses shall be planted for each fifty (50) linear feet of parking area median. The mature height of the shrubs or native grasses shall not exceed thirty-six (36) inches and all canopy trees shall not branch below eight (8) feet to preserve site lines and visibility within the parking lot.

   c. **Design**. Parking area medians shall be protected with concrete curbing unless the parking area median is designed to be utilized for stormwater management in which case the perimeter shall be protect by wheel stops, or other suitable barriers approved by the Zoning Administrator. Such medians shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials and proper stormwater management function.

Figure 5.15. Parking Area Median Standards



6. **Parking Area Island Standards**.

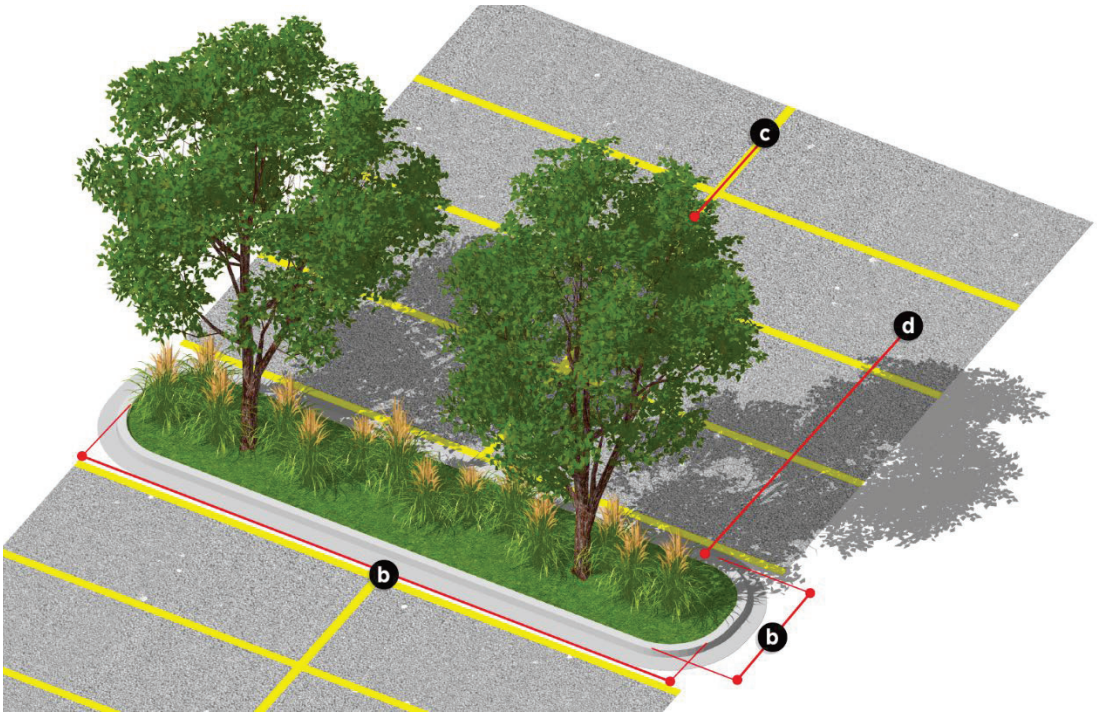
   a. **Requirements**. Parking area islands shall only be required for parking areas with ten (10) or more contiguous spaces in a row.

   b. **Size**. Parking area islands shall be a minimum ten (10) feet wide by eighteen (18) feet long and shall have a minimum soil depth of thirty-six (36) inches. Double rows of parking shall provide parking area islands opposite one another to form continuous single islands.

   c. **Planting**. A minimum of one (1) understory tree shall be provided for every parking area island. If the island extends the width of a double bay, then two (2) understory trees shall be provided. Understory trees shall not branch below eight (8) feet to preserve site lines and visibility within the parking lot.

   d. **Design**. Parking area islands shall be protected with concrete curbing or other suitable barriers approved by the Zoning Administrator. Such islands shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials and proper stormwater management function.

Figure 5.16. Parking Area Island Standards - Double Bay Parking



7. **Pedestrian Circulation Systems**. Pedestrian circulation systems, as required in the interior of off-street parking areas in Section 10-5-1(N) shall be located along parking area medians. The Zoning Administrator may waive or modify this requirement on determining that locating pedestrian circulation systems along parking area medians is impractical due to site conditions or undesirable because it would create unsafe conditions.

8. **Pedestrian-Scale Lighting.** Pedestrian-scale lighting of an adequate height and design is encouraged to be provided at adequate intervals to illuminate the pedestrian circulation systems.

9. **Type of Landscape Material**. Except where areas are designed as vegetated stormwater management areas, canopy trees shall be the primary plant materials used in parking area islands and canopy trees and shrubs or native grasses shall be the primary plant materials used in parking area medians. Understory trees, perennials, groundcover, and other plant materials may be used to supplement the required plantings but shall not create visibility concerns for automobiles and pedestrians. If medians or islands are designed as stormwater management areas, deviations from required plantings may be approved by the Zoning Administrator.

10. **Groundcover**. The surface area of every parking area island and median shall be planted with a mix of rocks, plant material, or other materials approved by the Zoning Administrator.

F. **Transition Zone Landscape Requirements**. Transition zone landscape shall be required along interior side and rear property lines of all nonresidential, mixed use, and multi-unit development. It is not expected that the transition area will totally screen such uses but rather will minimize land use conflicts and enhance aesthetics. Landscape required by this section shall be in addition to landscape required under other sections of this title.

1. **Applicability**. Transition zone landscaping is required as follows:

   a. The construction or installation of any new primary building or primary use; and

   b. The expansion of any existing primary building or primary use that results in an increase in gross floor area by more than five (5) percent or one thousand (1,000) square feet, whichever is greater. In the case of expansions that trigger compliance with transition zone requirements, transition zone landscaping is required only in proportion to the degree of expansion. The Zoning Administrator is authorized to allow the transition zone to be established adjacent to the area of expansion or to disperse transition zone landscaping along the entire site transition zone.

2. **Application of Transition Zone Types**. Transition zones shall be provided based on Table 10-5-3(F)(2), except where adjacent uses are of a similar nature, scale, and intensity as determined by the Zoning Administrator. As per Table 10-5-3(F)(2), the type of required transition zone is dependent upon the land use type of the subject lot and the land use type of the adjacent lot(s).

Table 10-5-3(F)(2) Application of Transition Zone Types

Subject Lot Land Use	Adjacent Lot Land Use										
	Agricultural	*Single-Unit Residential*	*All Other Residential*	*Public/Institutional*	*Retail*	*Service/Medical/Office*	*Lodging*	*Eating/Drinking*	*Entertainment*	*Vehicle Related*	*Industrial/Transportation*
Agricultural	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Single-Unit Residential	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
All Other Residential	n/a	C	A	B	B	B	B	B	B	C	D
Public/Institutional	n/a	C	B	A	B	B	B	B	B	C	D
Retail	n/a	C	B	B	A	A	A	A	A	B	C
Service/Medical/Office	n/a	C	B	B	A	A	A	A	A	B	C
Lodging	n/a	C	B	B	A	A	A	A	A	B	C
Eating/Drinking	n/a	C	B	B	A	A	A	A	A	B	C
Entertainment	n/a	C	C	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Vehicle Related	n/a	D	D	B	A	A	A	A	A	B	C
Industrial/Transportation	n/a	D	D	D	D	D	D	D	D	D	D

3. **Transition Zone Types**. Four (4) transition zone types are established in recognition of the different contexts that may exist, as shown in Table 10-5-3(F)(3). Transition zones may include a combination of elements including setback distances for separation, planting types, solid fencing, green walls, vegetated stormwater management areas, living groundcover, or turf.

Table 10-5-3(F)(3) Transition Zone Types					
Specification		Type A (3)	Type B (3)	Type C (3)	Type D (3)
(a)	Minimum Zone Width (1)	8 feet	10 feet	15 feet	20 feet
(b)	Minimum Fence/Wall Height (2)	optional	optional	6 feet	6 feet
Minimum Number of Landscape Elements per 100 Linear Feet					
(c)	Understory Tree	optional	3	4	5
(d)	Canopy/Evergreen Tree	4	3	4	5
(e)	Shrubs/Native Grasses	optional	15	25	35
Notes:					
(1) Required yard setbacks may be utilized for transition zone landscape.					
(2) Fence or wall requirements may be satisfied by a solid evergreen hedge with a maximum height of six (6) feet, as approved by the Zoning Administrator.					
(3) Landscaping elements can be arranged to match to natural topography or natural features of the site and may be arranged in groupings to enhance site aesthetics as approved by the Zoning Administrator.					

Figure 5.17. Transition Zone Type A Standards

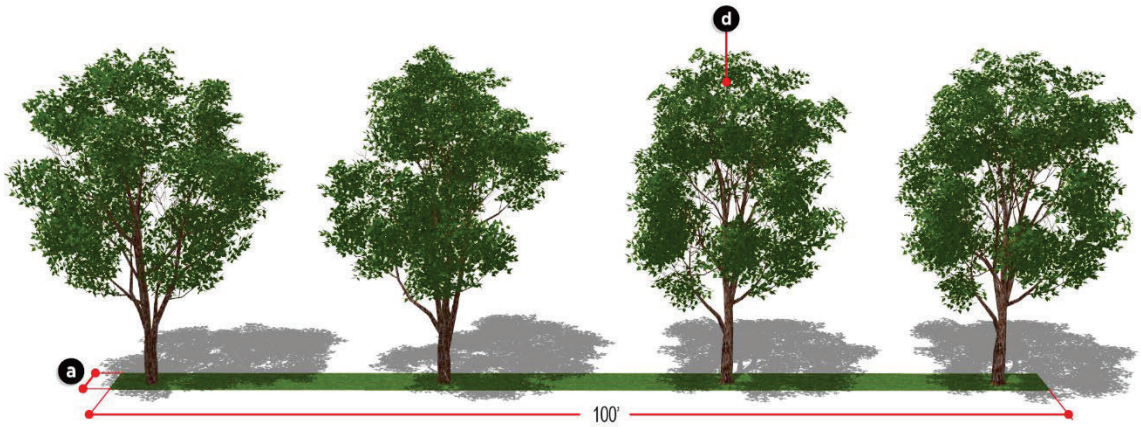


Figure 5.18. Transition Zone Type B Standards

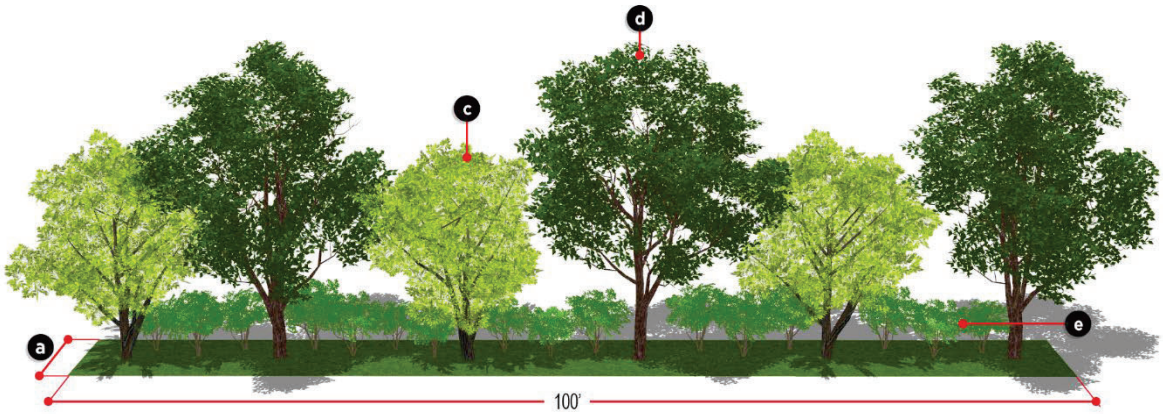


Figure 5.19. Transition Zone Type C Standards

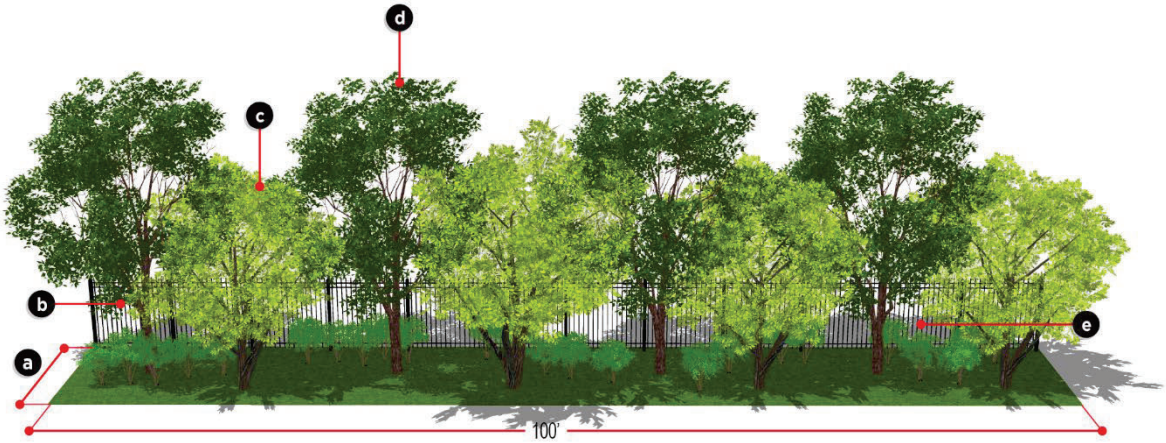


Figure 5.20. Transition Zone Type D Standards

G. **Species Diversity Requirements.** The following species diversity requirements shall be required for all developments, unless otherwise approved by the Zoning Administrator in conjunction with approval of vegetated stormwater management areas

1. Total landscape elements, excluding turf, shall not be comprised of more than thirty (30) percent of any single species or fifty (50) percent of any genus on a parcel that is between one-half (0.5) and five (5) acres.

2. Total landscape elements, excluding turf, shall not be comprised of more than twenty (20) percent of any single species or twenty-five (25) percent of any genus on a parcel that is greater than five (5) acres.

H. **Tree Preservation and Removal**. No live tree(s) with a four (4) inch diameter at breast height may be removed without first applying for tree removal and receiving approval from the City as specified in Section ###.

1. **Tree Preservation and Removal Guidelines.** Every reasonable effort shall be made to retain existing trees shown in the tree survey prepared by a registered landscape architect through the integration of those trees into the site and landscape plan for a proposed development.

   a. Critical areas such as floodplains, steep slopes, and wetlands, should be left in their natural condition or only partially cleared.

   b. Roadways, storage areas, and parking lots should be located away from valuable tree stands.

   c. Cutting and filling in the vicinity of valuable trees should be minimal.

   d. If more than one-third of the tree's root zone is to be affected by construction, the tree should be part of the removal plan and replaced with the appropriate number of trees.

2. **Tree Survey Requirements.** Every tree survey for any new development shall include the following:

   a. Location, species (botanic and common name), and diameter at breast height (DBH) of all trees four (4) inches DBH or larger.

   b. Survey must clearly identify which trees are proposed to be removed and which are proposed to be preserved.

   c. A summary data table indicating total number of trees removed and trees to be replaced shall be provided on the survey.

3. **Tree Replacement Standards.**

   a. Any tree approved for removal shall be replaced with new trees in accordance with the following schedule:

Table 10-5-3(H)(3)(a) Tree Replacement Approved For Removal

Caliper (Inches) of tree to be removed	Number of Replacement Trees
30 or Greater	6
13-29	5
8-12	4
4-7	2

b. In the event that a tree identified to be preserved is removed or damaged, such tree shall be replaced as follows:

Table 10-5-3(H)(3)(b) Tree Replacement Identified For Preservation	
Caliper (Inches) of tree to be removed	Number of Replacement Trees
30 or Greater	12
13-29	10
8-12	8
4-7	4

c. All replacement trees shall have a minimum caliper of two and one-half (2½) inches and shall consist of canopy and understory trees as deemed appropriate by Zoning Administrator.

d. If the tree(s) approved for removal is (are) dead from natural causes prior to the date of the tree removal permit, then no replacement tree(s) are required for them.

4. **Preservation of Existing Trees.** Preservation of existing high-quality trees within a new development or redevelopment site is highly encouraged. Preserved trees may fulfill a portion of the landscape requirements established in this section. Should the applicant propose to maintain existing high-quality trees to count toward satisfying certain landscape requirements of this title, the Zoning Administrator may, upon receipt of a tree preservation plan, waive certain landscape requirements if mature, high-quality trees on a lot are proposed to be preserved. If, upon inspection at the conclusion of the project, trees identified for preservation have been removed, damaged, or are otherwise in declining condition, all waived required landscape shall be installed.

5. **Fee in Lieu.** A fee may be provided in lieu of the replacement of trees or preservation of existing trees as established in the City of Yorkville's adopted ordinances. These fees will be based upon wholesale pricing for a two and a half (2 ½) to three (3) inch tree and shall cover the cost of the tree and the estimated cost of the installation of the trees required to be planted. Money collected from the fee in lieu option shall be deposited into a Tree Bank Fund to be used towards tree replacement and plantings throughout the City.

6. **Tree Preservation Plan.** Development on all parcels four (4) acres or greater in area shall require the submittal and approval of a tree removal plan.

I. **Installation and Maintenance of Landscape Areas**.

1. Immediately upon planting, all landscape shall conform to the American Standard for Nurserymen, published by the American Association of Nurserymen, Inc., as revised from time to time.

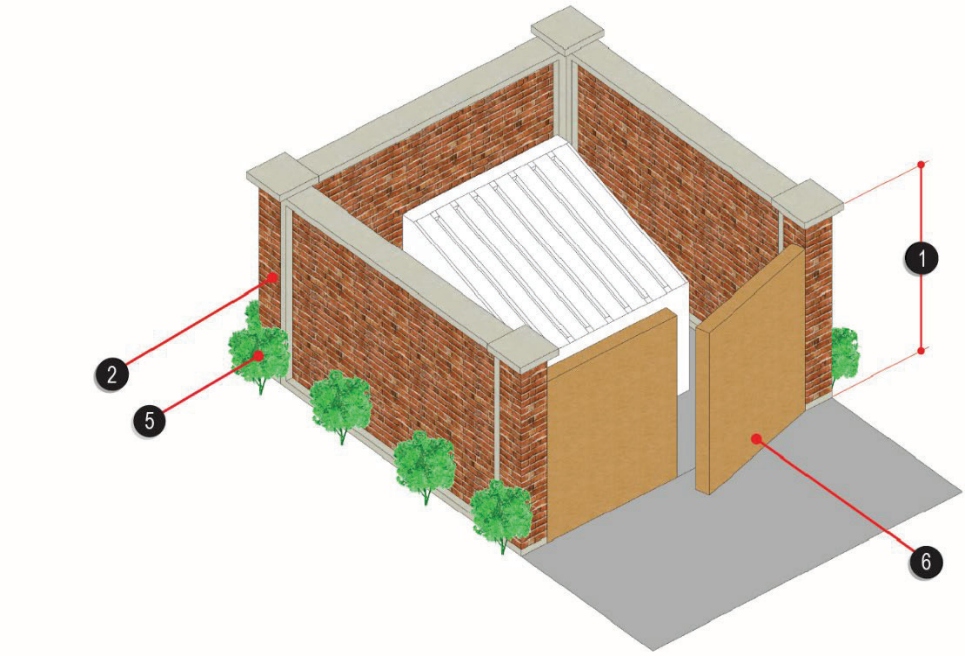
2. The ground surface of landscape areas shall be covered with either turf, sod, mulch, and/or other types of pervious groundcover.

10-5-4. Screening

A. **Trash and Recycling Receptacles**. The following regulations shall apply to all nonresidential, mixed use, and multi-unit development.

1. Trash and recycling receptacles shall be screened on three (3) sides with a solid, opaque material with a minimum height of six (6) feet and a maximum height of eight (8) feet.
2. Materials used for screening shall complement the exterior building cladding materials of the primary building.
3. Materials and elevations for enclosures that are attached to buildings shall be designed to be integrated into the primary building.
4. If enclosures are to be attached to buildings, they shall comply with applicable fire and building codes.
5. Shrubs shall be installed every five (5) feet along the exterior of the enclosure, with the exception of enclosure openings, to provide a softening effect.
6. Enclosure openings shall be gated with an opaque material.
7. Enclosure openings shall be kept closed at all times except for when the receptacle is being accessed.
8. Access drives shall be constructed of materials and to a thickness which accommodates truck loading.
9. Enclosures shall be of an adequate size to accommodate expected containers.
10. Enclosure structures shall be designed to protect the walls from damage by containers. Such protection may be provided by the use of barrier curbing, reinforced masonry walls, or other similar means.
11. Trash and recycling receptacle enclosures shall not occupy areas used for required parking spaces.

Figure 5.21. Trash and Recycling Receptacle Screening Standards



B. **Ground/Wall Mounted Mechanical Units**. The following regulations shall apply to all ground/wall-mounted mechanical units, including but not limited to generators, air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment. Tanks and / or silos accessory to a brewery, winery, and/or distillery are exempt from these requirements.

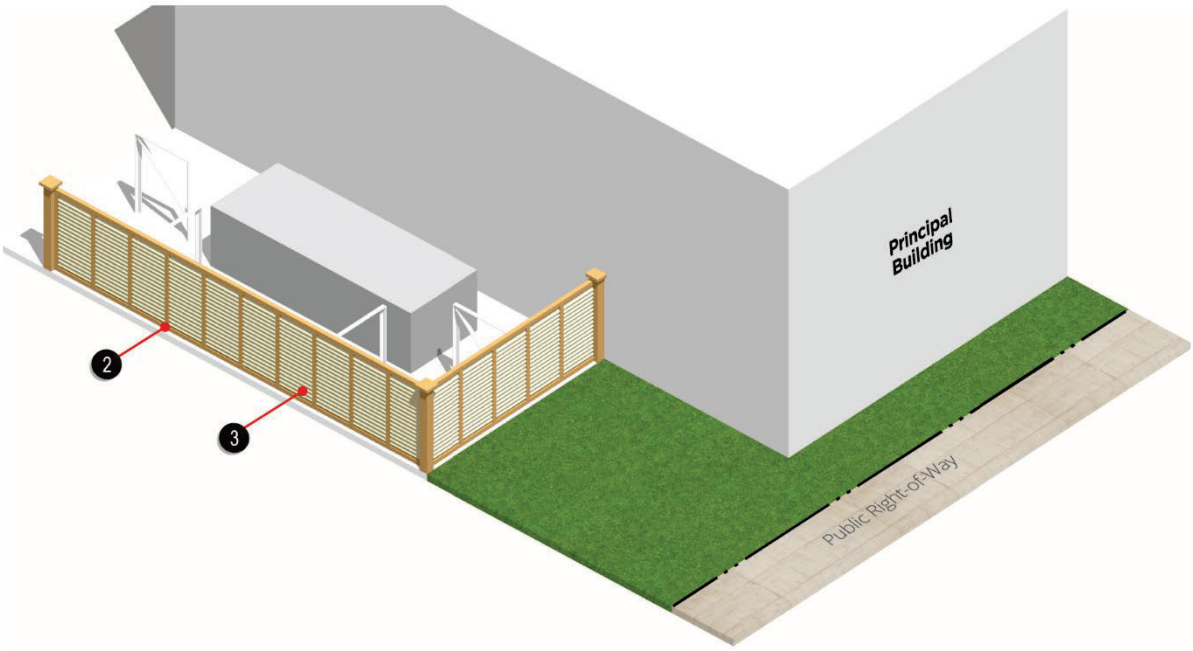
1. Locating mechanical units within the primary building is strongly encouraged in order to minimize exterior visual impacts. Ground mounted mechanical units are prohibited within the front yard, regardless of whether screening is provided.

2. Ground/wall mounted mechanical units that are visible from any public right-of-way or adjacent residential property shall be screened from public view.

3. Materials used for screening shall be designed and established so that the area or element being screened is no more than twenty (20) percent visible through the screen. Evergreen hedges or non-transparent walls such as stone masonry shall be allowed.

4. Chain-link fence or slats in chain-link fence shall not be used to meet this requirement.

Figure 5.22. Ground/Wall Mounted Mechanical Unit Screening Standards



C. **Roof Mounted Mechanical Units**. The following regulations shall apply to all roof mounted mechanical units, including but not limited to air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment which service multi-unit, non-residential, or mixed-use developments.

1. Locating mechanical units within the primary building is strongly encouraged in order to minimize exterior visual impacts.

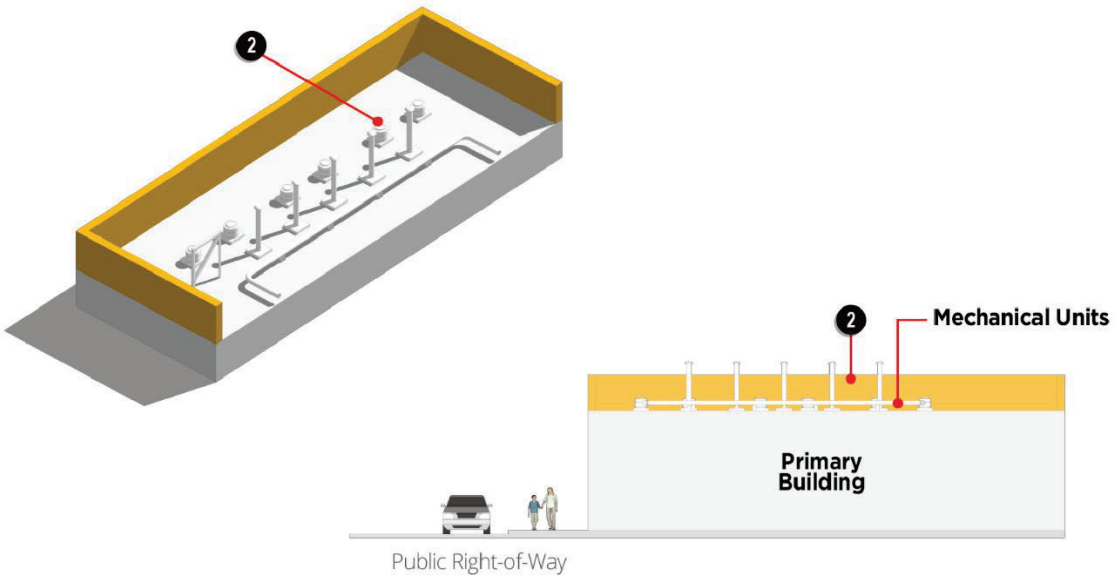
2. Roof mounted mechanical units that are visible from any public right-of-way or adjacent residential property shall be completely screened from public view.

3. Materials used for screening shall be architecturally integrated with the building and shall be continuous and permanent.

4. Screening shall be required when new equipment is installed and shall be provided around both new and existing roof mounted mechanical units in order to provide visual continuity. Normal maintenance of roof mounted mechanical units shall not mandate the screening requirements.

5. Additional screening may be required due to topographic differences in the adjoining properties.

Figure 5.23. Roof-Mounted Mechanical Unit Screening Standards



10-5-5. Fences

A. **Regulations for All Zoning Districts.**

1. Fences thirty-six (36) inches or more in height require a building permit.
2. All fences must be erected so that the finished side of the fence faces outward or away from the lot on which the fence is erected.
3. No more than two (2) different types of fencing material are permitted per lot.
4. **Materials.** The materials listed below are acceptable for a fence in any district unless specific districts are specified in in this subsection. These materials are an example of acceptable fencing. The Zoning Administrator has the right to approve similar materials not listed as long as they are consistent with the surrounding land use.
    a. Stone,
    b. Brick,
    c. Natural rot resistant wood (cedar, cyprus, redwood),
    d. Cast or wrought iron,
    e. Plastic,
    f. Aluminum,
    g. Composite wood and plastic,
    h. Vinyl coated chain-link (rear and side yard only on properties in nonresidential districts).
    i. Galvanized chain-link (only on M-1 or M-2 properties adjacent to other M-1 or M-2 property).

B. **Placement.**

1. Fences may be built up to the property line but shall not extend beyond the front plane of the primary building facade in residential and business districts and must be located entirely on the property of the owner constructing it.
2. Fences may be constructed within an easement, though future work within the easement may result in the removal of the fence. Fences are not allowed in some types of restricted easements, such as those dedicated for landscape, sidewalks, trails, access or where otherwise limited by an easement document.
3. The property owner is responsible for locating property lines, prior to the installation of the fence.
4. Fences, walls, or hedges shall not encroach on any public right-of-way.
5. It shall be the responsibility of the property owner to ensure that a fence does not block or obstruct the flow of stormwater.
6. All solid fences, walls, hedges, or shrubberies which exceed three (3) feet above the street grade shall comply with the vision clearance standards of Section 10-5-6 of this title.

C. **Prohibited Fences.**

1. Fences or enclosures charged with or designed to be charged with electrical current are prohibited, except for underground dog fences.
2. Any fence made of, in whole or in part, cloth, canvas or other like material is prohibited.

3. No fence shall be constructed of used or discarded materials in disrepair, including, but not limited to, pallets, tree trunks, trash, tires, junk, or other similar items as determined by the Zoning Administrator.

D. **Height.** Except as otherwise permitted in this title, annexation agreements, planned unit developments or any other development related agreements or ordinances, fences shall not exceed the maximum height as listed in Table 10-5-5(D) of this section.

Table 10-5-5(D) Fence Height Standards

District/Use	Maximum Height per Yard			
	Front Yard	Corner Side Yard	Interior Side Yard	Rear Yard
Residential Districts	3 feet [1]	6 feet	6 feet [2]	6 feet [2]
Business Districts	3 feet [1]	6 feet	6 feet [2]	6 feet [2]
Manufacturing District	8 feet	8 feet	8 feet	8 feet
Public Uses and Utilities	8 feet	8 feet	8 feet	8 feet

Notes:

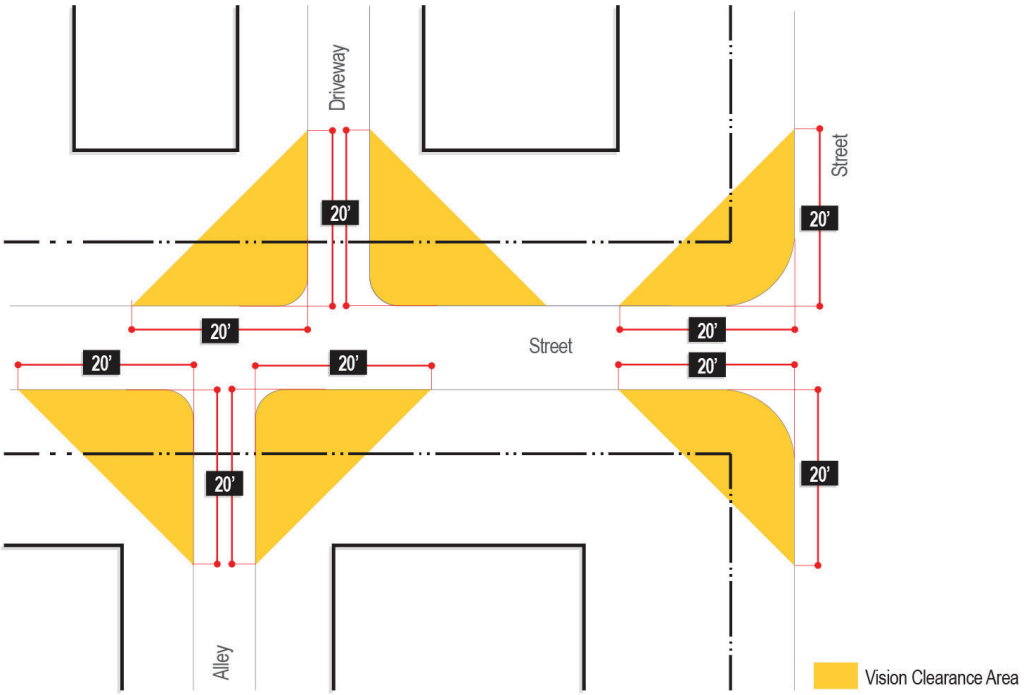
1. Fence may be a maximum of four (4) feet in height if opacity does not exceed fifty (50) percent.

2. Fence may be a maximum of eight (8) feet in height if in a residential district and adjacent to a nonresidential use or in a business district and adjacent to a residential use.

10-5-6. Vision Clearance

Clear sight distance shall be required at the intersection of a driveway and any right-of-way or at the intersection of two (2) or more streets. No building or structure shall be permitted that creates a visual obstruction taller than three (3) feet in the area measured extending twenty (20) feet from the curb at the intersection of the driveway and street, or from the curb at the intersection of two (2) or more streets.

Figure 5.24. Vision Clearance Standards



10-5-7. Outdoor Lighting

A. **Applicability.** This section shall apply to the replacement of existing lighting units and fixtures and any lighting units or fixtures proposed to be added to a site with multiunit and nonresidential uses only.

B. **Exceptions.** Temporary holiday lighting shall be exempt from the standards of this sections.

C. **Fixture Classification**. All outdoor lighting fixtures, with the exception of wall mounted accent lighting and outdoor lighting in the A-1 District, shall either have a fixture cutoff classification of "Full Cutoff" or be fully shielded, unless otherwise expressly permitted in this UDO.

D. **LED Fixtures**. Non light-emitting diode fixtures shall be allowed for building mounted, ornamental, or holiday lighting. Lighting fixtures for parking lots shall utilize a light-emitting diode (LED) fixtures.

E. **Pole Mounted Outdoor Lighting**.

1. **Pole Placement.** Pole-mounted outdoor lighting shall be located outside of utility easements, designed in coordination with required landscape zones as specified in Section 10-5-3.

2. **Maximum Pole Height.**

Table 10-5-7(E) Outdoor Lighting Height Standards	
Districts	Maximum Height
Residential Districts	20 feet
Institutional and Open Space Districts	20 feet
B-2 Mixed Use District	25 feet
Other Business and Manufacturing Districts	35 feet

F. **Wall Mounted Accent Lighting**. Wall mounted accent lighting shall be integrated with the architectural character of the building and shall use low-luminosity lamps, with two thousand (2,000) source lumens or less. The illumination on any vertical surface shall not exceed one-half (0.5) maintained foot candle and shall not spill over roof lines or building edges.

G. **Lighting Intensity.** The average foot-candle of any lighting fixture intensity should be two to two and one-half (2.0—2.5) foot-candles. The average to minimum light intensity ratio should be no more than six to one (6:1), and the maximum to minimum light intensity ratio should be no more than twenty to one (20:1).

H. **Off-Street Parking Area Lighting.** Any lighting used to illuminate off-street parking areas shall be directed away from residential properties and public highways in such a way as not to create a nuisance. The City of Yorkville promotes the "dark sky" concept.

I. **Maximum Light Level at Property Line**. All outdoor lighting fixtures, including lights from signage, shall be designed and located so that the maximum light level shall be zero (0) maintained foot candles at any property line.

J. **Fixtures.** All outdoor lighting must employ full cut-off or fully shielded fixtures and the use of wall packs on buildings should be minimized.

K. **Light Level Measurement**.

1. **Location.** Light level measurements shall be made at the property line of the property upon which the light to be measured is being generated. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the public street right-of-way that adjoins the property of the complainant or at any other location on the property of the complainant. Measurements shall be made at finished grade (ground level), with the sensor in the horizontal position and not mounted more than six (6) inches above ground level, and with the light-registering portion of the meter held parallel to the ground and pointing upward.

2. **Light Meter Specifications**. Light levels shall be measured in foot candles with a direct-reading portable light meter as measured by the City. The meter shall:

    a. Have cosine and color correction,

    b. Have an accuracy tolerance of no greater than plus or minus five (5) percent, and

    c. Have been calibrated within the last two (2) years.

L. **Automatic Lighting Controls.** All outdoor lighting on non-residential lots must be controlled by a photo sensor, occupancy sensor, or timer to automatically reduce outdoor lighting when sufficient daylight is available, and to automatically extinguish lights no more than one hour following the close of business, excluding security lighting.

M. **Photometric Plan**. A photometric plan as specified in the City of Yorkville Standard Specifications shall be required.

Chapter 6. Sign Standards

10-6-1. Purpose and Scope 1
10-6-2. Limit on Sign Area 3
10-6-3. Sign Measurement 4
10-6-4. Permitted Sign Types 5
10-6-5. General Sign Standards 6
10-6-6. Permanent Sign Standards 7
10-6-7. Temporary Sign Standards 16
10-6-8. Comprehensive Sign Plan 23
10-6-9. Prohibited Signs and Content 24
10-6-10. Safety, Maintenance, and Abandonment 24

10-6-1. Purpose and Scope

A. **Purpose.** The purpose of this Chapter is to set out regulations for the erection and maintenance to ensure the appropriate appearance of signs while preserving the right of free speech and expression in keeping with the following principles.

1. The ability to display signs of reasonable size and dimensions is vital to the health and sustainability of many businesses, and the display of signs with noncommercial messages is a traditional component of the freedom of speech, but the constitutional guarantee of free speech may be limited by appropriate and constrained regulation that is unrelated to the expression itself,

2. The City has an important and substantial interest in preventing sign clutter, which is the proliferation of signs of increasing size and dimensions as a result of competition among property owners for the attention of passing motorists, because sign clutter degrades the character of the community, makes the community a less attractive place for commerce and private investment, and dilutes or obscures messages displayed along the City's streets by creating visual confusion and aesthetic blight,

3. Sign clutter can be prevented by regulations that balance the legitimate needs of individual property owners to convey messages against the comparable needs of adjacent and nearby property owners and the interest of the community as a whole in providing for a high-quality community character,

4. Temporary signs that are not constructed of weather-resistant materials are often damaged or destroyed by wind, rain, and sun, and after such damage or destruction, degrade the aesthetics of the City's streets if they are not removed,

5. The City has an important and substantial interest in keeping its rights-of-way clear of obstructions and litter,

6. The City has an important and substantial interest in protecting the health of its tree canopy, which contributes to the character and value of the community, and

7. The uncontrolled use of off-premises advertising signs can be injurious to the public, and destructive to community character and property values, and that, as such, restrictions on the display of off-premises commercial signage are necessary and desirable.

B. **Scope**. The regulations of this Chapter shall provide a balanced and fair legal framework for design, construction, and placement of signs that:

1. Promotes the safety of persons and property by ensuring that signs do not create a hazard by:

    a. Collapsing, catching fire, or otherwise decaying,

    b. Confusing or distracting motorists, or

    c. Impairing drivers' ability to see pedestrians, obstacles, or other vehicles, or to read traffic signs.

2. Promotes the efficient communication of messages, and ensures that persons exposed to signs:

    a. Are not overwhelmed by the number of messages presented, and

    b. Are able to exercise freedom of choice to observe or ignore said messages according to the observer's purpose, and

3. Protects the public welfare and enhances the appearance and economic value of the community by protecting scenic views and avoiding sign clutter that can compromise the character, quality, and viability of commercial corridors,

4. Ensures that signs are compatible with their surroundings, and prevents the construction of signs that are a nuisance to occupants of adjacent and contiguous property due to brightness, reflectivity, bulk, or height,

5. Promotes the use of signs that are aesthetically pleasing, of appropriate scale, and integrated with the built environment, to meet the objectives related to the quality and character of development set forth in the Comprehensive Plan of the City of Yorkville,

6. Enhances property values and business opportunities,

7. Assists in wayfinding, and

8. Provides fair and consistent permitting and enforcement.

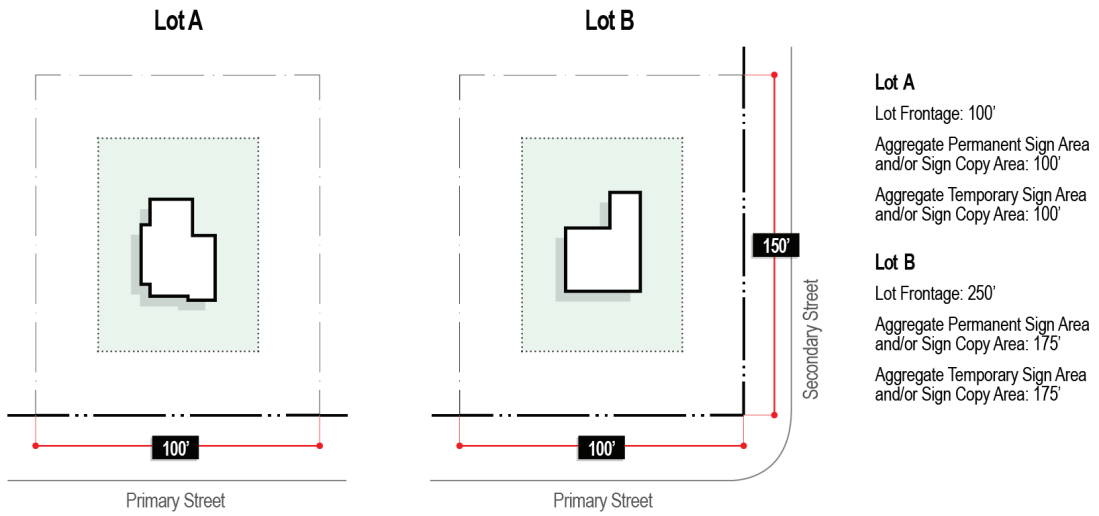
10-6-2. Limit on Sign Area

A. **Permanent Sign Area Limit**. Each lot with multiunit residential, mixed-use, or non-residential uses shall be allowed aggregate permanent sign area equal to one (1) square foot of sign area per linear foot of lot frontage.

B. **Temporary Sign Area Limit**. Each lot shall be allowed aggregate temporary sign area equal to one (1) square foot of sign area per linear foot of frontage.

C. **Premises Having Frontage on More Than One Dedicated Street**. Premises having frontage on more than one (1) dedicated street shall be allowed an additional one-half (0.5) square foot of aggregate sign area for each lineal foot of the secondary lot frontage; however additional sign area shall only be displayed on the secondary frontage.

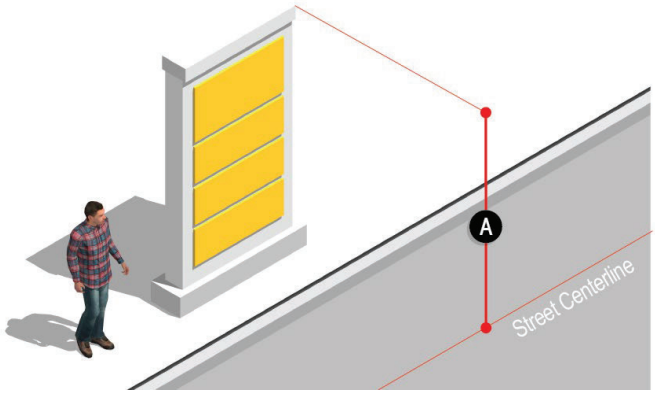
Figure 6.1. Limit on Sign Area



10-6-3. Sign Measurement

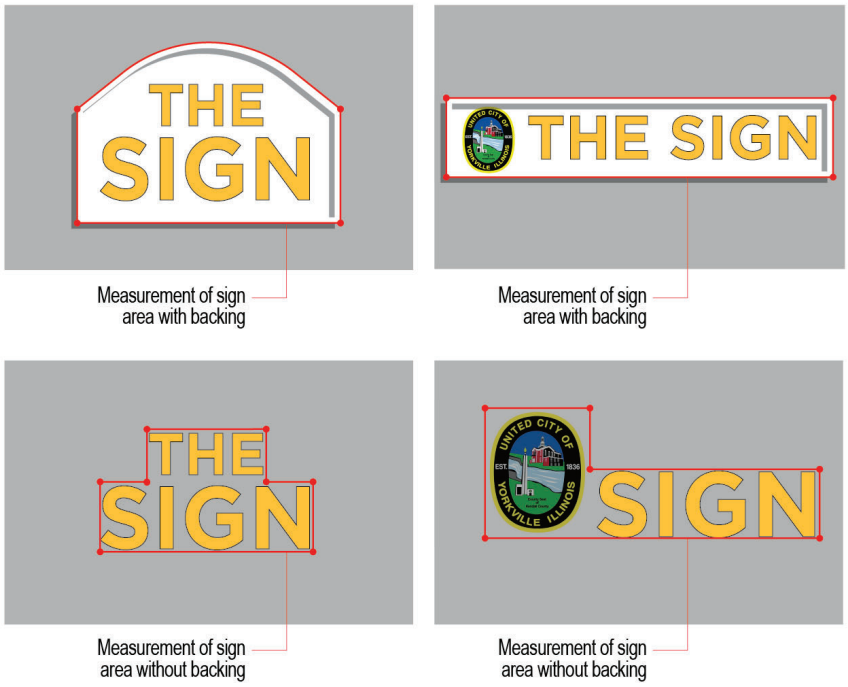
A. **Sign Height**. The height of a sign shall be computed as the distance from the grade of the centerline of the adjacent street to the top of the highest attached component of the sign.

Figure 6.2. Sign Height Measurement



B. **Sign Area**. Sign area shall be computed by means of the smallest square, rectangle, circle, triangle or combination thereof that shall encompass the extreme limits of the writing representation, emblem or other display, together with any material or color forming an integral part of the backing of the display or used to differentiate the sign from the sign base or structure against which it is placed. Sign area shall not include any supporting framework, bracing, decorative fence, or wall when such fence or wall otherwise meets this Title's regulations and is clearly incidental to the display itself. A double-faced sign shall count as a single sign.

Figure 6.3. Sign Area Measurements



10-6-4. Permitted Sign Types

A. The following key is to be used in the interpretation of Table 10-6-4(A) Permitted Sign Types by district.

1. **Permitted Sign Types**. Sign types marked as "P" in the table shall be permitted subject to all applicable regulations of this Title and only after the issuance of a Sign Permit as detailed in Section 10-8-3(E).

2. **Allowed Sign Types**. Sign types marked as "A" in the table shall be allowed subject to all applicable regulations of this Title without the issuance of a Sign Permit.

3. **Prohibited Sign Types**. A blank space in the table indicates that a sign type is not allowed in the respective district.

4. **Interpretation of Similar Sign Type**. If a proposed sign is not listed in the table, the Zoning Administrator shall determine if the sign is substantially similar to a sign listed in the table. If it is, the standards applied to the proposed sign shall be the standards applicable to the similar sign. If not, the sign shall be regarded as prohibited.

5. **Exempt Signs**. Any sign located on private property less than two (2) square foot in area and mounted on a structure shall be exempt from the standards of this Chapter.

6. **Unlisted Sign Types**. Sign types that are not included in Table 10-6-4(A) shall be considered prohibited.

Table 10-6-4(A) Permitted Sign Types by District

Sign Type	District								
	R Districts	B-1	B-2	B-3	M-1	M-2	A-1	OS	PI
Permanent Signs									
Wall Sign	P (1)	P	P	P	P	P	P (1)	P	P
Single-Tenant Monument Sign	P (1)(2)	P	P	P	P	P	P (1)	P	P
Multi-Tenant Monument Sign		P	P	P	P	P			P
Awning/Canopy Sign	P (1)	P	P	P	P	P	P (1)	P	P
Projecting Sign		P	P	P				P	P
Window Sign		A	A	A	A	A		A	A
On-Site Traffic Directional Sign	P (1)	P	P	P	P	P		P	P
Temporary Signs									
Wall Mounted Banner Sign	P (1)	P	P	P	P	P	P (1)	P	P
Ground Mounted Banner Sign	P (1)	P	P	P	P	P	P (1)	P	P
Feather Sign		P	P	P	P	P		P	
A-Frame/Sandwich Board Sign	A (1)	A	A	A					
Post Sign	A	A	A	A	A	A	A	A	P
Yard Sign	A	A	A	A	A	A	A	A	P
Cold Air Inflatables		A	A	A	A	A	A	A	A
Notes:									
(1) Sign shall be permitted for nonresidential, mixed use, or multifamily developments only.									
(2) Sign shall be permitted at entryways or gateways to subdivisions or neighborhoods only.									

10-6-5. General Sign Standards

A. **Illumination**.

1. **Location and Design of Light Source**. Whenever an external artificial light source is used for a sign, such source shall be located, shielded, and directed so as not to be directly visible from any public street or private residence. No receptacle or device housing a permitted light source for a sign shall protrude more than twelve (12) inches from the face of the sign or building to which it is attached except if such light source is ground mounted, locked in place, and cannot be redirected.

2. **Level of Illumination**. In no event shall the illumination of any sign, resulting from any internal or external artificial light source, exceed the outdoor lighting standards established in Section 10-5-7. All artificial illumination shall be so designed, located, shielded, and directed as to prevent the casting of glare or direct light upon adjacent property or streets.

B. **Electronic Message Boards**. Single-tenant and multi-tenant monument signs may incorporate electronic message boards in accordance with the following:

1. The area of the sign devoted to an electronic message board shall be part of, not in addition to, the maximum sign area allowed.

2. The maximum sign area of any sign comprised entirely of an electronic message board shall be eighty (80) percent of the maximum sign area of the single-tenant or multi-tenant sign, as applicable.

3. The electronic message format shall conform to the following requirements:

   a. The message shall contain a static message or image only and not have movement, or the appearance of movement, during the static display period.

   b. The transition to change from one message or image to another shall be instant and not dissolve, fade, scroll, travel, or have similar transitions.

   c. The message shall not change more frequently than once every ten (10) seconds.

4. Electronic message boards must be equipped with a default mechanism that shall stop the messaging or freeze the image in one position when a malfunction in electronic programming occurs.

5. Electronic message boards shall be equipped with a sensor or other device that automatically determines the ambient illumination and is programmed to automatically dim according to light conditions.

6. Illumination of electronic message signs shall not exceed 0.3 foot-candles over the ambient lighting conditions when measured at a distance equal to the square footage of the sign area.

7. Illumination of electronic message signs shall not be detectable across any property line.

8. Applications shall be reviewed by the Zoning Administrator to determine that the sign placement does not interfere with traffic control devices within three hundred (300) feet of the sign or traffic circulation upon roadways.

10-6-6. Permanent Sign Standards

A. **Wall Signs**.

1. **Sign Area**.

a. **Primary Wall Signs.**

(1) **Signs Attached to a Wall With a Public Entrance or Facing a Public Right-of-Way.** The maximum sign area shall be two (2) square feet for every one (1) linear foot of the exterior wall to which it is affixed. The sign shall not to exceed seventy-five (75) percent of the width of the exterior wall to which it is attached.

(2) **Signs Attached to Any Other Wall.** The maximum sign area shall be one (1) square foot for every one (1) linear foot of the exterior wall to which it is affixed. The sign shall not exceed fifty (50) percent of the width of the exterior wall to which it is attached.

b. **Painted Wall Signs.**

(1) **Location on Non-Primary Building Facades.** Painted wall signs shall be located on non-primary building facades not facing a public right-of-way.

(2) **Sign Area.** Painted wall signs may cover up to seventy (70) percent of a given façade and up to seventy (70) percent of the entire surface of the structure.

(3) **Building Permit Required.** A building permit shall be required for the establishment of a painted wall sign.

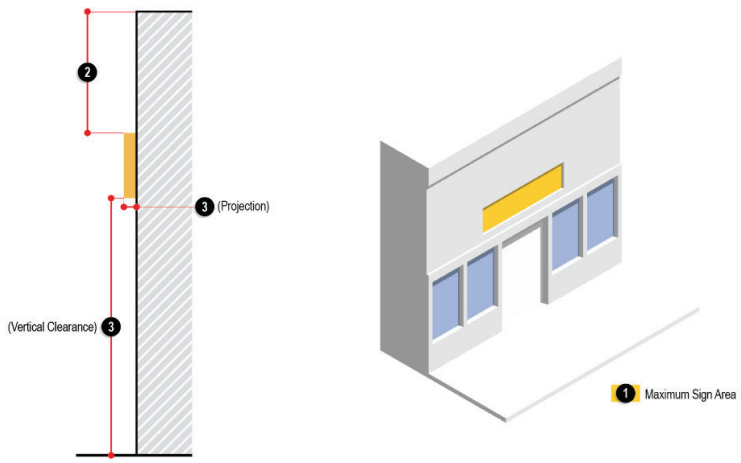
2. **Sign Height**. No wall sign shall be closer than one (1) foot from the highest roofline or the top of the parapet wall or mansard root.

3. **Projection and Clearance**.

a. **Projection**. If the wall sign projects more than six (6) inches from the wall of the building or structure to which it is attached, it shall maintain a vertical clearance of at least eight (8) feet.

b. **Maximum Projection**. No wall sign shall project more than twelve (12) inches from the wall of the building or structure to which it is attached. Any sign which projects more than twelve (12) inches from the wall will be defined as a projecting sign as regulated in Section 10-6-6(D).

Figure 6.4. Wall Sign Area, Height, and Projection



4. **Number of Signs**.

   a. Single tenant buildings shall be permitted a total of two (2) primary wall signs or one (1) primary wall sign and one (1) painted wall sign per one hundred (100) linear feet of building frontage. One (1) additional wall sign shall be allowed per additional hundred (100) feet of building frontage. Only one (1) primary/painted wall sign shall be displayed on any single building façade.

   b. Multi-tenant buildings shall be permitted one (1) wall sign per unit.

   c. A maximum of two (2) secondary wall signs may be authorized for buildings with lineal frontage in excess of seventy-five (75) feet by the Zoning Administrator provided such additional signage is:

      (1) In keeping with the overall design and architecture of the building,

      (2) A minimum of ten (10) feet from the primary wall sign, painted wall sign, and other secondary wall signs,

      (3) A maximum of fifty (50) percent of the size of the primary wall sign,

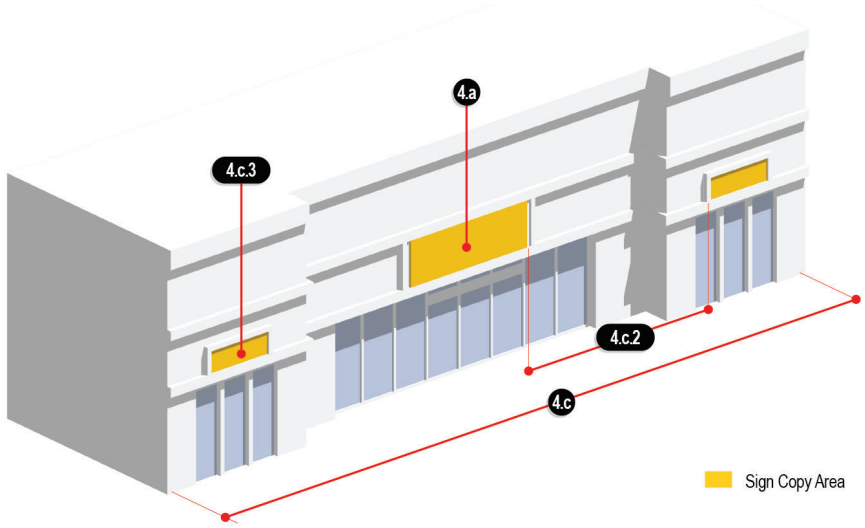
      (4) Accessory to the building's primary/painted wall sign(s), and

      (5) The total area of all primary and secondary wall signs does not exceed the maximum wall sign area as established in Section 10-6-6(A)(1).

5. **Sign Copy**. If the sign copy utilized on a wall sign is either individually affixed letters, raceway letters, applied vinyl, or printed, etched, or otherwise incorporated directly on the sign's backing plate, the Zoning Administrator may approve an increase in sign copy area up to an additional five (5) percent of the total area of the face of the wall to which the sign is to be affixed.

6. **Other Provisions**. No wall sign shall be affixed to HVAC screening, elevator overrun, or other features protruding from the roof of the structure.

Figure 6.5. Secondary Wall Sign Standards



B. **Monument Signs.**

1. **General Monument Sign Standards**

a. **Sign Materials**. The following classes of sign materials shall be utilized in the determination of allowed sign area and sign height as detailed in Sections 10-6-3(A) and 10-6-3(B).

(1) **Base Quality Materials**.

(a) Stone veneer systems,

(b) Fiber cement,

(c) Wood,

(d) EIFs,

(e) Precast panels, or

(f) Other as determined by the Zoning Administrator.

(2) **High Quality Materials**.

(a) Masonry,

(b) Natural stone,

(c) Steel/wrought iron, or

(d) Other as determined by the Zoning Administrator.

b. **Landscape**.

(1) All monument signs shall be required to plant and maintain a landscape area at the base of the sign.

(2) The minimum area of the landscape area shall be equal to half (1/2) of the square footage of the sign area of the associated sign.

(3) Landscape areas shall be planted with one (1) shrub or native grass, per every three (3) square feet of required landscape area.

(4) Required shrubs and native grasses shall be approved by the Zoning Administrator as a landscape plan.

2. **Single-Tenant Monument Signs**.

   a. **Sign Dimensions**.

      (1) **Base Quality Single-Tenant Monument Signs**. Single-tenant monument signs utilizing base quality sign materials shall meet the following dimensional standards.

         (a) **Sign Area**. The maximum sign area shall not exceed thirty-two (32) square feet.

         (b) **Sign Height**. The maximum sign height of single-tenant monument signs shall not exceed eight (8) feet.

      (2) **High Quality Single-Tenant Monument Signs**. Single-tenant monument signs utilizing high quality sign materials shall meet the following dimensional standards.

         (a) **Sign Area**. The maximum sign area shall not exceed forty-eight (48) square feet.

         (b) **Sign Height**. The maximum sign height of single-tenant monument signs shall not exceed twelve (12) feet.

   b. **Number of Signs**. A maximum of one (1) single-tenant monument sign shall be permitted per every eight-hundred (800) continuous, linear feet of lot frontage.

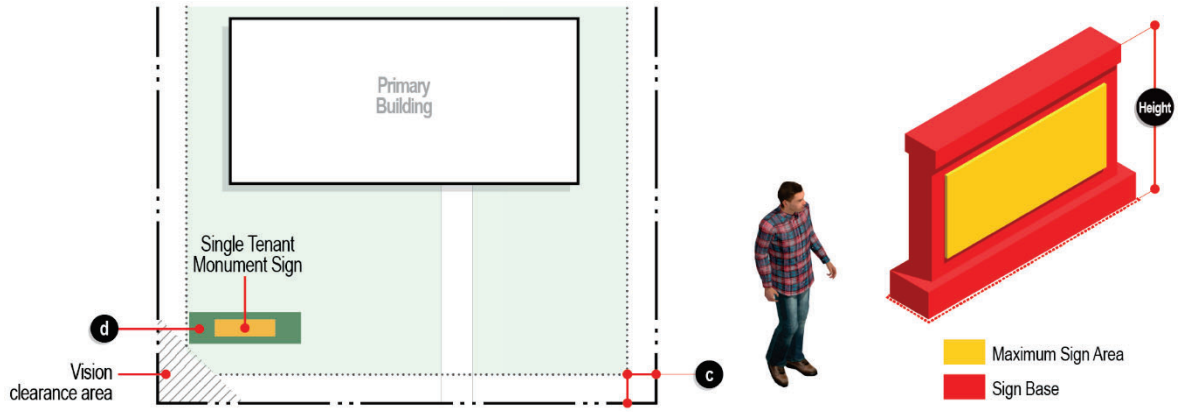
   c. **Location**. Single-tenant monument signs shall be located the minimum distance established below per district type from property lines, rights-of-way, and utility easements, shall not block points of ingress or egress, be placed in any sidewalk or pedestrian circulation system, and shall not be located in a vision clearance area as detailed in Section 10-5-6.

      (1) **Residential Districts**: Ten (10) feet

      (2) **Nonresidential Districts**: Five (5) feet

   d. **Landscape Requirement**. All single-tenant monument signs shall be required to plant and maintain a landscape area meeting the requirements of Section 10-6-6(B)(1)(d) at the base of the sign.

Figure 6.6. Single-Tenant Monument Sign Standards



3. **Multi-Tenant Monument Signs**.

   a. **Sign Dimensions**.

      (1) **Base Quality Multi-Tenant Monument Signs**. Multi-tenant monument signs utilizing base quality sign materials shall meet the following dimensional standards.

         (a) **Sign Area**. The maximum sign area shall not exceed thirty-two (32) square feet.

         (b) **Sign Height**. The maximum sign height of single-tenant monument signs shall not exceed ten (10) feet.

      (2) **High Quality Multi-Tenant Monument Signs**. Multi-tenant monument signs utilizing high quality sign materials shall meet the following dimensional standards.

         (a) **Sign Area**. The maximum sign area shall not exceed sixty-four (64) square feet.

         (b) **Sign Height**. The maximum sign height of single-tenant monument signs shall not exceed fourteen (14) feet.

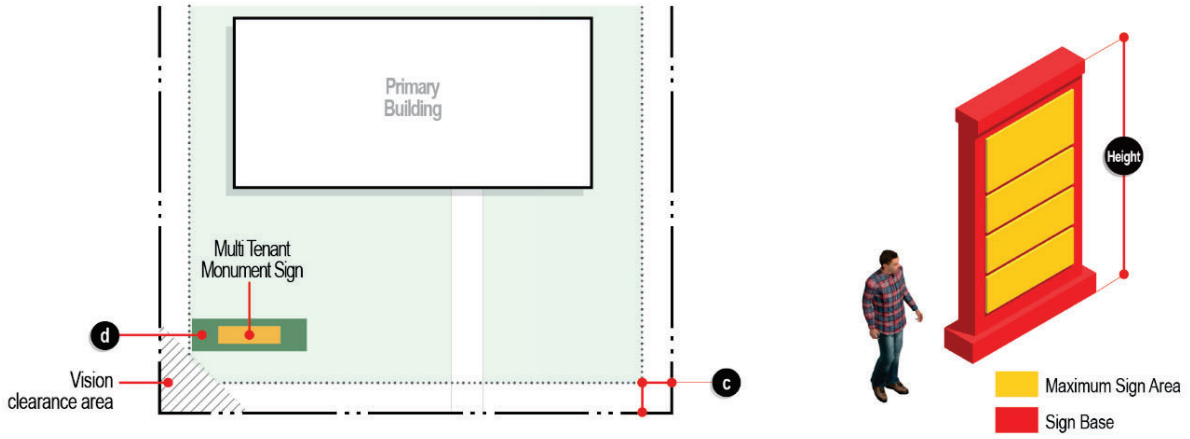
   b. **Number of Signs**. A maximum of one (1) multi-tenant monument sign shall be permitted per lot frontage.

   c. **Location**. Multi-tenant monument signs shall be located a minimum of five (5) feet from all property lines and rights-of-way, shall not block points of ingress or egress, be placed in any sidewalk or pedestrian circulation system and shall not be located in a vision clearance area as detailed in Section 10-5-6.

   d. **Landscape Requirement**. All multi-tenant monument signs shall be required to plant and maintain a landscape area meeting the requirements of Section 10-6-6(B)(1)(d) at the base of the sign.

   e. **Signs Within Landscaped Medians**. Any multi-tenant monument sign within a landscaped median shall be located outside vision clearance areas as specified in Section 10-5-6.

Figure 6.7. Multi-Tenant Monument Sign Standards



C. **Awning/Canopy Signs**.

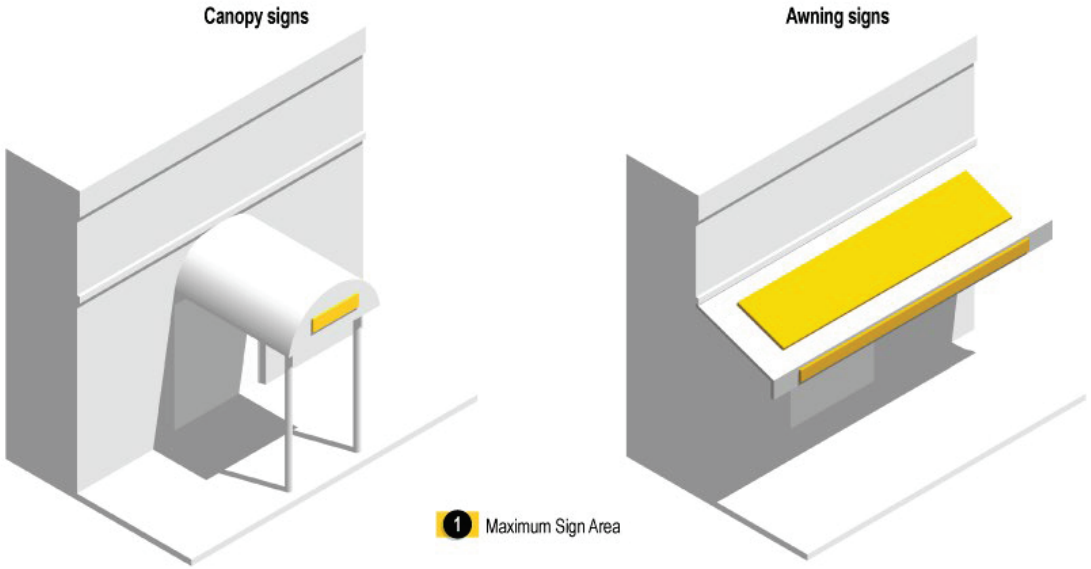
1. **Sign Area**. The maximum sign area of awning/canopy signs shall be fifty (50) percent of the face of the awning or canopy upon which the sign shall be printed or affixed. The area of the awning or canopy sign copy shall count towards the maximum amount of sign area permitted for wall signs as detailed in Section 10-6-6(A)(1).

2. **Other Provisions**.

   a. Signs required for public health, safety, and welfare that are posted on awnings/canopies, like "clearance" signs, shall not count towards allowed sign area.

   b. Awning/canopy signs shall only be permitted on awnings/canopies extending above ground floor entrances or windows.

Figure 6.8. Awning/Canopy Sign Standards



D. **Projecting Signs**.

1. **Sign Area.** The maximum permitted sign copy area of projecting signs shall be sixteen (16) square feet.

2. **Height.** Projecting signs shall not extend above the roofline of the building to which it is attached, or a maximum of twelve (12) feet, whichever is less.

3. **Clearance**. Projecting signs shall maintain a minimum vertical clearance of eight (8) feet.

4. **Number of Signs.** A maximum of one (1) projecting sign shall be permitted per ground floor nonresidential tenant space. A projecting sign and a wall sign may be displayed on the same building frontage. A projecting sign and an awning or canopy sign shall not be displayed on the same building frontage.

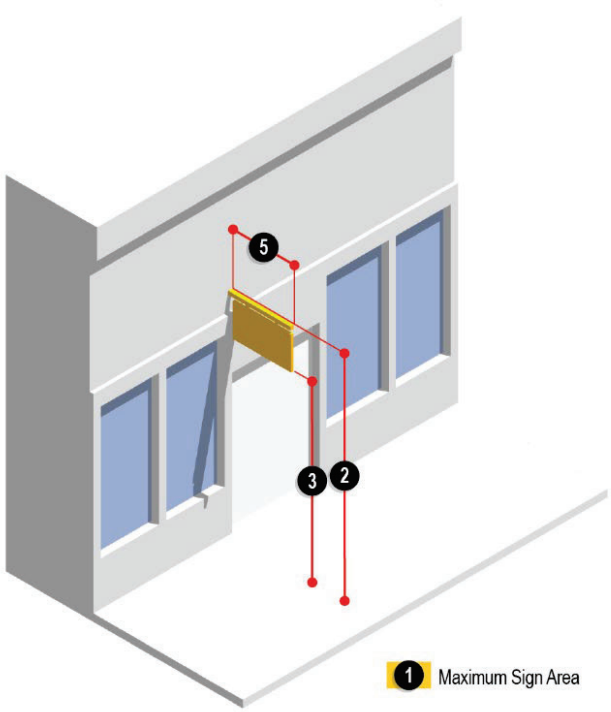
5. **Projection.**

   a. Signs which project over a public right-of-way may horizontally project a maximum of four (4) feet from the mean elevation of the building to which it is attached.

   b. Signs which project over private property may horizontally project a maximum of eight (8) feet from the mean elevation of the building to which it is attached.

6. **Other Provisions.** Projecting signs may encroach upon, extend, or project over a public right-of-way or easement. The property owner may be required to provide a release or hold harmless to the City prior to issuing permits for any such signs.

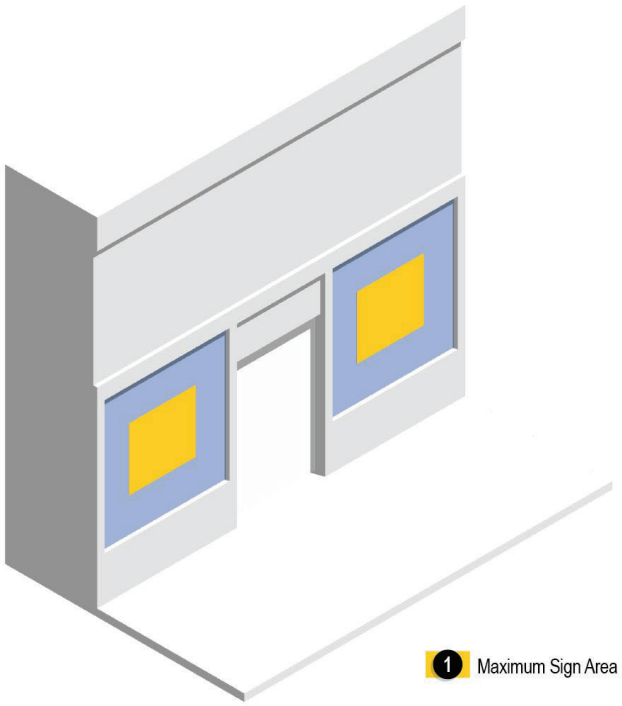
Figure 6.9. Projecting Sign Standards



E. **Window Signs**.

1. **Sign Area**. The maximum permitted sign area of a window sign shall be fifty (50) percent of the square footage of the individual window on which the sign shall be located.

Figure 6.10. Window Sign Standards



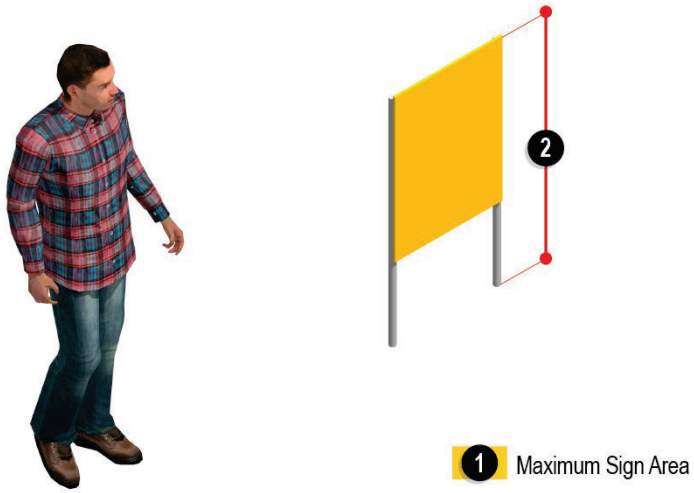
F. **On-Site Traffic Directional Signs**.

1. **Sign Area**. The maximum sign area of on-site traffic directional signs shall not exceed six (6) square feet. Permitted on-site traffic directional sign area shall not count towards aggregate sign area.

2. **Sign Height**. The maximum height of on-site traffic directional signs shall not exceed four (4) feet.

3. **Number of Signs**. The permitted number of on-site traffic directional signs shall be determined by the Zoning Administrator as necessary to assist in the safe movement of vehicular and pedestrian traffic on a property.

Figure 6.11. On-Site Traffic Directional Sign Standards



10-6-7. Temporary Sign Standards

A. **General Standards for Permitted Temporary Signs**.

1. **Concurrent Display**. A maximum of two (2) permitted temporary signs, as permitted per district, may be displayed per lot concurrently, with the exception of feather signs as detailed in Section 10-6-7(D).

B. **Wall Mounted Banner Signs**.

1. **Sign Area**.

a. The maximum sign area of wall mounted banner signs in residential districts or the B-1, B-2, A-1, OS, and PI Districts shall not exceed seven and one-half (7.5) percent of the total area of the face of the wall to which the sign is to be affixed.

b. The maximum sign area of wall mounted banner signs in the B-3, M-1, and M-2 Districts shall not exceed ten (10) percent of the total area of the face of the wall to which the sign is to be affixed.

2. **Sign Height**. No wall mounted banner sign shall protrude above the highest roofline or above the top of the parapet wall or mansard roof.

3. **Number of Signs**. A maximum of one (1) wall mounted banner sign shall be permitted per lot frontage of a single-tenant building or unit of a multi-tenant building.

4. **Location**. Wall mounted banner signs shall be affixed to a building.

5. **Projection**. Wall mounted banner signs shall be affixed flat against the building to which they are mounted.

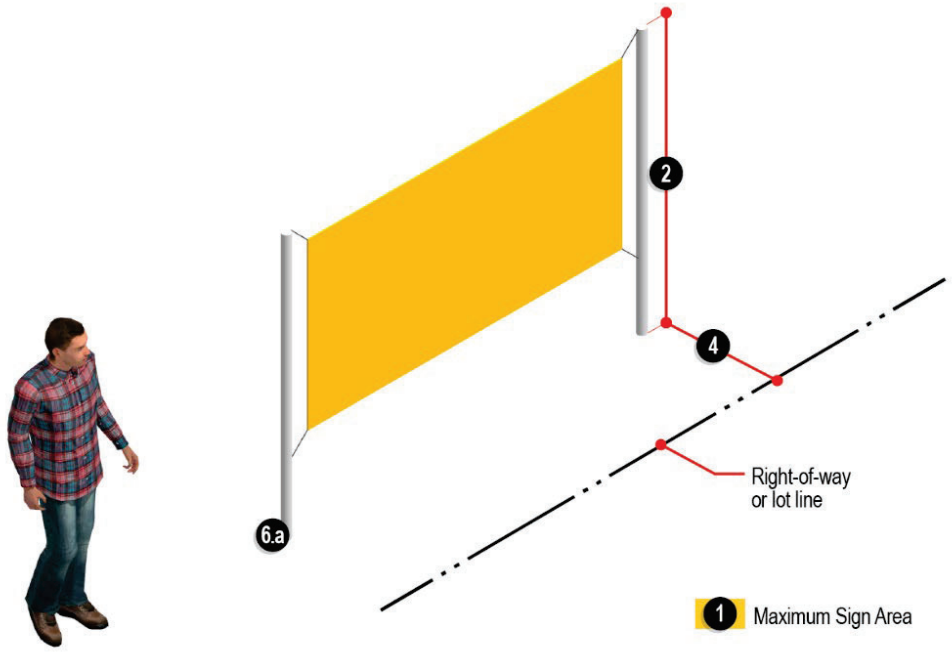
6. **Duration**. Wall-mounted banner signs shall be limited to ninety (90) days in any calendar year.

Figure 6.12. Wall-Mounted Banner Sign Standards

C. **Ground Mounted Banner Signs**.

1. **Sign Area**. The maximum sign area of a ground mounted banner sign shall not exceed thirty-two (32) square feet.
2. **Sign Height**. The maximum height of a ground mounted banner sign shall not exceed six (6) feet.
3. **Number of Signs**. A maximum of one (1) ground mounted banner sign shall be permitted per lot frontage.
4. **Location**. Ground mounted banner signs shall be located a minimum of five (5) feet from all property lines and shall not block points of ingress or egress, be placed in any sidewalk or pedestrian circulation system and shall not be located in a vision clearance area as detailed in Section 10-5-6.
5. **Duration**. Ground mounted banner signs shall be limited to ninety (90) days in any calendar year.
6. **Other Provisions**.
   a. Ground mounted banner signs shall be securely anchored into the ground or secured in a portable base designed for such function.
   b. Ground mounted banner signs shall be maintained in good condition and shall not sag, lie on the ground, be torn, or otherwise kept in a disorderly state.

Figure 6.13. Ground-Mounted Banner Sign Standards



D. **Feather Sign**.

1. **Sign Area**. The maximum sign area of feather signs shall not exceed twenty-six (26) square feet.

2. **Sign Height**. The maximum height of a feather sign shall not exceed twelve (12) feet.

3. **Number of Signs**.

   a. A maximum of three (3) feather signs sixteen (16) square feet or less shall be permitted per lot frontage. Only one (1) feather sign shall be permitted per frontage when the sign is over sixteen (16) square feet in area.

   b. For multi-tenant buildings, only one (1) feather sign is permitted per business.

4. **Location**.

   a. Feather signs shall be located a minimum of five (5) feet from all property lines and shall not block points of ingress or egress, be placed in any sidewalk or pedestrian circulation system, and shall not be located in a vision clearance area as detailed in Section 10-5-6.

   b. For multi-tenant buildings, feather signs must be twenty-five (25) feet from any other feather sign.

5. **Duration**.

   a. The permitted display period of a feather sign shall be a maximum of thirty (30) consecutive days.

   b. A total of three (3) nonconcurrent display periods shall be permitted per property per calendar year.

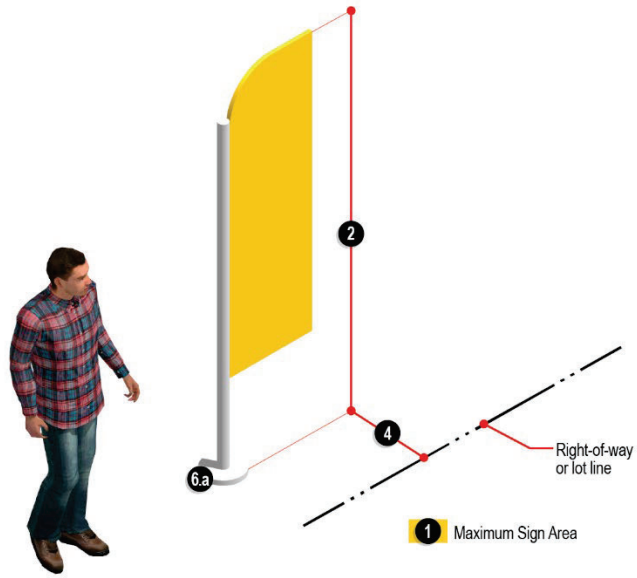
   c. Nonconcurrent display periods shall be separated by a minimum of thirty (30) days.

6. **Other Provisions**.

   a. Feather signs shall be securely anchored into the ground or secured in a portable base designed for such function.

   b. Feather signs shall be maintained in good condition and shall not sag, lie on the ground, be torn, or otherwise kept in a disorderly state.

Figure 6.14. Feather Sign Standards



E. **A-Frame/Sandwich Board Signs**.

1. **Sign Area**. The maximum allowed sign area of a-frame/sandwich board signs shall be eight (8) square feet.

2. **Height**. The maximum allowed height of a a-frame/sandwich board sign shall be four (4) feet.

3. **Number of Signs**. A maximum of one (1) a-frame/sandwich board sign shall be permitted per ground floor nonresidential tenant space.

4. **Location**.

   a. A-frame/sandwich board signs shall be placed in a manner that preserves a continuous sidewalk width of a minimum of three (3) feet.

   b. No part of any a-frame/sandwich board sign shall block points of ingress or egress.

   c. All a-frame/sandwich board signs shall be within seven-hundred fifty (750) feet of the entrance of the associated business.

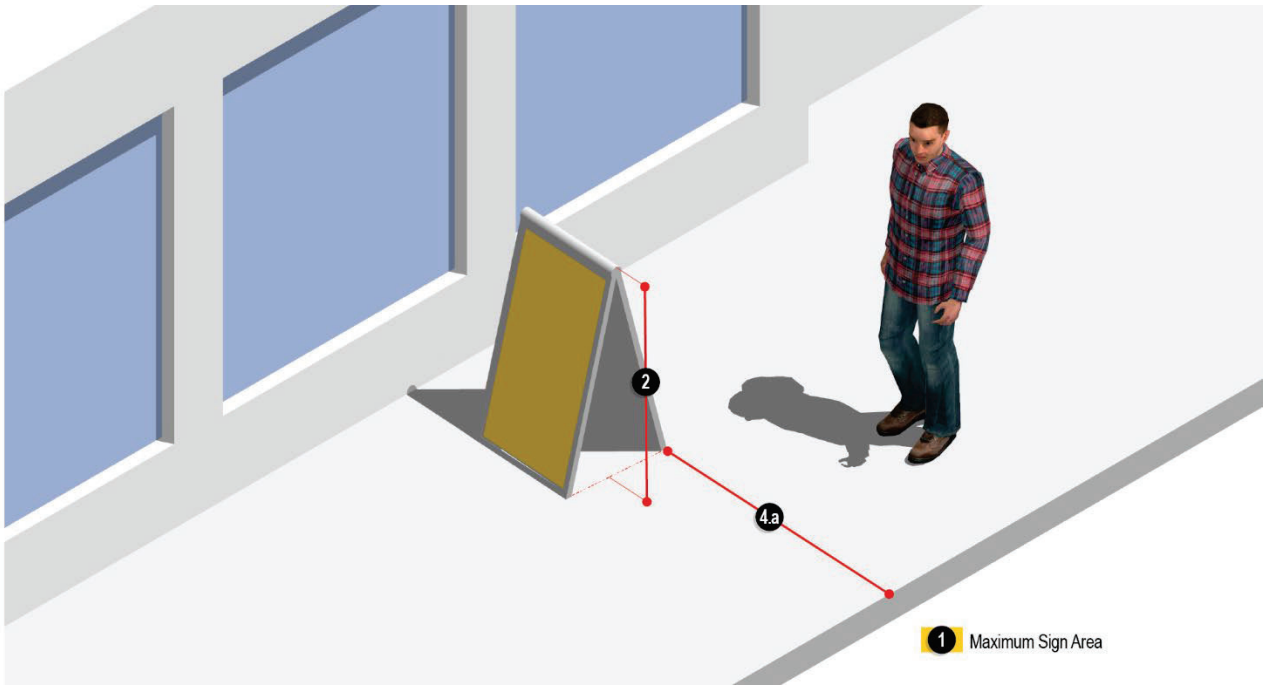
5. **Other Provisions For Parcels within the Downtown Overlay District**.

   a. A-frame/sandwich board signs shall be on-premises signs only, with the exception of B-2 zoned parcels.

   b. The property owner of B-2 zoned parcels may locate an A-Frame/Sandwich Board sign off premise within the public right-of-way within the Downtown Overlay District. The owner shall be required to provide a release or hold harmless to the City prior to the display of any such signs located within a public right-of-way.

6. **Duration of Display**. The display of a-frame/sandwich board signs shall only be permitted during the operating hours of the use to which the sign is associated.

Figure 6.15. A-Frame/Sandwich Board Sign Standards



F. **Post Signs**.

1. **Sign Copy Area**.

   a. The maximum sign copy area of a post sign in a residential zoning district shall not exceed six (6) square feet.

   b. The maximum sign copy area of a post sign in a nonresidential zoning district shall not exceed thirty-two (32) square feet.

2. **Sign Height**. The maximum height of a post sign shall not exceed six (6) feet.

3. **Number of Signs**. A maximum of one (1) post sign shall be allowed per lot frontage.

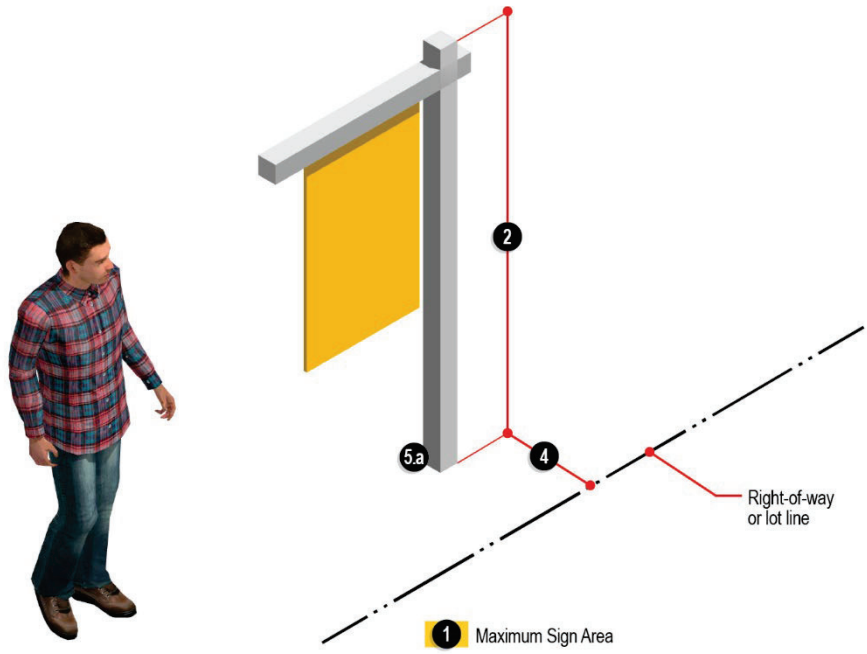
4. **Location**. Post signs shall be located a minimum of five (5) feet from all property lines and shall not block points of ingress or egress, be placed in any sidewalk or pedestrian circulation system and shall not be located in a vision clearance area as detailed in Section 10-5-6.

5. **Other Provisions**.

   a. Post signs shall be securely anchored into the ground or secured in a portable base designed for such function.

   b. Post signs shall be maintained in good condition and shall not sag, lie on the ground, be torn, or otherwise kept in a disorderly state.

Figure 6.16. Post Sign Standards



G. **Yard Signs**.

1. **Sign Area**. The maximum sign area of yard signs shall be as follows.

   a. Thirty-two (32) square feet for parcels that have frontage along a major arterial road.

   b. Sixteen (16) square feet for all other parcels.

2. **Sign Height**. The maximum height of a yard sign shall not exceed four (4) feet.

3. **Number of Signs**. A maximum of two (2) yard signs may be displayed concurrently. However, during the period sixty (60) days before and fifteen (15) days after a federal, state, or local election an unlimited number of yard signs may be displayed concurrently subject to all other applicable regulations of this section.

4. **Location**. Yard signs shall be located a minimum of five (5) feet from all property lines, rights-of-way, and utility easements, shall not block points of ingress or egress, shall not be placed in any sidewalk or pedestrian circulation system and shall not be located in a vision clearance area as detailed in Section 10-5-6.

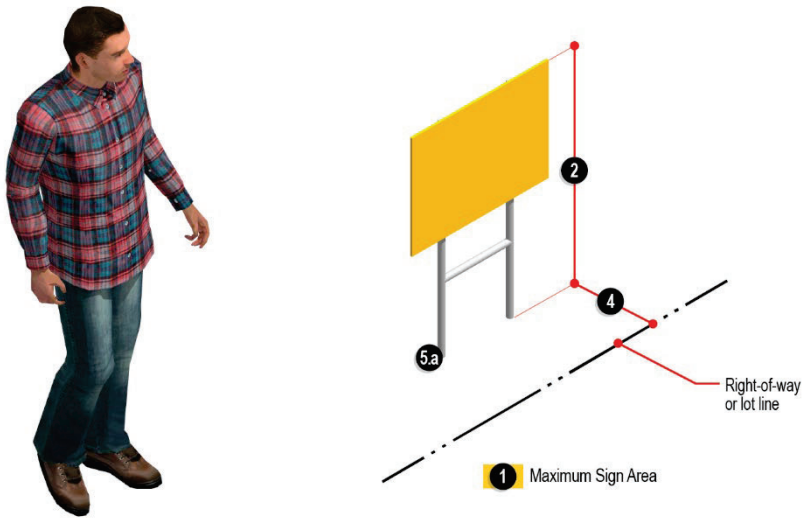
5. **Other Provisions**.

   a. Yard signs shall be securely anchored into the ground or secured in a portable base designed for such function.

   b. Yard signs shall be maintained in good condition and shall not sag, lie on the ground, be torn, or otherwise kept in a disorderly state.

   c. One (1) yard sign displayed for a period of up to seventy-two (72) hours shall be exempt from the requirements for this section.

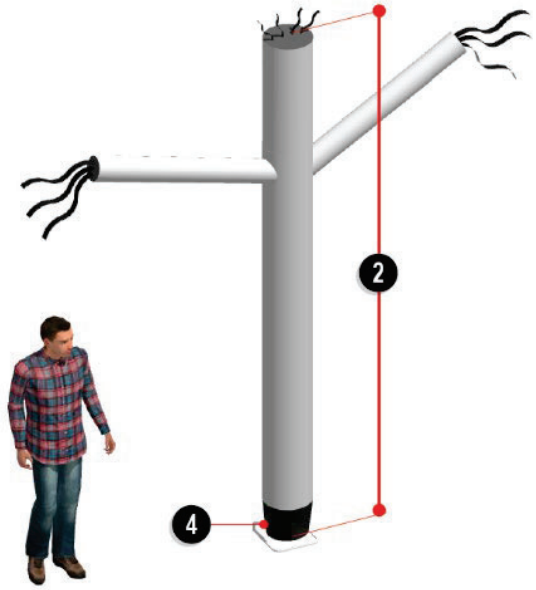
Figure 6.17. Yard Sign Standards



H. **Cold Air Inflatables**. Cold air inflatable signs shall be allowed in all districts with the exception of residential districts.

1. **Duration.** Cold air inflatable signs shall be allowed once per calendar year for a maximum of seventy-two (72) hours.
2. **Sign Height.** The maximum height of a cold air inflatable sign shall be twenty-five (25) feet as measured from grade.
3. **Location.** Inflatable signs shall not be installed below or interfere with any electrical conductors, phone conductors, CATV conductors, fire alarm conductors or any other similar installations.
4. **Supports Required.** The inflatable structure shall be ground-mounted or attached to supports and guy wires ground-mounted or securely attached to the building roof. No inflatable structure shall be permitted to be secured to any mechanical equipment, parapet walls or other items normally found on the roof of a structure.
5. **Encroachment.** Inflatable signs shall be anchored to prevent dislocation, entanglement or encroachment onto adjacent properties or public streets, or undue hazard to motorists or pedestrians.

Figure 6.18. Cold Air Inflatable Sign Standards



10-6-8. Comprehensive Sign Plan

A. **Intent**. The intent of the comprehensive sign program is to provide an alternative procedure under which signs can be designed, constructed, and erected with innovation, imagination, and creative architecture. The objective of the comprehensive sign plan is to encourage a higher level of design and amenity than is possible to achieve under otherwise applicable sign regulations.

B. **Applicability**. Any building or development may elect to submit a comprehensive sign plan. After the approval of a comprehensive sign plan, no permanent sign shall be erected, placed, or maintained except in conformance with the Comprehensive Sign Plan.

C. **Conditions**. The Zoning Administrator may attach conditions, requirements, or standards necessary to assure that the signs covered by the Comprehensive Sign Plan will not be materially detrimental to persons or property in the vicinity. In making its determination, the Zoning Administrator shall not base any condition on the content of a sign.

D. **Evaluation Criteria**.

1. **Placement**. All signs shall be placed where they are visible and legible. Factors to be considered include the location of a sign relative to traffic movement and access points, site features, other structures, and orientation relative to viewing distances and viewing angles. Wall Signs may be approved on building walls other than the wall of a unit of a multi-tenant building in which some units have little or no visibility from the street.

2. **Quantity**. The number of signs that may be approved within any development shall be sufficient to provide necessary facilitation of internal circulation of vehicular and pedestrian traffic and wayfinding for safety of the occupants of vehicles and pedestrians. Factors to be considered shall be those that impact safety considerations such as the size of the development and the number of development sub-areas.

3. **Size**. All signs shall be no larger than necessary for visibility and legibility but in no instance shall the sign area or sign height exceed the maximum established per sign type per district. Factors to be considered in determining appropriate size include topography, volume, and speed of traffic, viewing distances and angles, proximity to adjacent uses, and placement of display.

E. **Application**. A comprehensive sign plan shall be submitted on a form established by the Zoning Administrator. The application shall contain the following information as well as all other information required by the Zoning Administrator to ensure compliance with the comprehensive sign plan evaluation criteria.

1. Name, address, and telephone number of the applicant.

2. Location of building, structure, or lot to which or upon which the comprehensive sign plan shall apply.

3. Name of person, firm, corporation, or association developing the comprehensive sign plan.

4. Written consent of the owner or lessee of the building, structure, or land to which the proposed comprehensive sign plan is applicable.

5. Scale drawing of all signs included in the comprehensive sign plan indicating the dimensions, the materials to be used, the type of illumination, if any, and the method of construction and attachment. Said drawings shall be drawn at a scale no smaller than one-eight (1/8) inch equals one (1) foot and shall be prepared, signed, and sealed by a registered professional engineer when required by the Zoning Administrator.

6. A scale drawing indicating the location and position of all signs included in the comprehensive sign plan in relation to nearby buildings or structures. Said drawing shall be at a scale no smaller than one (1) inch equals fifty (50) feet.

F. **Review and Action**. The Zoning Administrator shall review the comprehensive sign plan application and approve, approve with conditions, or deny the application based on the evaluation criteria. A written decision including the findings on the evaluation criteria shall be rendered to the applicant.

G. **Appeals**. Any applicant who receives a notice of denial from the Zoning Administrator may, within thirty (30) days after receipt of such decision, appeal such decision to the Board of Adjustment by filing a written notice of appeal with the Zoning Administrator with an explanation as to why said decision was not warranted according to the applicant.

10-6-9. Prohibited Signs and Content

A. **Prohibited Signs**. The following sign types shall be prohibited in all districts:

1. Pole/Pylon Signs
2. Billboards
3. Roof Signs
4. Outline Lighting
5. Signs located on City property without the City's permission
6. Signs which encroach on the public right-of-way

B. **Prohibited Content**.

1. The following content is prohibited without reference to the viewpoint of the individual speaker:
    a. Content that is prohibited or restricted per state or federal statute.
    b. Text or graphics that advertise unlawful activity,
    c. Text or graphics that are obscene, fighting words, defamation, incitement to imminent lawless action, or true threats, or
    d. Text or graphics that present a clear and present danger due to their potential confusion with traffic control signs or signs that provide public safety information (for example, signs that use the words "Stop," "Yield," "Caution," or "Danger," or comparable words, phrases, symbols, or characters in such a manner as to imply a safety hazard that does not exist).
2. The narrow classifications of content that are prohibited by this subsection are either not protected by the United States or Illinois Constitutions or are offered limited protection that is outweighed by the substantial governmental interests in protecting the public safety and welfare. It is the intent of the City Council that each paragraph of this Subsection be individually severable in the event that a court of competent jurisdiction were to hold one or more of them to be inconsistent with the United States or Illinois Constitutions.

10-6-10. Safety, Maintenance, and Abandonment

A. Every sign and all parts thereof, including framework, supports, background, anchors and wiring systems shall be constructed and maintained in compliance with applicable building and other codes adopted by the City.

B. All signs, together with all supports, braces, guys, and anchors shall be kept in proper repair in accordance with the provisions of this Title. When not galvanized or constructed of approved corrosion resistive, noncombustible materials, signs shall be painted when necessary to prevent corrosion, rust, peeling paint, and excessive fading. Failure of owners to keep signs maintained in good mechanical and visual repair shall be deemed a violation of this Title.

C. It shall be the duty and responsibility of the owner or lessee of every sign to maintain the immediate premises occupied by the sign in a clean condition, free of rubbish.

D. If the Zoning Administrator shall find that any sign is unsafe or unsecure, or is a threat to the public safety, or was, after the adoption of this Title constructed, erected, or maintained in violation of the provisions of this title, he or she shall give written notice per the provisions of this Title. Such notice shall specify the manner in which the sign is unsafe or in violation of this Title.

E. Sign copy shall be removed and in the case of a wall sign, the building façade shall be repaired, by the owner or lessee of the premises upon which the sign is located when the use which the sign is associated is no longer conducted on the premises. The sign copy shall be removed within thirty (30) days of when the use ceases to operate. If the owner or lessee fails to remove the sign copy, the Zoning Administrator shall give the owner thirty (30) days written notice to remove it. Failure to comply with the notice shall be deemed a violation of this Title.

Chapter 7. Subdivision Standards

10-7-1. Intent and Purpose 1
10-7-2. Lots 2
10-7-3. Street Design and Improvements 3
10-7-4. Circulation and Connectivity 13
10-7-5. Easements 13
10-7-6. Water, Sewer, and Stormwater 14
10-7-7. Cluster Development 15
10-7-8. Anti-Monotony Standards 16
10-7-9. Park and Recreation Land and School Site Dedication 18

10-7-1. Intent and Purpose

A. The regulations of this Chapter are adopted to:

1. Protect the interests of the landowner, the investor in land, the homeowner, and the municipal unit;
2. Conserve, protect, and enhance property and property values; to secure the most efficient use of land; and to facilitate the provisions of public improvements;
3. Provide for orderly growth and development; to afford adequate facilities for the safe and efficient means for traffic circulation of the public; and to safeguard the public against flood damage;
4. Prescribe reasonable rules and regulations governing the subdivision and platting of land; the preparation of plats; the location, width, and course of streets and highways; the installation of utilities, street pavements, and other essential improvements; and the provision of necessary public grounds for schools, parks, playgrounds, and other public open space; and
5. Establish procedures for the submission, approval, and recording of plats, to provide the means for enforcement of this title, and to provide penalties for violations.

B. **Provision of Improvements.** All improvements required by this Chapter shall be installed by the developer as part of a Subdivision as detailed in Section 10-8-6.

C. **Conformance With Standard Specifications and Ordinances.** All improvements required in this Chapter shall be as specified in the City's standard specifications for improvements, the Kendall County Stormwater Management Ordinance, and other applicable County ordinances.

10-7-2. Lots

A. **Conformance With District Standards.** All lots shall meet the minimum depth, width, and area requirements of the governing district, unless otherwise approved as a cluster development.

B. **Lot Size and Shape.** The size, shape, and orientation of lots shall be appropriate for the location of the subdivision, and for the type of development and use contemplated, as determined by the Planning and Zoning Commission and City Council.

C. **Orientation.** Where appropriate, lot orientation along an east-west longitudinal axis is recommended for increased energy efficiency for potential solar panels.

D. **Double Frontage and Reverse Frontage Lots**.

1. Double frontage and reverse frontage lots shall be avoided, except where necessary to overcome disadvantages of topography and orientation, and where a limited access highway, railroad right-of-way, major street, or similar situation exists.

2. In these instances, double frontage lots shall be provided with suitable screen planting when adjoining roadways as follows:

    a. **Local or Collector Roads.** Double frontage lots adjoining a local or collector road shall provide a type C transition yard as specified in Table 10-5-2(F)(3).

    b. **Arterial Roads.** Double frontage lots adjoining a local or collector road shall provide a type D transition yard as specified in Table 10-5-2(F)(3).

3. Double frontage lots may be subdivided and utilize a separate lot or outlot where the rear property line fronts an adjoining roadway for required transition yards.

E. **Subdivisions to Include Entirety of Parent Parcels.** Subdivisions must include and plan for the entire parcel or parcel(s) being divided and shall not exclude portions of the parcel or parcel(s) being divided from the subdivision.

F. **Access.**

1. All lots shall front or abut on a public street.

2. The fronting of residential lots on state and county highways or major thoroughfares, major collectors as designated in the comprehensive plan is prohibited. Each subdivision entrance shall be located not less than one thousand three hundred (1,300) feet apart, centerline to centerline, unless topography or existing street locations dictate otherwise.

3. Non-access provisions controlling ingress and egress to streets may be required by the Planning and Zoning Commission and City Council to assure traffic safety and to relieve congestion at intersections.

4. The distance between access points shall adhere to the City's standard specifications and be approved by the City Engineer.

10-7-3. Street Design and Improvements

A. **Street Network Design**

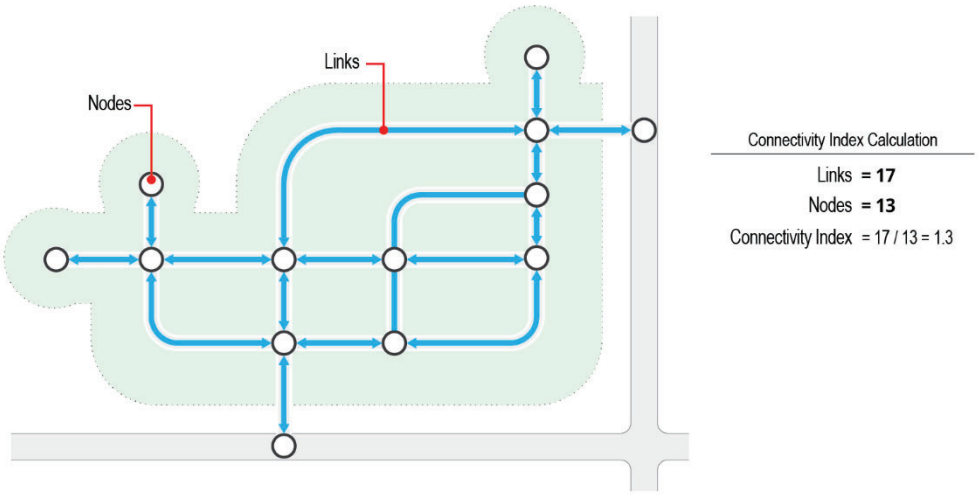
1. **General Street Layout**.

a. In general, streets should be designed and located so that they relate to the topography, preserve natural features such as streams and tree growth, and provide adequate public safety and convenience for motorists, cyclists, and pedestrians alike.

b. The proposed street layout shall also be coordinated with the existing street system of the surrounding area. Where a through street or a series of streets establishes a connection between two (2) public streets, such street shall be a public street.

c. **Connectivity Index**. A connectivity index shall be used to determine the adequacy of street layout design. A connectivity index is calculated as the ratio of the number of street links (road sections between intersections) in the subdivision street layout divided by the number of street nodes (intersections and cul-de-sac heads). Streets within a subdivision shall have a minimum connectivity index measurement of one and two-tenths (1.2).

Figure 7.1. Connectivity Index Calculation

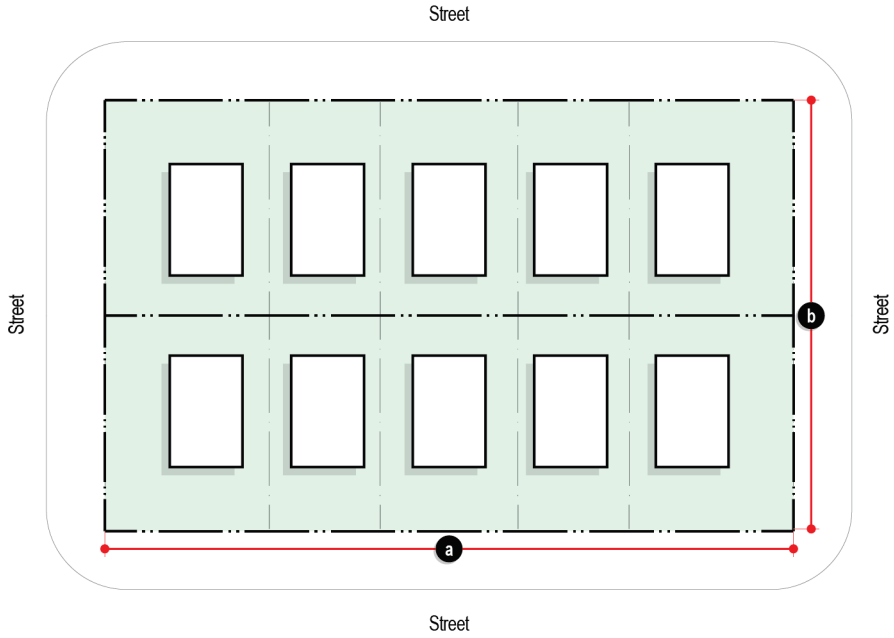


2. **Blocks.**

   a. **Length.** Blocks shall not exceed one thousand three hundred twenty (1,320) feet in length. Shorter blocks of eight hundred (800) feet or less in length are encouraged.

   b. **Width.** Lots shall have sufficient width to provide two (2) tiers of lots of appropriate depth, except on boundaries of a proposed subdivision or where required to separate and discourage through traffic between residential subdivisions and nonresidential development.

Figure 7.2. Blocks



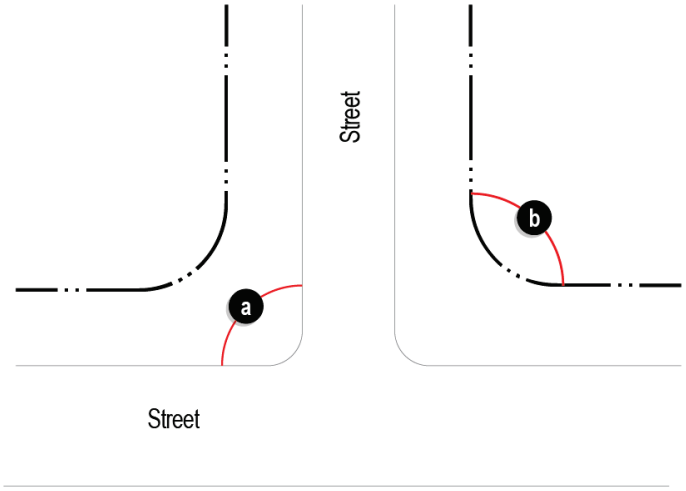
3. **Street Jogs.** Street intersection jogs with centerline offsets of less than one hundred fifty (150) feet shall be prohibited. Horizontal changes in alignment shall have a radius of twenty (20) feet to permit safe vehicular turning movements.

4. **Street Intersections.**

   a. Streets shall be laid out so as to intersect at right angles. Proposed intersections at angles of less than eighty (80) degrees shall not be acceptable. Proposed intersections at less than ninety (90) degrees shall be approved only when the proposed layout enhances the subdivision's overall layout and circulation pattern or is required due to natural constraints on the site as determined by the Zoning Administrator.

   b. Property lines at minor street intersections shall be rounded with a minimum radius of twenty-five (25) feet. Property lines at major streets or highway intersections shall be rounded with a minimum radius of thirty (30) feet.

Figure 7.3. Street Intersections



5. **Cul-de-sacs.**

   a. Cul-de-sacs shall not exceed five hundred (500) feet in length, measured from the entrance to the center of the turn-around.

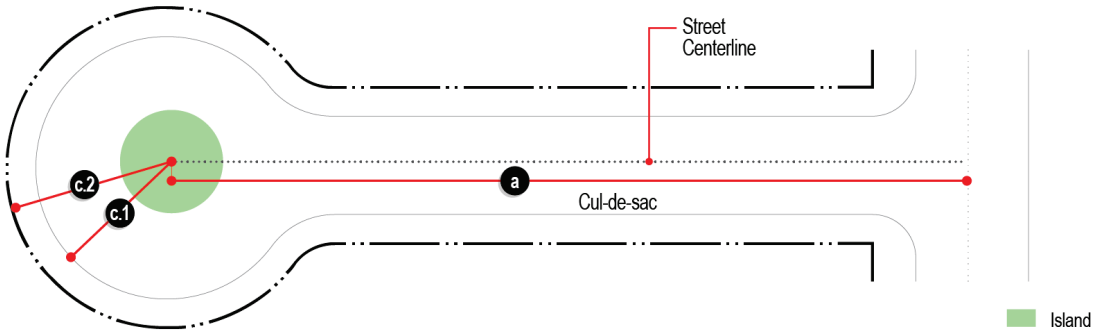
   b. **Islands.** Islands in the center of cul-de-sacs with a minimum radius of fifteen (15) feet shall be required. Islands shall use mountable curbing only that allows vehicular access to the islands. Islands may be planted with vegetation, however, such vegetation shall not exceed four (4) feet at maturity to allow for vision clearance across the cul-de-sac's diameter.

   c. **Adequate Turn-Around Required.** Cul-de-sac streets shall terminate in a circular paved area allowing for vehicular turn around and having a minimum radius of:

      (1) Fifty (50) feet from the center of the island to the outside curb.

      (2) Sixty (60) feet the center of the island to the edge of right-of-way.

Figure 7.4. Cul-De-Sac Standards



6. **Street Stubs**.

   a. In new developments the subdivider shall terminate streets as stubs at the outer perimeter boundaries of the development based on the criteria below. If the street in question meets at least two (2) of the criteria, then the street must be built to an appropriate collector street standard:

      (1) The street intersects directly with any street designated as an arterial street and provides access to an area with an overall density of ten (10) dwelling units per acre or provides access to more than one hundred fifty (150) dwelling units.

      (2) The street by its general configuration, in relationship to the existing development of the area, serves any collector function.

      (3) The street extends into an undeveloped area in such a manner as to serve any future collector function.

      (4) The street serves as the primary access to a significant nonresidential, institutional, or recreational land as well as an access to a residential area of twenty (20) or more acres.

   b. Street stubs shall be clearly demarcated and identified for future street extension by street signage.

   c. All street stubs shall terminate with a turn-around for vehicles.

   d. All stub streets shall conform to the City's adopted version of the International Fire Code.

   e. The City Engineer may deem that the street stub is impractical due to topographic conditions, environmental constraints, property shape, or property accessibility.

7. **Dead End Streets**. Dead end streets shall not be permitted except as street stubs per the requirements of this section.

B. **General Improvement Requirements.**

1. **Sidewalks.** Concrete sidewalks shall be at least five (5) feet in width.

2. **Shared Use Paths.** Shared use paths shall be at least eight (8) feet in width.

3. **Bicycle Facilities**.

   a. Bicycle lanes shall be at least four (4) feet in width.

   b. Shared bicycle and vehicle lanes and bike lanes shall be delineated in accordance with NACTO standards.

4. **Parkways**.

   a. Parkways shall be at least seven (7) feet in width, however, parkways may be reduced to five (5) feet in width along minor streets or lower-traffic volume street types as approved by the City.

   b. Parkways shall be located between the back of curb and sidewalk.

   c. **Street Trees.** A minimum of one (1) canopy tree shall be planted per every forty (40) linear feet of parkway. Where overhead utility line conflicts are present, a minimum of one (1) understory tree shall be planted every twenty (20) feet. The spacing of trees shall take into consideration site-specific conditions and clear vision triangles.

      (1) **Substitution on Private Property Allowed.** Up to twenty-five (25) percent of the street trees required in Section 10-7-3 (B)(4)(c) may be planted on private property within the subdivision provided the following are met.

         (a) The trees located on private property shall be located within the same subdivision as the parkway trees they will be substituted for.

         (b) The trees shall be located within the required front yard on each subject lot.

         (c) The trees provided on private property shall be provided in addition to any landscaping required per Section 10-5-3.

         (d) The trees provided on private property shall meet the planting specifications of Section 10-5-3(A) above.

         (e) The substitution of street trees on private property shall enhance the visual quality of the neighborhood and achieve the same visual effects as trees planted in parkways as proposed by the developer and approved by the Zoning Administrator.

   d. A complete streetlight system shall be installed in the required parkway in all subdivisions.

5. **On-Street Parking**.

   a. On-street parking shall be parallel.

   b. On-street parking spaces shall have the following minimum dimensions:

      (1) Width: Eight (8) feet.

      (2) Length: Twenty-three (23) feet.

   c. On-street parking spaces shall be delineated with striping with a minimum width of four (4) inches. For all types of local streets, the striping of the on-street parking spaces may be provided but shall only be required when no curbing is provided.

d. On-street parking spaces shall be visually delineated from drive aisles with striping or other means.

6. **Medians**.

a. Medians shall have a minimum width of ten (10) feet.

b. Medians shall taper to a minimum of four (4) feet in width at intersections.

c. Medians shall be planted with a minimum of fifteen (15) shrubs or native grasses every fifty (50) linear feet. Landscaped elements shall be maintained privately by a homeowners association or another organization associated with the development in which they are located.

C. **Street Design Requirements.**

1. **Right of-Way Widths.** The minimum right-of-way widths of proposed streets shall be as detailed in Table 10-7-3(C)(1).

Table 10-7-3(C)(1): Minimum Right-of-Way Widths	
Type of Street	**Minimum Right-of-Way Widths (Feet)**
Arterial	85
Collector	70
Local Nonresidential	80
Local Residential	66

2. **Paving Widths.** The minimum paving widths from curb face shall be as detailed in Table 10-7-3(C)(2).

Table 10-7-3(C)(2): Minimum Paving Widths	
Type of Street	**Minimum Paving Width (Feet)**
Arterial	51
Collector	41
Local Nonresidential	39
Local Residential	30

3. **Required Street Design Elements.** Required street design elements shall be as established per street type in Table 10-7-3(C)(3).

a. A "●" indicates an element that is required on one (1) side of a given street.

b. A "○" indicates an element that is required on both sides of a given street.

c. A "◊" indicates an element that is required.

d. A "□" indicates an element that is required at the discretion of the City.

Table 10-7-3(C)(3): Required Street Design Elements							
	Required Street Design Element						
Type of Street	*Sidewalk*	*Shared Use Path*	*Parkway*	*Bicycle Lane*	*Shared Bicycle & Vehicle Lane*	*On-Street Parking*	*Median*
Freeway or Expressway	As required by the IDOT						
Arterial	•	•	○	○			◊
Collector, Bike Lane & Median	•	•	○	○			◊
Collector, On-Street Parking	•	•	○		□	○	
Local Nonresidential, Bike Lane & Median	○		○	○			◊
Local Nonresidential, On-Street Parking	○		○		□	○	
Local Residential	○		○		□	○	

Figure 7.5. Arterial Design Standards

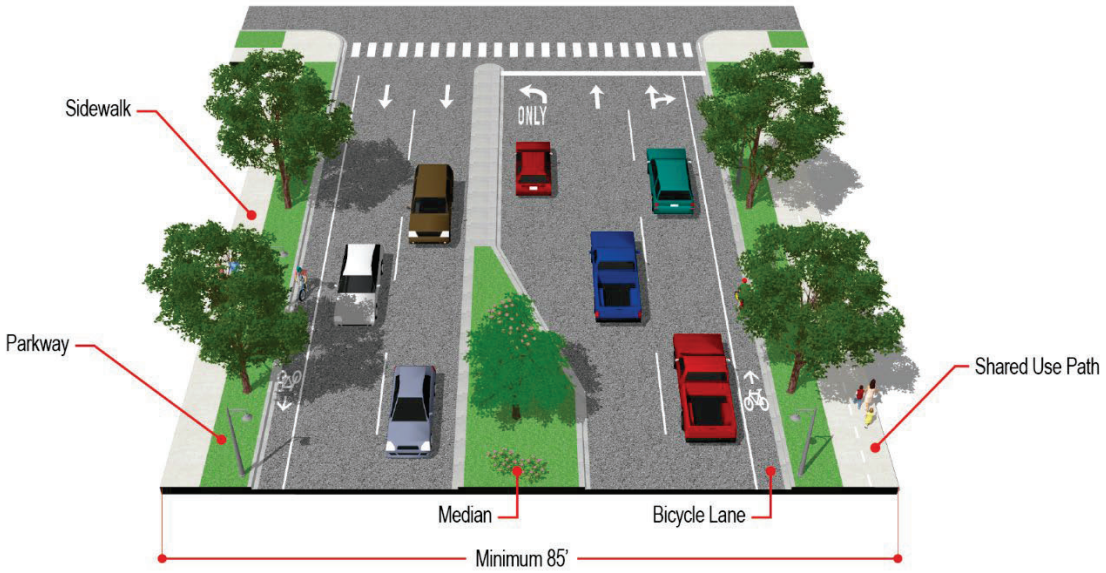


Figure 7.6. Collector Street With Bicycle Lane and Median Standards

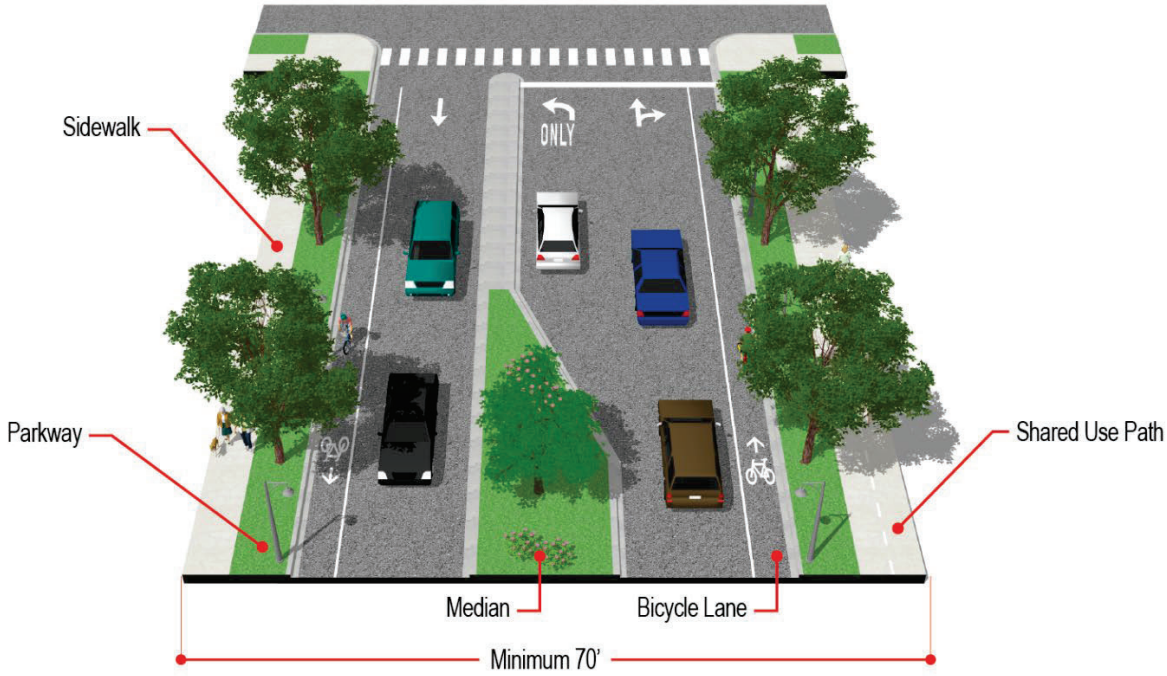


Figure 7.7. Collector Street With On-Street Parking Standards

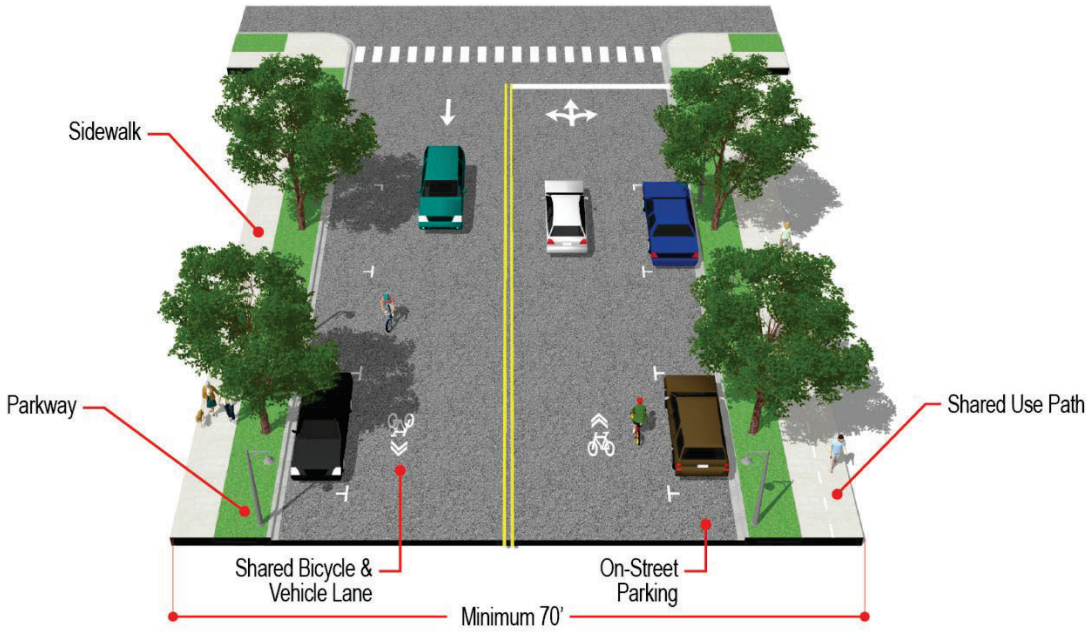


Figure 7.8. Local Nonresidential Street With Bicycle Lane and Median Standards

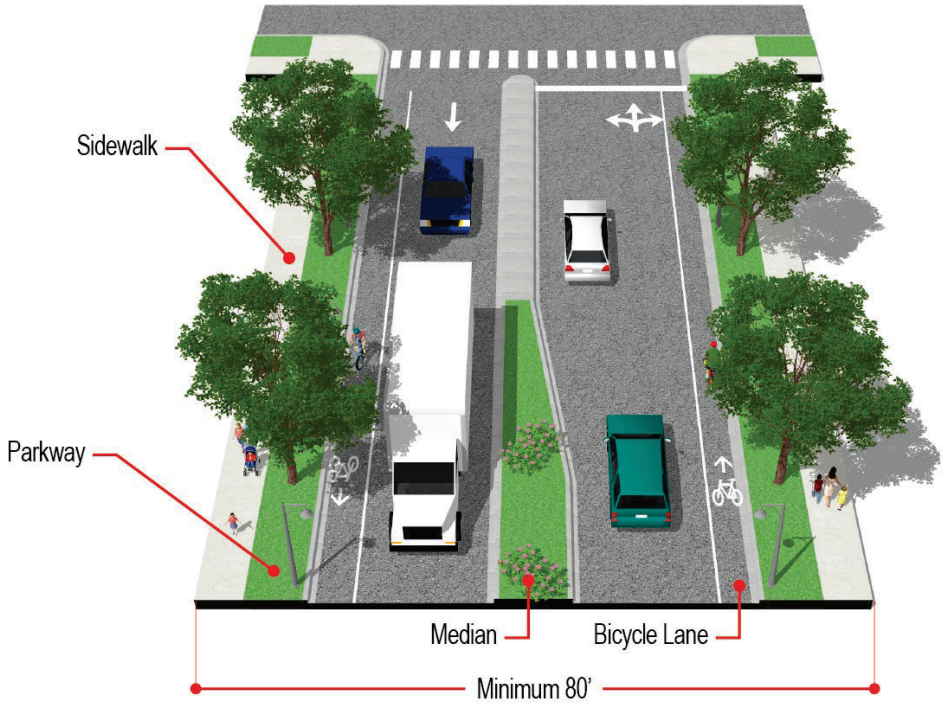


Figure 7.9. Local Nonresidential Street With Bicycle Lane and Median Design Standards

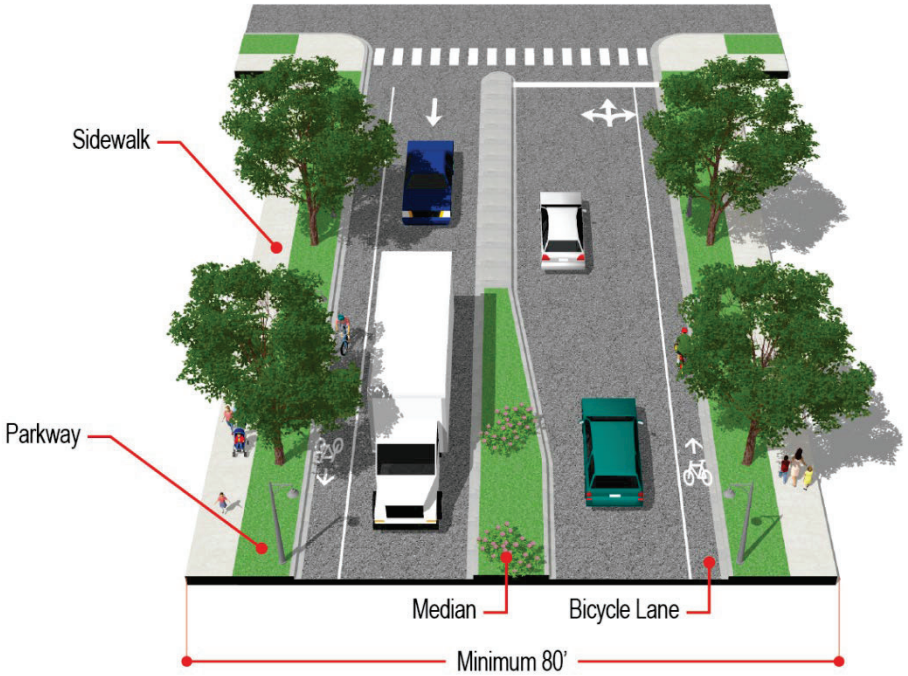
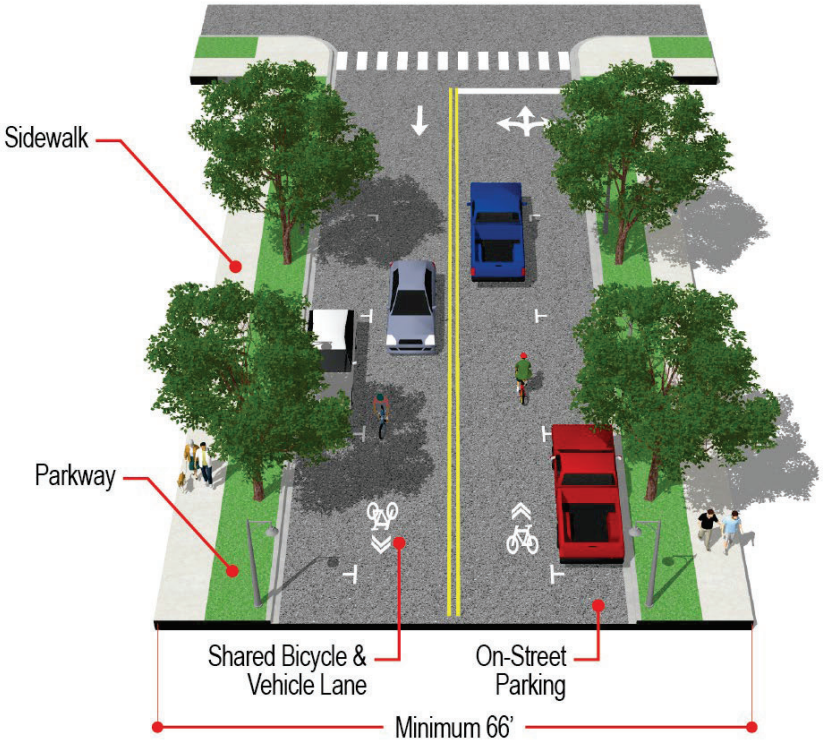


Figure 7.10. Local Residential Street Design Standards



10-7-4. Circulation and Connectivity

A. **Half Streets.**

1. Half streets shall be prohibited, except where the Planning and Zoning Commission deems them essential to the reasonable development of the subdivision and where the Planning and Zoning Commission finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided.

2. A right-of-way width of not less than forty (40) feet, and a pavement width of not less than twenty-two and one-half (22½) feet, shall be required for the half street.

3. Where a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted and constructed within such tract.

4. In cases where half streets are accepted, the owner and subdivider shall be required to grade and improve the half street, the same as all other subdivision streets.

B. **Alleys.**

1. **All Alleys.** All alleys shall be privately maintained.

2. **Commercial and Industrial.** Alleys shall be provided for all commercial and industrial districts, except that the City may waive this requirement where another definite and assured provision is made for service access, such as off-street loading and parking consistent with, and adequate for, the uses proposed.

3. **Residential.** Alleys are encouraged in subdivisions in the R-2D, R-3, and R-4 Districts and when provided shall have a minimum right-of-way width twenty (20) feet. Alleys shall be prohibited in the A-1, R-1, and R-2 Districts, unless deemed necessary by the City Engineer because of topography or other exceptional circumstances.

4. **Dead End.** Dead end alleys shall be avoided where possible, but where unavoidable, shall be provided with an adequate vehicle turn-around at the terminus as determined by the City Engineer.

5. **Obstructions.** No obstructions shall be permitted in areas reserved for alleys.

10-7-5. Easements

A. **Utility Easements Required.**

1. Utility easements at least ten (10) feet wide shall be provided at the rear of all lots and shall be centered on the rear or side lot lines, unless otherwise approved by the City Council due to topography, natural features, or other site constraints.

2. Utility easements may be required at other locations than the rear of lots and at greater widths than ten (10) feet to accommodate proposed utilities and to provide space for future utilities, as deemed appropriate by the City Engineer.

3. Utility easements shall be provided along both sides of all road right-of-ways.

B. **Stormwater Control Facilities Easements Required.** Easements shall be required for all stormwater control facilities and for overflow routes.

C. **Watercourse Easements Required.** Where a watercourse, drainage channel, stream, or other body of water traverses a subdivision, appropriate dedications or easement provisions, with adequate width to accommodate the observed, computed, or anticipated stormwater drainage through and from the subdivision shall be made. The width of the easement shall depend on the area of land drained by the watercourse and shall be of adequate width to allow access for construction and maintenance equipment.

D. **Transition Area Easements.** Transition zone easements may be required in accordance with the standards of Section 10-5-3(F). If said easement is to also be used for public utilities, only such plant materials that have an ultimate growth not exceeding fifteen (15) feet shall be used.

10-7-6. Water, Sewer, and Stormwater

A. **Water System Connection Required.**

1. All parcels within a subdivision shall be required to connect to the United City of Yorkville's Public Water Supply System, including required water main extensions off-site, to the sizes required by the City.

2. All subdivisions shall provide a looped, double fed water system, and extensions to the boundaries of the development, as directed by the City.

B. **Sanitary Sewer Connection Required.**

1. All parcels within a subdivision shall be required to provide connection to the sanitary sewer system, including required sewer extensions off-site, to the sizes and depths required by the City.

2. The sanitary sewers shall be extended to the far boundaries of the development, as directed by the City.

C. **Stormwater Drainage Required.**

1. Surface water drainage improvements consisting of storm sewers or open channels, inlets, catch basins, manholes, and/or detention facilities, shall be designed and constructed to adequately drain the area being developed and any other areas that naturally drain through the area being developed.

2. If the natural surface water drainage will be changed by the construction of the subdivision, adequate provision shall be made for collection and diversion of such surface waters into public areas or drains which the subdivider has a right to use. Surface waters shall not be deposited on the property of adjoining landowners in a manner that causes erosion or other damage.

3. The property owner shall maintain any drainage course across their property and shall keep their property free from features that restrict the natural drainage.

10-7-7. Cluster Development

Cluster development is allowed in residential subdivisions in the R-1, R-2, and R-2D Districts to encourage and accommodate, in a unified project, creative and imaginative approaches to development that preserve sensitive natural areas and encourage compact, walkable design of subdivisions and neighborhoods.

A. **Resources to be Conserved**. To qualify for cluster development any land located in a special flood hazard area, as determined by the Federal Emergency Management Agency, shall be placed in a conservation easement.

B. **Maximum Density per Acre**. The gross density of a cluster development shall not exceed the maximum dwelling units per acre detailed in Table 10-7-7(B).

Zoning District	Maximum Density
R-1	3.63 dwelling units/acre
R-2	4.36 dwelling units/acre
R-2D	2.90 dwelling units/acre

C. **Maximum Dimensional Standards Reduction**. The dimensional standards established in Table 10-3-9(A) may be reduced by thirty (30) percent or by the cumulative total land area to be placed in a conservation easement, whichever is less.

D. **Density Bonus**. The maximum gross density per acre, per district, may be exceeded by a maximum of thirty (30) percent if either the natural resource conservation or subdivision design standards below are met.

1. **Natural Resource Conservation.** A minimum of one (1) of the following sensitive natural areas are placed in a conservation easement. The maximum allowed density bonus shall be as determined by the City Council and shall be directly tied to the amount of land area placed in a conservation easement.

    a. Native landscapes,

    b. Mature tree stands,

    c. Prime farmland,

    d. Critical habitat, and/or

    e. Other as approved by the Zoning Administrator.

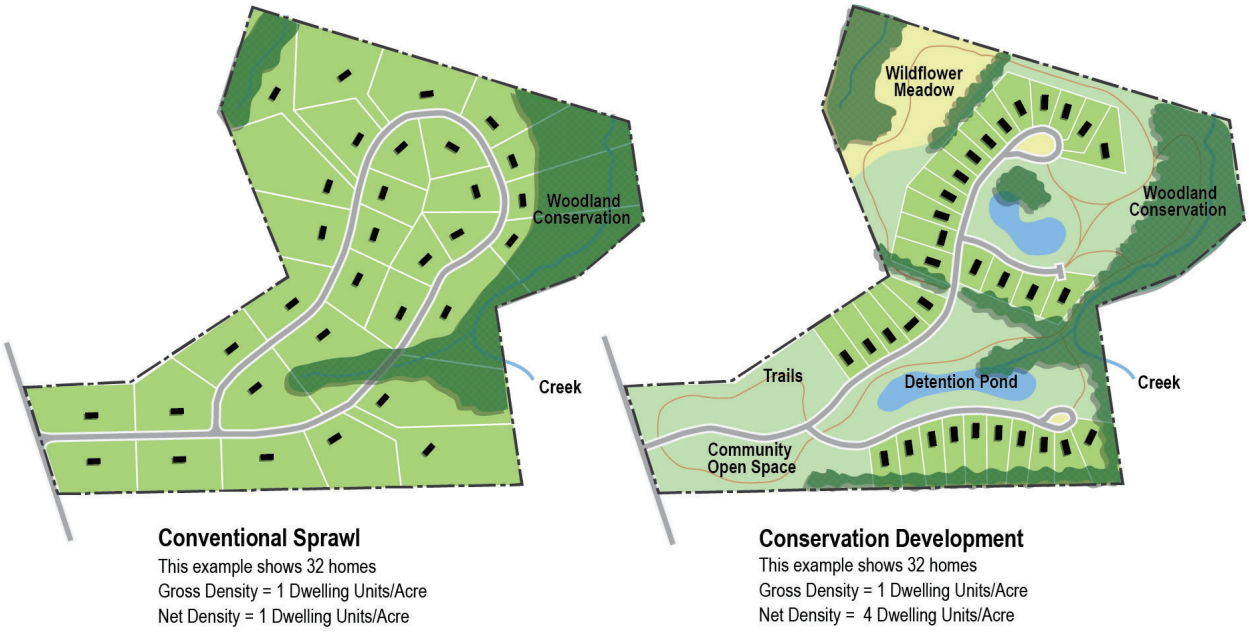
2. **Subdivision Design.** The subdivision provides an enhanced pedestrian environment throughout the neighborhood by fulfilling at least one (1) of the following standards. The maximum allowed density bonus shall be as determined by City Council and shall be directly tied to the enhancements to the pedestrian environment provided.

    a. At least twenty (20) percent of blocks in the subdivision are eight-hundred (800) feet or less in length.

    b. At least twenty (20) percent of the cul-de-sacs in the subdivision are four-hundred (400) feet or less in length.

E. **Planned Unit Development Required.** Any subdivision employing cluster development techniques shall require approval through the Planned Unit Development Process as specified in Section 10-8-8.

Figure 7.11. Cluster Development



10-7-8. Anti-Monotony Standards

A. **Building Variety Standards.**

1. No new single-unit detached or duplex dwelling units shall be similar in appearance to any other single-unit detached or duplex dwelling units within two (2) units on either side of the subject property or on any of the five (5) units across the street from the subject property.

2. On cul-de-sac turnarounds, no single-unit detached or duplex dwelling shall be similar in appearance to another dwelling on the turnaround.

B. **Similarity Standards.** Any two (2) dwelling units shall be considered similar in appearance if they are identical or nearly identical to one another in any three (3) or more of the following characteristics:

1. Roof type (gable, hip, mansard, gambrel, flat, or combination);

2. Similar roof pitch at an angle of ten (10) degrees or less;

3. Dimensions (height and/or length) of the front wall closest to the front lot line that are within twenty (20) percent the same as either the height or width shall constitute similarity;

4. Shape of the front elevation silhouette;

5. Relative location and size of windows on the front elevation;

6. Relative location and dimensions of garage door(s), if included on the front elevation; and

7. Type(s) of exterior building cladding materials on the front elevation. The following differences in construction material shall be deemed sufficient to render buildings containing such changes and built on adjacent lots to be dissimilar.

    a. Four (4) inch exposure horizontal siding;

b. Eight (8) inch exposure horizontal siding;

c. Brick facing;

d. Vertical siding;

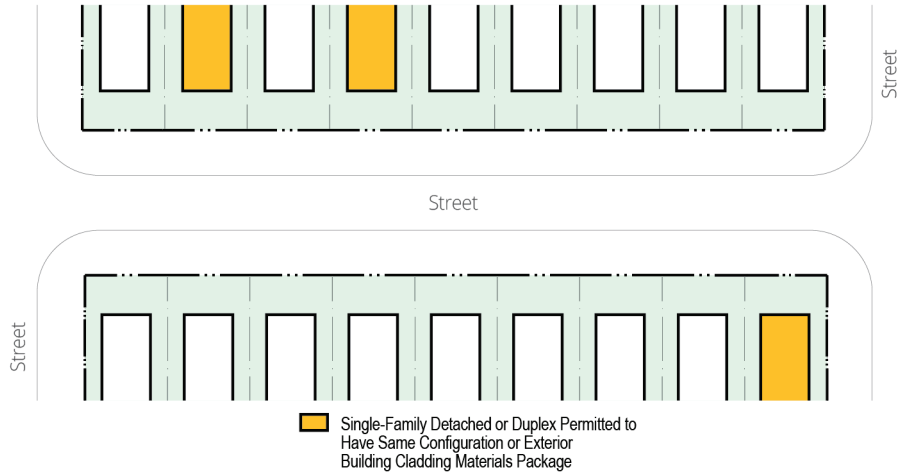
e. Stone facing; and

f. Stucco/staccato board and trim.

g. When materials are changed, the change must occur throughout the front facade or elevation for a minimum of one story in height.

h. Color change shall be made by significant changes in adjacent colors. The change must be one of color rather than merely of the shade.

Figure 7.12. Anti-Monotony Standards



10-7-9. Park and Recreation Land and School Site Dedication

As a condition of approval of a final plat of a subdivision, the developer shall dedicate land for park and recreational purposes and for school sites to serve the needs of residents of the development, or a cash contribution in lieu of the land dedication, or a combination of both, at the discretion of the City, in accordance with the criteria and formula below.

A. **Criteria For Requiring Park and Recreation Land Dedication.**

1. **Requirements and Population Ratio.** The quantity of land required for park dedication shall result directly from the total population of the proposed development. The total requirement shall be five and one half (5 ½) acres of land per one thousand (1,000) residents. The required five and one-half (5 ½) acres shall be allocated into different types of recreation areas as shown in Table 10-7-9(A)(1), or as may be required by City Council at its discretion.

Table 10-7-9(A)(1): Parkland Dedication Requirements		
Type of Recreation Area	**Size Range**	**Minimum Acres Per 1,000 People**
Play lot	Minimum - 8,000 square feet	n/a
School/park (neighborhood playground)	Minimum - 5 acres	1.25
Neighborhood park	Minimum - 3 1/2 acres	1
District-wide park or play field	Minimum - 4 acres, up to 30 acres	1.25
Community-wide recreation park	Minimum - 12 acres, up to 30 acres	2
Total		5.5

B. **Criteria For School Site Dedication.**

1. **Requirement and Population Ratio.** The required dedication of land for school sites shall depend on the quantity of students projected to be generated within the subdivision. The land dedication requirement shall be determined by obtaining the ratio of the maximum number of students to be served in each such school classification as defined in Table 10-7-9(B)(1) and the minimum number of acres for a school site of each school classification defined in Table 10-7-9(B)(1). The product shall be the number of acres of land required for sufficient school sites to serve the estimated children in each such school classification.

Table 10-7-9(B)(1): School Dedication Requirements		
School Classification Grade	**Maximum Number of Students For Each School Classification**	**Minimum Number of Land Acres For Each School Site For Such Classification**
Elementary Schools - Grades K-5	600 students	11 acres
Junior High Schools - Grades 6-8	900 students	19 acres
High Schools - Grades 9-12	2,300 students	48 acres

C. **Contribution in Lieu Procedure.** At the City's discretion, it may require the developer to pay a contribution in lieu of the land dedication required. The cash contribution required in lieu of park and recreation and/or school facilities shall be per the City's adopted ordinances. The cash contributions in lieu of park and recreation land dedication shall be held in trust solely for the acquisition of park and recreation land which will be available to serve the needs of the residents of the subdivision.

D. **Estimated Population Per Dwelling Unit.** Table 10-7-9(D) of population density shall be used to calculate the quantity of dedicated acres of land for parkland or schools or to determine the required cash contribution in lieu of.

Table 10-7-9(D): Estimated Population Per Dwelling Unit

Type of Unit	Preschool	Elementary	Junior High	High School	Adults	Total Per Dwelling Unit
	0-4 Years	5-10 Years	11-13 Years	14-17 Years	18+ Years	All Ages
Dwelling, Single-Unit						
2 Bedroom	0.113	0.136	0.048	0.020	1.700	2.017
3 Bedroom	0.292	0.369	0.173	0.184	1.881	2.899
4 Bedroom	0.418	0.530	0.298	0.360	2.158	3.764
5 Bedroom	0.283	0.345	0.248	0.300	2.594	3.770
Dwelling Duplex, Dwelling, Townhome						
1 Bedroom	0.000	0.000	0.000	0.000	1.193	1.193
2 Bedroom	0.064	0.088	0.048	0.038	1.752	1.990
3 Bedroom	0.212	0.234	0.058	0.059	1.829	2.392
4 Bedroom	0.323	0.322	0.154	0.173	2.173	3.145
Dwelling, Multi-Unit						
Efficiency	0.000	0.000	0.000	0.000	1.294	1.294
1 Bedroom	0.000	0.002	0.001	0.001	1.754	1.758
2 Bedroom	0.047	0.086	0.042	0.046	1.693	1.914
3 Bedroom	0.052	0.234	0.123	0.118	2.526	3.053

Note: Estimated population per dwelling unit formula is based on standards in use in the Village of Sleepy Hollow, Illinois

Chapter 8. UDO Review and Approval Procedures

10-8-1. Administrative Authorities 1
10-8-2. General Application Requirements 4
10-8-3. Permits, Certificates, and Administrative Review 5
10-8-4. Board/Commission General Review and Action Procedures 10
10-8-5. Special Uses 11
10-8-6. Subdivision Procedures 15
10-8-7. Required Improvements. 20
10-8-8. Planned Unit Development 23
10-8-9. Variations 28
10-8-10. Appeals 30
10-8-11. Text Amendments 31
10-8-12. Map Amendments 32
10-8-13. Annexations 34
10-8-14. Economic Incentive/Development Agreement 35

10-8-1. Administrative Authorities

A. **Zoning Administrator.** The Director of the Department of Community Development shall be the Zoning Administrator and shall enforce and administer the regulations of this Title, including the following responsibilities:

1. Assist in providing public information relative to all matter pertaining to this title and open records for public inspection, as deemed required by law.
2. Receive and review applications for all procedures related to this Title.
3. Receive applications for County mile and one-half reviews and forward to the Planning and Zoning Commission and City Council.
4. Forward materials to the applicable review and/or decision-making committees as applicable.
5. Interpret the regulations when questions arise, including but not limited to:
    a. Determine which uses, though not contained by name in a zoning district list of permitted uses, are of the same general character and permit their establishment.
    b. Determine the parking or loading class of a use which is not contained by name in a parking or loading class.
6. Maintain permanent and current records pertaining to this Title, including, but not limited to, all maps, amendments, variations, appeals, and publications thereof.
7. Administer the comprehensive plan and interpret the provisions pertaining to building and site design considering such factors as contextual appropriateness, consistency with the City's general policies, and community need or benefit.

8. Identify all nonconforming structures and uses.
9. Delegate other duties as may be placed upon them by this Title.

B. **Zoning Officer.** The Building Code Official shall be the Zoning Officer and be responsible for enforcing this Title, including the following responsibilities:

1. Issue all certificates of use and occupancy and maintain records thereof.
2. Conduct inspections of building, structures, and use of land to determine compliance with the terms of this Title.
3. Issue violation notices and citations for violations of this Title.
4. Require that all construction or work of any type be stopped when such work is not in compliance with this Title; and revoke any permit which was unlawfully issued.
5. Review all cases of encroachment in required yards.
6. Issue citations and notify violators from decisions made by the Administration Adjudication Hearing Officer, Planning and Zoning Commission and City Council.

C. **Plan Council.** The Plan Council may consist of the City Administrator, Community Development Director, City Engineer, Building Code Official, Public Works Director, Director of Parks and Recreation, Police Chief, Sanitary District Director, Fire District representative, or designee from each respective department. The Plan Council shall have the following responsibilities and procedures:

1. The Plan Council shall meet on an as needed basis and the petitioner(s) shall also be present at the meeting.
2. The City Administrator shall have final authority regarding members and meeting schedule for the Plan Council.
3. Review all development applications, requests, and documents including but not limited to site plans, concept plans, annexations, planned unit developments, map amendments, text amendments, special use, variance, preliminary and final plats for compliance with City ordinances, standards, and policies.
4. Work cooperatively with the applicant(s) to find mutually acceptable site design and improvement solutions to specific site problems, in accordance with City ordinances, standards and policies.
5. Prepare recommendations based upon review of site plans and documents to the applicant(s), committee(s), and Planning and Zoning Commission prior to holding of a public hearing on the application.

D. **Economic Development Committee.** The Economic Development Committee consists of four (4) City Council members which are appointed by the mayor and shall have the following authorities and responsibilities:

1. Review development applications and serve as an advisory body to any petitioner(s) seeking approval on all documents including but not limited to text amendments, map amendments, planned unit developments, variations, special uses, and plat applications.
2. Comments and advice given by the Economic Development Committee to any petitioner(s) is for general informational knowledge and to address any potential issues with an application with regards to City ordinances, standards, and policies.

E. **Planning and Zoning Commission.** The Planning and Zoning Commission, which has been created and appointed by the mayor, shall have the following authorities and responsibilities.

1. To hear and make recommendations to the Mayor and City Council on all applications including but not limited to text amendments, map amendments, planned unit developments, variations, special uses, and plat applications.
2. To initiate, direct, and review, from time to time, studies of the provisions of this Title, and to make reports of its recommendations to the Mayor and City Council.

3. To perform such duties of a Plan Commission as authorized by division 12 of the Illinois Municipal Code (65 ILCS 5/11-12-1 et seq.).

4. To hear and make recommendations to the Mayor and City Council on all matters upon which it is required to pass under this Title.

5. To prepare and recommend to the Mayor and City Council a comprehensive plan or updates thereto for the present and future development or redevelopment of the City.

6. To hear and act upon requests for interpretations of this Title and appeals of decisions made by the Zoning Administrator or Zoning officer.

7. To hear and decide all matters referred to it and upon which it is required to pass under the zoning ordinance as prescribed by statute.

8. To perform such duties of a Zoning Board of Appeals as authorized by division 13 of the Illinois Municipal Code (65 ILCS 5/11-13-1 et seq.).

9. Grant authorized Variations from the regulations as stated in Section 10-8-9 of this Title.

10. To perform such additional duties as are outlined in this Ordinance, the City of Yorkville Code of Ordinances, or the Illinois Municipal Code.

10-8-2. General Application Requirements

A. **Authorization**.

1. An application for any request or procedure, except for amendments, may be filed only by the owner or lessee of the property, or by an agent or contract purchaser specifically authorized by the owner to file such application.
2. An application for an amendment may be filed by an owner, lessee, agent, or contract purchaser of property located in the City or by the City Council, Planning and Zoning Commission, Zoning Administrator, or City Administrator.

B. **Filing**.

1. An application for any request or procedure shall be filed with the Zoning Administrator.
2. The application shall be on forms provided by the City and shall be filed in such number as the instructions provide.
3. All plans shall be at a scale sufficient to permit a clear and precise understanding of the proposal.
4. The application shall include all information, plans, and data, specified in the forms provided by the City and sufficient to determine whether the application will conform to the requirements set forth in this Title.

C. **Completeness**.

1. The Zoning Administrator shall determine whether the application is complete.
2. If the application is not complete, the Zoning Administrator shall notify the applicant of any deficiencies and shall take no steps to process the application until the deficiencies are remedied.
3. **Dormant Applications.**
    a. If the Zoning Administrator determines that the application is incomplete, it will become dormant under these circumstances:
        (1) The applicant has been notified of such deficiencies and has not responded or provided a timeline for completing the application within ninety (90) days from the time of notification.
        (2) The applicant has not responded in writing to a request for information or documentation from staff or the initial Planning and Zoning Commission review within six (6) months from the date of that request.
        (3) The applicant has not responded to a request for legal or engineering deposit replenishment for City incurred costs and fees within ninety (90) days from the date of the request.
    b. If the Zoning Administrator has sent the required notice and the applicant has not withdrawn their application or brought it into compliance, then the director shall terminate the application. After termination, the application shall not be reconsidered except after the filing of a completely new application.
    c. Withdrawal or termination of an application shall not affect the applicant's responsibility for payment of any costs and fees, or any other outstanding debt owed to the city. The balance of any funds deposited with the city that is not needed to pay for costs and fees shall be returned to the applicant.
4. Once the Zoning Administrator has determined that the application is complete, the application shall be scheduled for consideration at the appropriate meeting, as needed.

D. **Fees**.

1. Every application shall be accompanied by the required filing fee as established and modified, from time to time, by the City Council provided in Section 1-7-9 of the Yorkville Municipal Code.
2. No fees shall be waived, and no fees shall be refunded except those authorized by the Mayor, City Administrator, or their designee in their sole discretion.

E. **Withdrawal of Application**. An applicant shall have the right to withdraw an application at any time prior to the decision on the application by the Planning and Zoning Commission or City Council. Such withdrawal shall be in writing.

F. **Successive Applications**.

1. A subsequent application shall not be reviewed or heard within one (1) year of the date of denial unless there is substantial new evidence available or if a significant mistake of law or of fact affected the prior denial.
2. Such subsequent applicant shall include a detailed statement of the grounds justifying its consideration.
3. The Zoning Administrator shall decide as to whether the subsequent application provides substantial new evidence.
4. If the Zoning Administrator finds that there are no grounds for consideration of the subsequent application, they shall summarily and without hearing deny the request.

10-8-3. Permits, Certificates, and Administrative Review

A. **Summary of Administrative Review and Action.** Table 10-8-3(A) summarizes the Administrative Review and Approval Procedures and identifies the administrator that serves as the review and decision-making body.

Table 10-8-3(A): Summary of Administrative Review and Approval Procedures

Administrative Review Procedure	Zoning Administrator	Zoning Officer
Building Permit	○	●
Certificate of Occupancy	○	●
Lot Split	●	
Sign Permit	○	●
Temporary Use Permit	●	○
Key:		
● = Review and Decision Making Body		
○ = Review Body		

B. **Building Permit.**

1. **Permit Required.** A building permit issued by the Zoning Officer shall be required for the construction, reconstruction, enlargement, or relocation of any building or structure. It shall be unlawful for any person to erect, move, add to, or structurally alter any building or structure, or to use or change the use of any building or land without a building permit.
2. **Placement.** The permit shall be posted in a prominent place on the premises prior to and during the period of construction, reconstruction, enlargement, or moving.
3. **Compliance.** Before a building permit is issued for the erection, moving, alteration, enlargement or occupancy of any building or structure or use of premises, the plans and intended use shall indicate conformity in all respects to the provisions of this Title.
4. **Requirements.**
   a. **Site Plan.** Every application for a building permit submitted to the officer shall be accompanied by a site plan and/or plat of survey, drawn to scale, showing the lot and the building site and the location of existing building on the lot, accurate dimensions of the lot, yards and building or buildings, together with locations and uses, together with such other information as may be necessary to the enforcement of this title.
   b. **PIN Number and Address.** Every application shall include the Property Index Number (PIN), lot number, and/or address of the parcel where the improvement is being located.
   c. **Fees.** No approval shall be issued until appropriate fees have been paid as stated in Section 1-7-9 of the Yorkville Municipal Code.

5. **Review Process.**

   a. A building permit application shall be reviewed by both the Zoning Officer and Zoning Administrator or an appointed designee of their choosing.

   b. The Zoning Officer and Zoning Administrator or their appointed designee will ensure that every application is in compliance with this Title and all other adopted municipal regulations.

   c. Site plan review is required prior to the issuance of a building permit to certify compliance and shall be required for any development meeting one of the following criteria.

      (1) New development, including the construction or placement of any new building(s) or expansion of any existing building.

      (2) Any development which will increase the overall impervious lot coverage of a parcel.

      (3) Any development subject to off-street parking and loading requirements.

   d. The Zoning Officer shall act upon each application after it is filed in compliance with the provisions of this Title and provide the applicant(s) with a fee receipt.

   e. In the case that an application is not in compliance with this Title or the application provided insufficient information then the Zoning Officer shall notify the applicant, in writing, of said official's refusal to issue an approval detailing the reason(s) for the refusal.

6. **Expiration and Lapse of Approval**. The applicant shall have six (6) months from the date of approval to secure a building permit to carry out the proposed improvements. If a building permit has not been obtained within six (6) months of the date of approval, the approval shall expire. An extension of the time requirements may be requested in writing and granted by the Zoning Administrator for good cause shown by the applicant, provided a written request is filed with the City at least two (2) weeks prior to the respective deadline.

C. **Certificate of Occupancy.**

1. A Certificate of Occupancy shall be required for any of the following, except buildings incidental to agricultural operations other than residences:

   a. Occupancy and use of a building hereafter erected or enlarged.

   b. Change in the use of an existing building.

   c. Occupancy and use of vacant land except for the raising of crops.

   d. Change in the use of land to a use of a different classification except for the raising of crops.

   e. Any change in the use of a nonconforming use.

2. No such occupancy, use or change of use shall take place until a Certificate of Occupancy therefor shall have been issued.

3. **Review Process.**

   a. A Certificate of Occupancy shall be reviewed by both the Zoning Officer and Zoning Administrator.

   b. The Zoning Officer and Zoning Administrator shall ensure that every application is in compliance with this Title and all other adopted municipal regulations.

   c. **Zoning Officer Action.** The Zoning Officer shall act on an application for a Certificate of Occupancy within ten (10) business days after a written request for the same has been submitted to the Zoning Officer.

4. **Temporary Certificate of Occupancy.** Pending the issuance of such a certificate, the Zoning Officer may issue a temporary Certificate of Occupancy for a period of not more than six (6) months during the completion of the construction of the building or of alterations which are required under the terms of any law or ordinance.

    a. **Renewal.** Such temporary certificate may be renewed an additional six (6) months, but it shall not be construed in any way to alter the respective rights, duties, or obligations of the owner or of the City relating to the use or occupancy of the land or building, or any other matter covered by this title, and such temporary certificates shall not be issued except under such restrictions and provisions as will adequately ensure the safety of the occupants.

5. **Records Of Action.** A record of all certificates of occupancy shall be kept on file by the Zoning Officer and a copy shall be forwarded, on request, to any person having proprietary or tenancy interest in the building or land affected.

D. **Lot Splits.**

1. **Applicability**. A lot split is a subdivision which meets any one (1) if the following conditions.

    a. The split of a single lot into three (3) or fewer lots.

    b. Subdivisions solely for the creation of public right of way or other public tracts of land.

    c. Lot line or boundary adjustments to a filed Final Plat.

    d. Correction of errors or omissions on a filed Final Plat, such as legal description errors, typographical and mapping errors, lot identification errors, and surveyor corrections.

2. **Lot Split Review Criteria.**

    a. **Comprehensive Plan Alignment**. The Lot Split is consistent with the goals, objectives, and policies set forth in the Comprehensive Plan and other adopted plans and policy documents of the City.

    b. **Compliance**. The Lot Split is consistent with the provisions of this Title and the governing zoning district.

3. **Zoning Administrator Review and Action.** Upon the determination of completeness, the application shall be reviewed by the Zoning Administrator to ensure the application conforms to the criteria in Subsection 2 above. Based upon their review, the Zoning Administrator shall approve or deny the Lot Consolidation/Split application in writing.

4. **Advancement To Variance.** The Zoning Administrator may advance any Lot Consolidation/Split application to a Subdivision in instances that, in the opinion of the Zoning Administrator, require public input and review by the Planning and Zoning Commission to approve or deny. Any Lot Consolidation/Split advanced to a Subdivision shall follow the procedure in Section 10-8-6.

E. **Sign Permit.**

1. **Purpose**. A Sign Permit shall be required prior to the display, copy change, construction, erection, or alteration of a sign, and its structural components, on any property to verify compliance with all applicable standards of this Title and the applicable sections of the building code as adopted by the City. All electrical installations associated with the erection and installation of a sign must be done in accordance with the adopted Building and Electrical Codes.

2. **Exemptions**. Signs exempt from a permit are listed in Section 10-6-4 of this Title.

3. **Sign Permit Review Criteria**. To approve the issuance of a Sign Permit, the Zoning Administrator and Zoning Officer shall make an affirmative finding that all applicable provisions of this Title, the Building Code, and all other City ordinances are met.

4. **Review Process.**

    a. A Sign Permit application shall be reviewed by both the Zoning Officer and Zoning Administrator.

b. The Zoning Officer and Zoning Administrator shall ensure that every application complies with this Title, the Building Code, and all other adopted municipal regulations.

c. **Zoning Officer Action.** Based upon their review, the Zoning Officer shall approve or deny the Sign Permit application in writing.

5. **Expiration and Lapse of Approval**. A Sign Permit shall become null and void, if work authorized under the permit has not been completed within six (6) months of the date of issuance.

6. **Comprehensive Sign Plan**. Signage may also be approved through a Comprehensive Sign Plan as specified in Section 10-6-8.

F. **Temporary Use Permit.**

1. **Purpose.** A Temporary Use Permit shall be required prior to the commencement of a Temporary Use identified in Table 10-3-12.

2. **Temporary Use Permit Review Criteria**. To approve a Temporary Use Permit, the Zoning Administrator shall make an affirmative finding that the following criteria are met:

a. **Land Use Compatibility**. The Temporary Use shall be compatible with the purpose and intent of this Title and the district in which it will be located. The Temporary Use shall not impair the normal, safe, and effective operation of a permanent use on the same site. The Temporary Use shall not endanger or be materially detrimental to the public health, safety, or welfare, or injurious to property or improvements in the immediate vicinity, given the nature of the activity, its location on the site, and its relationship to parking and access points.

b. **Compliance with Other Regulations**. A Building Permit or temporary Certificate of Occupancy may be required before any structure used in conjunction with the Temporary Use Permit is approved, constructed, or modified. All structures and the site shall meet all applicable building code, UDO, and fire code standards and shall be promptly removed upon the cessation of the use or event. Upon cessation of the use or event, the site shall be returned to its previous condition, including the removal of all trash, debris, signage, attention attracting devices, or other evidence of the special event or use.

c. **Hours of Operation and Duration**. The duration and hours of operation of the Temporary Use shall be consistent with the intent of the event or use, and compatible with the surrounding land uses. The duration and hours of operation shall be established by the Zoning Administrator at the time of approval of the Temporary Use Permit.

d. **Traffic Circulation**. The Temporary Use shall not cause undue traffic congestion or accident potential given anticipated attendance and the design of adjacent streets, intersections, and traffic controls, as determined by the City Engineer.

e. **Off-Street Parking**. Adequate off-street parking shall be provided for the Temporary Use, as determined by the Zoning Administrator, and it shall not create a parking shortage for any of the other existing uses on the site.

f. **Public Conveniences and Litter Control**. Adequate on-site restroom facilities and on-site solid waste containers may be required as deemed appropriate by the Zoning Administrator. The applicant shall provide a written guarantee that all litter generated by the event or use shall be removed at no expense to the City.

g. **Appearance and Nuisances**. The Temporary Use shall be compatible in intensity, appearance, and operation with surrounding land uses, and shall not impair the usefulness, enjoyment, or value of adjacent property due to the generation of noise, dust, smoke, glare, spillover lighting, or other forms of environmental or visual pollution.

h. **Other Conditions**. The Zoning Administrator may establish any additional conditions deemed necessary to ensure land use compatibility and to minimize potential adverse impacts on nearby uses, including, but not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, screening/buffering

requirements, and guarantees for site restoration and cleanup following the Temporary Use. Conditions may include, but shall not be limited to:

(1) Modifications or restrictions on the hours of operation, duration of the event, size of the activity or other operational characteristics.

(2) If the permit applicant requests the City to provide extraordinary services or equipment or if the Zoning Administrator otherwise determines that extraordinary services (e.g., traffic control or security personnel) or equipment should be provided to protect public health or safety, the applicant shall pay to the City a fee sufficient to reimburse the City for the costs of these services if not provided by the applicant. This requirement shall not apply if the event or use has been anticipated in the budget process and sufficient funds have been included in the budget to cover the costs incurred.

3. **Review Process.**

a. A Temporary Use Permit shall be reviewed by both the Zoning Officer and Zoning Administrator or an appointed designee of their choosing.

b. The Zoning Officer and Zoning Administrator shall ensure that every application complies with this Title, the Building Code, and all other adopted municipal regulations.

c. **Zoning Administrator Review and Action.** Upon determination of completeness, the application shall be reviewed by the Zoning Administrator to ensure the application conforms to the criteria in Subsection (F)(2) above. Based upon their review, the Zoning Administrator shall approve or deny the Temporary Use Permit application in writing.

10-8-4. Board/Commission General Review and Action Procedures

A. **Summary of Board/Commission Review and Approval Procedures.** Table 10-8-4(A) summarizes the Board and Commission Review and Approval procedures and identifies the appropriate boards or commissions that serve as recommending or decision-making bodies.

Table 10-8-4(A): Summary of Board/Commission Review and Approval Procedures				
Petition Review Procedure	**Plan Council**	**Economic Development Committee**	**Planning and Zoning Commission**	**City Council**
Special Use	A	A	R[1]	D
Subdivision	A	A	R	D
Planned Unit Development	A	A	R[1]	D
Variation	A	A	R[1]	D
Appeal			D	
Text Amendment		A	R[1]	D
Map Amendment	A	A	R[1]	D
Annexations	A	A		D
Economic Incentive/Development Agreement	A[2]	A		D
Key:				
A = Advisory Body				
R = Recommending Body				
D = Decision Making Body				
1 = Public Hearing Notice Required				
2 = Optional Review Step at the Zoning Administrator's discretion				

B. **Notice Requirements.**

1. **Notice Requirements by Procedure.** Table 10-8-4 (B)(1) summarizes the notice requirements per Board and Commission review and approval procedure.

Table 10-8-4(B)(1): Notice Methods by Board/Commission Review and Action Procedure		
Petition Review Procedure	**Published Notice**	**Mailed Notice**
Special Use	●	●
Special Use Major Amendment	●	●
Planned Unit Development	●	●
Planned Unit Development Major Amendment	●	●
Variation	●	●
Map Amendment	●	●
Text Amendment	●	
Annexations	●	●
Economic Incentive/Development Agreement		
Key:		
● = Required Notice Method		

2. **Published Notice.** The City shall cause a notice to be published in a newspaper of general circulation within the City. The notice shall include the date, time, place and purpose of such hearing, the name of the applicant and the address of the subject property. Such notice shall be published not less than fifteen (15) days nor more than thirty (30) days in advance of the scheduled hearing date.

3. **Mailed Notice.** The applicant shall mail notice by certified mail properly addressed as shown on the county tax assessor's rolls and with sufficient postage affixed thereto, with return receipt requested, to all owners of record whose lot or portion of a lot lies within five-hundred (500) feet of the applicable site's outermost property line.

    a. **Affidavit Required.** The applicant shall file a sworn affidavit containing a complete list of the names and last known addresses of all owners of record entitled to notice and served, and attach thereto all United States Post Office return receipts as documentation of compliance with provisions in this subsection 3. Such affidavit and the return receipts must be submitted to the Zoning Administrator no later than twenty-four (24) hours in advance of the public hearing.

4. **Cost of Notice**. All costs associated with mailed and published notice, as required by this UDO, shall be the responsibility of the applicant.

C. **Recording of Documents**. Recording of documents as required by the City in instances of special use, variation, subdivision, consolidation, amendment, or Planned Unit Development or otherwise required by state statutes, shall be completed by the City Clerk and at the expense of the applicant. Notice of all fees shall be furnished to the applicant by the Zoning Administrator and paid prior to the recording of documents.

10-8-5. Special Uses

A. **Purpose.** The Special Use process is intended to provide the City additional discretion in the approval process for uses which, because of their unique characteristics, require additional consideration due to the potential impact on neighboring land and of the public need for the particular use at the particular location.

B. **Procedure.** The Special Use process will require the review of the following bodies unless otherwise determined by the Zoning Administrator:

1. **Plan Council.** The Plan Council shall review the application and report to the Planning and Zoning Commission its findings and recommendations.

    a. A community meeting of area/neighborhood property owners explaining the proposed Special Use conducted by the petitioner at their own expense and at a location of their choosing may be required as a recommendation from the Plan Council prior to the Planning and Zoning Commission public hearing date.

2. **Economic Development Committee.** The Economic Development Committee shall review the application and report to the Planning and Zoning Commission its findings and recommendations.

3. **Planning and Zoning Commission.** The Planning and Zoning Commission shall hold a public hearing on the application. The Planning and Zoning Commission shall report to the City Council its findings and recommendations, including the recommended stipulations of conditions and guarantees as part of the approval.

4. **City Council.** The City Council shall consider the Planning and Zoning Commission's recommendation, the Zoning Administrator report, and public comment received at the Planning and Zoning Commission public hearing, and shall approve, conditionally approve, or deny the Special Use, or refer the Special Use back to the Planning and Zoning Commission for further consideration.

5. **Recordation.** Any approved Special Use shall be recorded with the City Clerk.

C. **Protest.** In the event of written protest against any proposed Special Use, signed and acknowledged by the owners of twenty (20) percent of the frontage adjacent thereto, or across an alley, or directly opposite therefrom, such Special Use shall not be granted except by the favorable vote of two-thirds (⅔) of all members of the City Council. In such cases of written protest, a copy of the written protest shall be served by the protestor(s) on the applicant for the proposed Special Use and a copy upon applicant's Attorney, if any, by certified mail at the address of such applicant and attorney shown in the application for the proposed Special Use.

D. **Standards.** No Special Use shall be recommended by the Planning and Zoning Commission or approved by the City Council unless the following are found:

1. The establishment, maintenance or operation of the Special Use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

2. The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within or near the neighborhood in which it is to be located.

3. The establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

4. Adequate utilities, access roads, drainage or other necessary facilities have been or shall be provided.

5. Adequate measures shall be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.

6. The proposed Special Use is not contrary to the objectives of the City's adopted Comprehensive Plan.

E. **Conditions and Guarantees.** Prior to the granting of any Special Use, the Planning and Zoning Commission may recommend and the City Council may require conditions and restrictions, upon establishment, location, construction, maintenance, and operation of the Special Use as deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in Subsection F of this section. In all cases in which Special Uses are considered the Planning and Zoning Commission may recommend and the City Council may require such evidence and guarantees as it may deem necessary as proof that the conditions in connection with the Special Use are being and will be complied with as required.

F. **Approval.** Any application for a Special Use which fails to receive a majority vote for favorable recommendation or favorable recommendation with conditions from the Planning and Zoning Commission shall not be approved except by the favorable vote of two-thirds (⅔) of all the members of the City Council, and any Special Use application which receives the favorable recommendation or favorable recommendation with conditions from the Planning and Zoning Commission may be denied by a majority vote of the City Council.

G. **Expiration and Lapse of Approval.** In any case where a Special Use has been granted pursuant to the provisions of this chapter, such approval shall become null and void unless it is constructed and in active use within three (3) years of the date of issuance. An applicant may request an extension of an additional year, to be approved by a majority vote of the City Council.

H. **Amendments to Approved Special Uses.**

1. **Determination of Level of Change**. Upon receiving a Special Use amendment application, the Zoning Administrator shall determine whether the amendment is a minor amendment, or a major amendment based on the criteria detailed in Section 10-8-5(H)(2) below.

2. **Major Amendment.** A major amendment is any proposed change to an approved Special Use that results in one or more of the following:

a. Increase in the intensity of the site's use,

b. Additional noise, glare, odor, or other impacts that are detectable from off-site

c. Affects the subject property in a manner that inhibits its continued use or reuse, or

d. Results in a change inconsistent with any standards or conditions imposed by the City Council in approving the Special Use, as determined by the Zoning Administrator

3. **Minor Amendment.** A minor amendment is any proposed change to an approved Special Use that is consistent with the standards and conditions upon which the Special Use was approved, which does not alter the concept or intent of the Special Use and is not considered a major amendment as detailed in Section 10-8-5(H)(2).

4. **Approval Process.**

   a. **Major Amendments.** A major amendment to an approved Special Use shall follow the procedure for a Special Use approval set in Section 10-8-5(B).

   b. **Minor Amendments.**

      (1) **Zoning Administrator Review.** The minor amendment shall be reviewed by the Zoning Administrator for compliance with the Comprehensive Plan and the applicable standards of this UDO. The Zoning Administrator shall then make a recommendation to City Council to approve or deny the application.

      (2) **City Council Review.** The minor amendment shall be reviewed by the City Council to ensure that the application meets the applicable review criteria. Based on the review, the City Council shall approve or deny the application. Any amendment shall not be approved except by the favorable vote of two-thirds (⅔) of all the members of the City Council. Any minor amendment shall be approved by the City Council by ordinance.

      (3) **Recordation.** The minor amendment shall be recorded with the City Clerk.

Figure 8.1. Special Use Procedure

10-8-6. Subdivision Procedures

A. **Purpose.** The purpose of this section is to establish the procedures regarding the subdivision, development, and platting of land, the preparation of plats, installation of utilities, and extension of streets and highways.

B. **General Provisions.**

1. **Zoning District Compliance.** No subdivision shall be approved unless it conforms to all of the requirements of this Title. Whenever there is a discrepancy between minimum standards or dimensions of this Title, building codes or other adopted regulations, codes, or ordinances, the most restrictive shall apply.

2. **Comprehensive Plan Conformance.**

a. All proposed subdivisions shall conform to the most recently adopted Comprehensive Plan.

b. The arrangement, character, extent, width, grade, and location of all streets shall conform to all the elements of the Comprehensive Plan and shall be designed in accordance with sound planning and engineering principles as well as the improvement provisions outlined in this Section.

3. **Subdivision Review Criteria.**

a. **Comprehensive Plan Alignment**. The Final Plat is consistent with the goals, objectives, and policies set forth in the Comprehensive Plan and other adopted plans and policy documents of the City.

b. **Compliance**. The Final Plat is consistent with the provisions of this Title and the governing zoning district.

C. **Subdivisions.**

1. **Applicability.** Any subdivision of land dividing or consolidating two (2) or more lots or parcels.

2. **Easements.** When a subdivision will result in a lot having inadequate access to utility easements, dedication of easements will be required in accordance with the requirements of the Zoning Administrator and the City Engineer.

3. **Access and Streets.** The splitting of land shall provide each lot with access to a public street or highway, so that access to each lot is assured.

4. **Preliminary Plan.** The petitioner or landowner may submit for a Preliminary Plan prior to a Final Plat.

a. Approval of the Preliminary Plan is tentative only and shall be effective for a period of twelve (12) months. If the Final Plat has not been recorded within this time limit, the Preliminary Plan must again be submitted for approval, unless upon application by the subdivider, the City Council grants an extension. An extension period shall not exceed two (2) twelve-month periods.

b. The procedure for a Preliminary Plan will follow the procedures outlined in Section 10-8-6(C)(7) of this Title.

5. **Final Plan.** The petitioner or landowner may submit directly for a final plat.

6. **Plat of Subdivision, Plat of Resubdivision or Plat of Consolidation Requirements.**

a. **Size.** The plat of subdivision shall be drawn in ink, at a scale of one (1) inch equals one hundred (100) feet or larger, on a nonfading, stable, Mylar material.

b. **Numbering.** When more than one (1) sheet is used for any document, each sheet shall be numbered consecutively and shall contain a notation giving the total number of sheets in the document and shall show the relation of that sheet to the other sheets.

c. **Information.**

(1) **Legal Description.** Legal descriptions shall commence at the intersections of section lines and/or quarter section lines when reasonably practical to do so. The developer shall also submit the final plat to the City in digital form, in a format acceptable to the City. The coordinate system for the final plat shall be the Illinois State Plane Coordinate System, East Zone, NAD 83, or the current National Spatial Reference System.

(2) **Monuments.** All monuments erected, corners, and other points established in the field in their proper places. The material of which monuments, corners, or other points are made shall be noted as the representation thereof, or by legend, except lot corners need not be shown.

(3) **Exterior Boundary Lines.** The exact length and bearing of all exterior boundary lines, public grounds, meander lines, and easements, unless they parallel a noted boundary.

(4) **Widths.** The exact width of all easements, streets, and alleys.

(5) **Lot Lines.** The dimensions of all lot lines, to the nearest one-hundredth of a foot.

(6) **Setback Lines.** Building setback lines on all lots.

(7) **Consecutive Numbering.** All lots consecutively numbered within consecutively numbered blocks.

(8) **Lot Angles.** The number of degrees, minutes, and seconds of all lot angles or bearings of same, other than ninety (90) degrees, except that when the line in any tier of lots is parallel, it shall be sufficient to mark only the outer lots. When any angle is between a curve and its tangent, the angle shown shall be that between the tangent and the main chord of the curve. When between curves of different radii, the angle between the main chords shall be shown.

(9) **Circular Curves.** When a street is on a circular curve, the main chord of the centerline shall be drawn as a dotted line in its proper place; and, either on it, or preferably in adjoining table, shall be noted its bearing and length, the radius of the circle of which the curve is a part, and the central angle extended. The lot lines on the street sides may be shown in the same manner, or by bearings and distances. When a circular curve of thirty-foot radius or less is used to round off the intersection between two (2) straight lines, it shall be tangent to both straight lines; it shall be sufficient to show on the plat the radius of the curve and the tangent distances from the points of curvature to a point of intersection of the straight lines.

(10) **Street Names.** The name of each road or street in the plat shall be printed thereon, which name shall not duplicate the name of any other street, unless it is an extension thereof.

(11) **Abutment.** Abutting state highway lines and streets of adjoining plats shown in their proper location by dotted lines. The width, names, and recording document numbers of these streets and highways and plats shall also be given.

(12) **Dedicated Lands.** All lands dedicated to public or private use, including roads, streets, and existing easements, shall be clearly marked and recording document numbers shown on the plat.

(13) **Watercourses and Drainage.** All watercourses, drainage ditches, and other existing features pertinent to subdivision.

(14) **Access to Lakes or Streams.** Where provisions are made for access from any subdivision to any lake or stream, the plat shall show the area over which the access is provided to the lake or stream, together with a small-scale drawing, clearly indicating the location of the subdivision in relation to the lake or stream, and the location of the area over which access is provided.

(15) **Survey Monuments.** The description and location of all survey monuments placed in the subdivision shall be shown upon final plat. Permanent monuments shall be of concrete, reinforced with one (1) number four

vertical rod, and not less than five (5) inches in diameter by twenty-four (24) inches long or four (4) inches square by twenty-four (24) inches in length, set flush with the adjacent ground. Each permanent monument shall have a suitable mark in the center of the top. Concrete monuments shall be erected at a minimum of two (2) exterior boundary corners. Metal monuments not less than one-half inch in diameter and twenty-four (24) inches in length shall be placed in the ground at all lot corners, intersections of streets, intersections of streets and alleys with plat boundary lines, and at all points on street, alley, and boundary lines where there is a change in direction or curvature. All monuments and stakes shall be set in the ground before the streets and alleys are accepted for public maintenance.

(16) **Survey.** A surveyor holding a current, valid registration in Illinois shall perform the survey, and if the error in the latitude and departure closure of the survey is greater than the ratio of 1/5,000, the plat may be rejected.

(17) **Certificates of Approval.** The current City approved certificates of approval to be shown on final plat, as applicable:

(a) Surveyor.

(b) Owner.

(c) Notary.

(d) City Administrator.

(e) Township Highway Commissioner, if applicable.

(f) County Supervisor of Highways, if applicable.

(g) Illinois Department of Transportation, if applicable.

(h) City Clerk.

(i) City Planning and Zoning Commission, Chairman.

(j) City Council Certificate.

(k) County Clerk.

(l) County Recorder.

(m) City Engineer.

7. **Procedure.** The subdivision process will require the review of the following bodies unless otherwise determined by the Zoning Administrator:

a. **Plan Council.** The Plan Council shall review the Final Plat and report to the Planning and Zoning Commission its findings and recommendations.

(1) A community meeting of area/neighborhood property owners explaining the proposed Subdivision conducted by the petitioner at their own expense and at a location of their choosing may be required as a recommendation from the Plan Council prior to the Planning and Zoning Commission meeting.

b. **Economic Development Committee.** The Economic Development Committee shall review the Final Plan and report to the Planning and Zoning Commission its findings and recommendations.

c. **Planning and Zoning Commission.** After reviewing the Final Plat, the Planning and Zoning Commission shall recommend either approval or denial of the Final Plan to City Council in writing and its reasons for such recommendation.

d. **City Council.** The Final Plat shall be reviewed by the City Council to ensure that the application meets all the applicable review criteria. Based on the review, the City Council shall approve or deny the Final Plat. Any final plat shall be approved by the City Council by ordinance.

e. **Recording of Final Plat.** The Final Plat shall be recorded by ordinance with the County Recorder of Deeds, within ninety (90) days from the date of final approval, or final approval shall be considered null and void. This requirement shall not apply when delay in recording a plat is due to circumstances beyond the control of the City or developer. All necessary fees owed to the City shall satisfied in relation to the project and any required security posted prior to the recordation of the final plat is also required.

D. **Amendments to Approved Subdivisions.**

1. **Determination of Level of Change.** Upon receiving a Subdivision Amendment application, the Zoning Administrator shall determine whether the amendment is a major amendment, or a minor amendment based on the criteria in Section 10-8-6(D)(2) below.

2. **Major Amendment.** A major amendment is any proposed change to an approved Subdivision that results in one or more of the following changes:

   a. Increase in density,

   b. Increase in the number of dwelling units

   c. Reduce open space by more than five (5) percent,

   d. Modify the proportion of the housing types proposed,

   e. Change parking areas in a manner that is inconsistent with those in the approved subdivision,

   f. Alter alignment of roads, utilities, or drainage, or

   g. Result in any other change inconsistent with any standard or condition imposed by the City Council in approving the Subdivision as determined by the Zoning Administrator.

3. **Minor Amendment**. A minor amendment is any proposed change to an approved Subdivision that is consistent with the standards and conditions upon which the Subdivision was approved, which does not alter the concept or intent of the Subdivision and is not considered a major amendment as detailed in Section 10-8-6(D)(2).

4. **Approval Process.**

   a. **Major Amendments.** A major amendment to an approved Subdivision shall follow the procedure set in Section 10-8-6(C)(7).

   b. **Minor Amendments.** A minor amendment to an approved Subdivision shall be reviewed as follows.

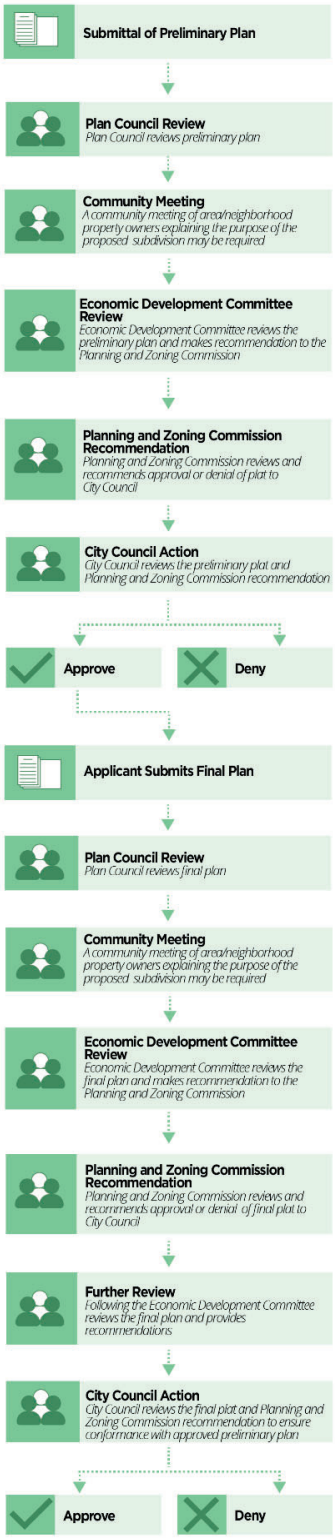
      (1) **Zoning Administrator Review.** The minor amendment shall be reviewed by the Zoning Administrator for compliance with the Comprehensive Plan and the applicable standards of this UDO. The Zoning Administrator shall then make a recommendation to City Council to approve or deny the application.

      (2) **City Council Review.** The minor amendment shall be reviewed by the City Council to ensure that the application meets all the applicable review criteria. Based on the review, the City Council shall approve or deny the minor amendment. Any minor amendment shall be approved by the City Council by ordinance.

      (3) **Recordation.** An approved minor amendment shall be recorded by ordinance with the County Recorder of Deeds, within ninety (90) days from the date of final approval, or final approval shall be considered null and void. This requirement shall not apply when delay in recording a plat is due to circumstances beyond the

control of the City or developer. All necessary fees owed to the City shall be satisfied in relation to the project and any required security posted prior to the recordation of the final plat is also required.

Figure 8.2. Subdivision Procedure



10-8-7. Required Improvements.

1. **Improvement Requirements Prior to Filing Final Plat.** Upon approval of both the Final Plan and the plans and specifications for the required subdivision improvements by the Planning and Zoning Commission, Director of Public Works, and the City Engineer, and upon approval of the appropriate agencies as evidenced by state and county permits, where required, the applicant may construct and install the required subdivision improvements prior to filing the final plat with the Planning and Zoning Commission for final approval or post a construction guarantee for the public improvements. If construction does not begin within four (4) years of Final Plat approval, the subdivider may be required to revise the plat to comply with new City requirements.

2. **Subdivision Securities.**

   a. **Construction Guarantee.** In lieu of construction in Section 10-8-7(E) of this chapter, the subdivider shall post with the City prior to recordation of the Final Plat, a construction guarantee in the form of an irrevocable letter of credit or irrevocable performance bond, payable to the United City of Yorkville, sufficient to cover the full cost, plus twenty (20) percent, of the required improvements, as estimated by the engineer employed by the subdivider and approved by the City Engineer, to ensure the satisfactory installation of required improvements as outlined in this chapter, and contained in the approved plans and specifications prior to the recording of the final plat. A surety or bank recognized by the State of Illinois, and carrying a rating sufficient to cover the cost of construction, and approved by the City Attorney, shall issue the bond or letter of credit posted. The subdivider shall use the standard bond form or letter of credit form used by the City. Construction guarantee shall not be reduced to below twenty (20) percent of the approved engineer's estimate prior to acceptance of the public improvements by the City. The construction guarantee shall not expire for at least one (1) year. Subsequent renewals of the construction guarantee shall also be for a period of at least one (1) year.

   b. **Projects Nearing Two (2) Years.** Projects nearing (2) two years into construction will receive a status inquiry letter from the City Engineer and require an updated public improvement completion (PIC) schedule.

   c. **Projects Nearing Three (3) Years.** Projects nearing (3) three years into construction will receive a status inquiry letter from the City Engineer with a punchlist of uncompleted improvements and will require an updated PIC schedule.

   d. **Projects Nearing Four (4) Years.** Projects nearing four (4) years into construction will receive a status inquiry letter from the City Engineer with a punchlist of uncompleted improvements, require an updated PIC schedule and formal notification that the project will be in default if an extension is not requested and approved prior to the four-year construction deadline.

   e. **Projects Over Four (4) Years.** Projects over four (4) years into construction will receive notification of default from the City Engineer, at the City Council direction, indicating that the letter of credit or performance bond is subject to a demand for call within sixty (60) days of the date of the notice should the developer not seek an extension for completion.

   f. **Reduction of Subdivision Securities.** Final acceptance, approval of land improvements and corresponding reduction or release of letters of credit and/or performance bonds shall be as follows:

      (1) The City Engineer shall issue a written recommendation including the basis for approving, denying, or modifying a request for reduction. The recommendation shall include the amount of the reduction based upon the engineer's estimate of probable cost as adjusted by an inflation factor from the initial date of issuance of the letter of credit or performance bond to the date of reduction. In order to calculate the inflation factor, the "Engineering News Record" construction cost index shall be used. The City Engineer shall also determine the remaining amount of the letter of credit and/or performance bond after the reduction.

      (2) The City Engineer's written recommendation shall be forwarded to the City Administrator for approval.

(3) Following the City Administrator's concurrence with the City Engineer's recommendation, the reduction shall be deemed approved or denied and the City Engineer is authorized to issue a letter to implement the decision.

(4) In the event the City Administrator does not concur with the City Engineer's recommendation, the Mayor shall have the final authority to approve or deny the City Engineer's recommendation.

(5) A developer may appeal the decision of the City Administrator to the Mayor, who shall review and make a final determination to affirm or reverse the City Administrator's initial decision.

(6) The City Administrator or designee shall issue reports quarterly or more frequently as deemed appropriate, to the Mayor and City Council that summarize letter of credit and/or performance bond reduction requests that have been received and actions taken pursuant to those requests.

3. **Construction Warranty.**

a. The subdivision irrevocable performance bond or letter of credit shall be released after an appropriate City Council action accepting the improvements for public ownership. Except as provided in subsection (b) of this section, this subdivision letter of credit or performance bond will not be released until a one-year maintenance bond or letter of credit is posted with the City Clerk for ten (10) percent of the land improvement cost, to ensure that all improvements will properly function as designed, with no defects before the City Council formal acceptance.

b. A maintenance guarantee shall be required for all landscaping but shall not be required for improvements that are on private property that do not serve, benefit, or impact properties other than the one (1) being developed.

c. It is a violation of this Code to fail to complete an infrastructure component that results in harm to the public improvement system or in the potential failure of the system.

4. **Filing.** Not more than ten (10) months after Final Plan approval, four (4) copies of the proposed Final Plans and specifications, engineer's estimates prepared and sealed by a professional engineer currently registered with the State of Illinois, and subdivision bond or letter of credit, shall be filed with the City Engineer, and shall provide all necessary information for the following, as applicable:

a. Streets,

b. Curbs and gutter,

c. Storm drainage, including storm sewers and stormwater detention, building storm drains (footings, roof, etc.),

d. Comprehensive drainage plan, including grades of surface drainageways,

e. Sanitary sewerage system,

f. Water supply and distribution,

g. Public utility locations,

h. Streetlights,

i. Sidewalks,

j. Street signs, guardrails, and other special requirements,

k. Parkway trees, and

l. Payment in full of all City fees.

5. **Construction and Inspection.**

   a. Written notice to proceed shall be obtained from the City Engineer prior to beginning any work covered by the approved plans and specifications for the above improvements. Authorization to begin work will be given upon receipt of all necessary permits, including all culvert permits required when proposed new or changed subdivision roads intersect any presently existing road, and work must proceed in accordance with construction methods of this section and the City's standard specifications for improvements.

   b. The subdivider shall pay all expenses incurred by the United City of Yorkville to provide field inspections and testing of all construction work and materials before, during, and after construction.

   c. On-street parking during build out of the development shall be limited to one (1) side only of all streets. In general, parking will not be allowed on the side of the street where fire hydrants are located. The developer shall post signage, as required by the Yorkville Police Department.

   d. Dumpsters, work trailers, and construction materials shall not be stored or located in roadways or public rights-of-way at any time, without exception.

   e. The subdivider is required to submit an acknowledgment of public improvement completion (PIC) schedule in a form approved by the City Attorney and City Engineer. The PIC schedule shall include the following information:

      (1) The schedule when public improvements are to be completed.

      (2) The schedule shall state that the City will place as a condition in the Final Plat of subdivision approval ordinance or PUD ordinance that the development must have all streets, sewers, water mains, streetlights, and other public improvements installed in a workmanship-like manner within four (4) years of initial construction.

      (3) The schedule will require the subdivider/developer to provide proof by a title search that all accepted infrastructure is free and clear of all liens and encumbrances.

      (4) The schedule shall state that the subdivider/developer will maintain the public improvements until they are approved and accepted by the City.

6. **As-Built Plans.** After completion of all public improvements, and prior to final acceptance of said improvements, the subdivider shall make, or cause to be made, a map showing the actual location of all valves, manholes, stubs, sewer and water mains, and such other facilities as the Director of Public Works shall require. This map shall bear the signature and seal of an Illinois registered professional engineer. The presentation of this map shall be a condition of final acceptance of the improvements, and release of the subdivision bond or letter of credit assuring their completion. The coordinate system for as built drawings shall be NAD27 Illinois State planes, east zone, U.S. foot (IL-E). The "as built" plans shall be submitted on reproducible Mylar, and digitally in a format acceptable to the City.

7. **Acceptance of Dedication, Improvements.**

   a. Final acceptance of the dedication of open space or other public areas shall mean the responsibility for the maintenance of the same. Approval of the Final Plat does not constitute final acceptance.

   b. Recordation of the Final Plat shall be dependent on presentation of proof of responsibility for the maintenance of all community improvements.

   c. All public improvements shall be accepted only by resolution of the City Council, after a formal petition for approval has been submitted by the subdivider to the City Clerk. Such petition shall be filed after completion of the public improvements. The City Engineer and the Director of Public Works shall, make recommendations in report form to the City Council. All petitions shall be acted upon by the City Council within thirty (30) days from receipt of such recommendations of the City Engineer and Director of Public Works. A maintenance bond will then be

required in the amount of ten (10) percent of the cost of the land improvements, as specified in this title, after City Council acceptance.

10-8-8. Planned Unit Development

A. **Purpose and Intent.** The purpose of the regulations, standards, and criteria contained in this Section is to provide an alternate procedure under which land can be developed or redeveloped with innovation, imagination, and creative architectural design when sufficiently justified under the provisions of this Section. The objective of the Planned Unit Development process is to accommodate a higher level of design and amenity than is possible to achieve under otherwise applicable UDO regulations. The end result can be a product which fulfills the objectives of City plans and policies, including but not limited to the Comprehensive Plan, while departing from the strict application of the regulations of this UDO. The Planned Unit Development is intended to permit and encourage such flexibility and to accomplish the following purposes:

1. To promote long term planning pursuant to the City of Yorkville Comprehensive Plan and other relevant plans and City policies.

2. To stimulate creative approaches to the commercial, residential, and mixed-use development of land.

3. To provide more efficient use of land.

4. To preserve natural features and provide open space areas and recreation areas in excess of that required under this UDO.

5. To develop new approaches to the living environment through variety in type, design and layout of buildings, transportation systems, and public facilities.

6. To unify buildings and sites through design.

B. **General Provisions.**

1. Any development encompassing four (4) or more acres in area shall be approved as a Planned Unit Development in accordance with this UDO.

2. Each Planned Unit Development shall be presented and judged on its own merits. It shall not be sufficient to base justification for approval of a Planned Unit Development solely upon an already existing Planned Unit Development except to the extent such Planned Unit Development has been approved as part of a development master plan.

3. The burden of providing evidence and persuasion that any Planned Unit Development is necessary and desirable shall rest with the applicant.

C. **Planned Unit Development Relation to Base District Standards**.

1. A Planned Unit Development, if approved, shall be a Special Use.

2. A Planned Unit Development, if approved, may allow for modifications to the standards of the base district. All such modifications shall be referred to as site development allowances.

3. Notwithstanding any limitations on Variations which can be approved as contained elsewhere in this UDO, site development allowances may be approved provided the applicant specifically identifies each site development allowance in the Planned Unit Development application and demonstrates how each site development allowance would be compatible with surrounding development; is necessary for proper development of the site; and is aligned with a minimum of one (1) of the modification standards detailed in Section 10-8-8(D).

4. All approved site development allowances shall be delineated in the ordinance approving the Planned Unit Development as a Special Use as it applies to the subject property.

D. **Modification Standards.** An applicant seeking a site development allowance shall be required to justify their request through the provision of tangible benefits to the City of Yorkville by meeting a minimum of one (1) of the modification standards detailed below.

1. **Landscape Conservation and Visual Enhancement**. The Planned Unit Development preserves and enhances existing landscape, trees, and natural features such as rivers, streams, ponds, groves, and landforms.

2. **Sustainable Design**. The Planned Unit Development is designed with consideration given to various methods of site design and building location, architectural design of individual buildings, employment of an alternative energy system or solution, and landscaping design capable of reducing energy consumption and improving onsite stormwater management.

3. **Public Gathering Space**. The Planned Unit Development includes public gathering space, the amount of which is proportional to the size of buildings or number of dwelling units. The public gathering space is activated through the use of moveable tables and chairs, a fountain or other water feature, a sculpture or other public art feature, benches, seat walls, raised landscape planters, pedestrian scale, and celebratory lighting such as string lights, and/or other features. The public gathering space is integrated into the overall design of the Planned Unit Development and has a direct functional or visual relationship to the main building(s) and is not of an isolated or leftover character.

4. **Placemaking**. The Planned Unit Development has a distinctive identity and brand that is utilized in the signs, streetscape, architecture, public gathering spaces, open spaces, etc.

5. **Universal Design**. the Planned Unit Development includes buildings designed with accessible features such as level access from the street and/or zero entry thresholds.

6. **High Quality Building Materials**. The Planned Unit Development utilizes time and weather tested building materials that are of a higher quality than what is otherwise required by this UDO.

7. **Age-Targeted Development.** The Planned Unit Development includes residential dwelling units, amenities, and design characteristics intended to accommodate the lifestyles and needs of senior citizens.

8. **Affordability**. The Planned Unit Development includes residential dwellings that are deed restricted for households that make less than or equal to eighty (80) percent of the Kendall County median income.

9. **Provision of a Public School.** The Planned Unit Development includes a facility that directly supports the functioning or operation of the Yorkville Community Unit School District or another public school district.

10. **Provision of a Regional Park.** The Planned Unit Development includes a park of sufficient size and with high quality amenities adequate to draw visitors and provide recreational opportunities for residents throughout the region in addition to serving residents of Yorkville. The regional park is integrated into the design of the Planned Unit Development and has a direct relationship to the other main buildings and uses on-site.

11. **Funding or Construction of Public Roadways.** The Planned Unit Development includes the construction of roadways adjacent to the subject site as planned in the City of Yorkville Comprehensive Plan, Kendall County Long-Range Transportation Plan, or another transportation plan adopted by a local, County, or regional entity.

12. **Regional Utility Improvements.** The Planned Unit Development involves the construction of a utility improvement identified in the City or Yorkville Comprehensive Plan or other policy document adopted by a local, County, or regional entity.

E. **Standards of Review.** The following standards for review shall be utilized in the review of a Planned Unit Development application as a whole, including any requested site development allowances and the modification standards proposed to justify those requests. The standards of review in this Section shall be considered in addition to the standards for Special Use Permits as specified in Section 10-8-5. No application for a Planned Unit Development shall be approved unless the City Council finds that the application meets all of the following standards:

1. **Plan and Policy Alignment**. The Planned Unit Development is consistent with the goals, objectives, and policies set forth in the Comprehensive Plan and other adopted plans and policy documents of the City.

2. **Integrated Design with Identifiable Centers and Edges**. The Planned Unit Development shall be laid out and developed as a unit in accordance with an integrated overall design, in which the various land uses function as a cohesive whole and support one another. The design shall provide identifiable centers, which form focus areas of activity in the development, and edges, which define the outer borders of the development, through the harmonious grouping of buildings, uses, facilities, public gathering spaces, and open space.

3. **Public Welfare**. The Planned Unit Development is designed, located, and proposed to be operated and maintained so that it will not impair an adequate supply of light and air to adjacent property and will not substantially increase the danger of fire or otherwise endanger the public health, safety, and welfare.

4. **Compatibility with Adjacent Land Uses**. The Planned Unit Development includes uses which are generally compatible and consistent with the uses of adjacent parcels. If the uses are not generally compatible, all adverse impacts have been mitigated through screening, landscaping, public open space, and other buffering features that protect uses within the development and surrounding properties.

5. **Impact on Public Facilities and Resources**. The Planned Unit Development is designed so that adequate utilities, road access, stormwater management, and other necessary facilities will be provided to serve it. The Planned Unit Development shall include such impact fees as may be reasonably determined by the City Council. These required impact fees shall be calculated in reasonable proportion to the impact of the Planned Unit Development on public facilities and infrastructure.

6. **Archaeological, Historical or Cultural Impact**. The Planned Unit Development does not substantially adversely impact an archaeological, historical, or cultural resource, included on the local, state, or federal register, located on or off the parcel(s) proposed for development.

F. **Procedure.**

1. **Plan Council Review.** Plan Council shall review and discuss the Planned Unit Development and make a recommendation to approve, approve with modifications, or deny the Planned Unit Development based on the applicable review criteria to the Planning and Zoning Commission.

   a. A community meeting of area/neighborhood property owners explaining the proposed Special Use for Planned Unit Development conducted by the petitioner at their own expense and at a location of their choosing may be required as a recommendation from the Plan Council prior to the Planning and Zoning Commission public hearing date.

2. **Economic Development Committee.** The Economic Development Committee shall review the Planned Unit Development and report to the Planning and Zoning Commission its findings and recommendations.

3. **Public Hearing, Review, and Recommendation by the Planning and Zoning Commission**. The Planning and Zoning Commission shall hold a public hearing on the proposed Special Use for Planned Unit Development, and, at the close of the public hearing and after consideration of the staff report and public comment, make a recommendation to the City Council to approve, approve with modifications, or deny the Planned Unit Development based on the applicable review standards. The Zoning Administrator, on behalf of the Planning and Zoning Commission, shall transmit a report containing its recommendation to approve, approve with modifications, or deny the application to the City Council.

4. **City Council Action**. The City Council shall hear the proposed Planned Unit Development, and, at the close of the meeting and after consideration of the Planning and Zoning Commission recommendation, Zoning Administrator Report, and public comment either:

    a. Approve the application,

    b. Approve the application with modifications,

    c. Deny the application,

    d. Refer the application back to the Planning and Zoning Commission for further review, or

    e. Postpone further consideration pending the submittal of additional information, including any application requirement previously waived.

G. **Amendments to Approved Planned Unit Development.**

1. **Determination of Level of Change**. Upon receiving a Planned Unit Development Amendment application, the Zoning Administrator shall determine whether the amendment is a major amendment, or a minor amendment based on the criteria detailed in Section 10-8-8(G)(2) below.

2. **Major Amendment.** A major amendment is any proposed change to an approved Planned Unit Development that results in one or more of the following changes:

    a. Increase density,

    b. Increase the height of buildings,

    c. Reduce open space by more than five (5) percent,

    d. Modify the proportion of housing types,

    e. Change parking areas in a manner that is inconsistent with this UDO,

    f. Increase the approved gross floor area by more than five hundred (500) square feet,

    g. Alter alignment of roads, utilities, or drainage, or

    h. Result in any other change inconsistent with any standard or condition imposed by the City Council in approving the Planned Unit Development and/or the approved Site Plan, as determined by the Zoning Administrator.

3. **Minor Amendment**. A minor amendment is any proposed change to an approved Planned Unit Development that is consistent with the standards and conditions upon which the Planned Unit Development was approved, which does not alter the concept or intent of the Planned Unit Development and is not considered a major amendment as detailed in Section 10-8-8(G)(2).

4. **Approval Processes.**

    a. **Major Amendment.** A major amendment to an approved Planned Unit Development shall follow the procedure set in Section 10-8-8(F).

    b. **Minor Amendment.**

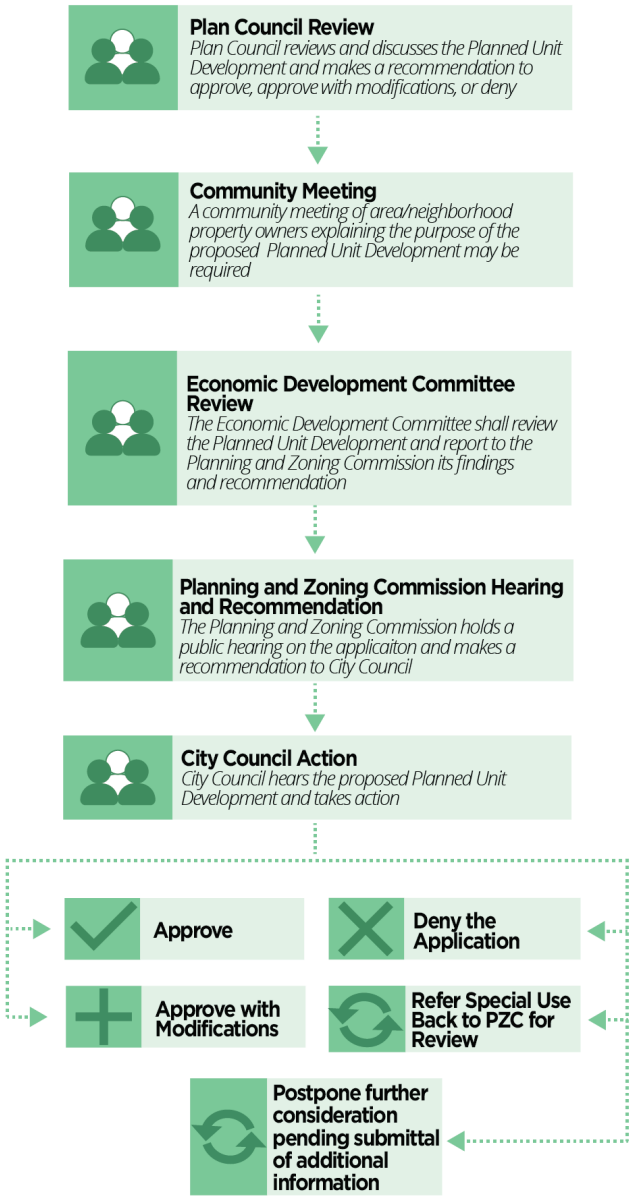
        (1) **Zoning Administrator Review.** The minor amendment shall be reviewed by the Zoning Administrator for compliance with the Comprehensive Plan and the applicable standards of this UDO. The Zoning Administrator shall then make a recommendation to City Council to approve or deny the application.

(2) **City Council Review.** The minor amendment shall be reviewed by the City Council to ensure that the application meets the applicable review criteria. Based on the review, the City Council shall approve or deny the application. Any amendment shall not be approved except by the favorable vote of two-thirds (⅔) of all the members of the City Council. Any minor amendment shall be approved by the City Council by ordinance.

(3) **Recordation.** The minor amendment shall be recorded with the City Clerk.

H. **Expiration and Lapse of Approval.** For any Planned Unit Development in which there has been no Building Permit issued nor any portion of the property platted after three (3) years since approval by the City Council, the Planned Unit Development shall be considered null and void and shall be brought back before the Planning and Zoning Commission and the City Council for consideration prior to any development on the property. The underlining zoning of the Planned Unit Development shall not expire, only the Planned Unit Development overlay shall expire.

Figure 8.3. Planned Unit Development Procedure



10-8-9. Variations

A. **Authority.** The Planning and Zoning Commission, after a public hearing, may recommend a Variation to the regulations of the UDO in harmony with their general purpose and intent, only in the specific instances hereinafter set forth, where the Planning and Zoning Commission holds a public hearing and makes findings of fact in accordance with the standards of this section, and further finds that there are practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations of this UDO.

B. **Authorized Variations.** Variations from the regulations of this title shall be granted by the Planning and Zoning Commission only in accordance with the standards established in subsection (C) of this section and may be granted only in the following instances:

1. To permit any yard or setback less than the yard or setback required by the zoning district, but by no more than twenty-five (25) percent.

2. To permit the use of a lot or lots for a use otherwise prohibited solely because of insufficient size or widths of the lot or lots. In no event shall the respective size and width of the lot or lots be less than ninety (90) percent of the required area and width. The percentage set forth in this subsection is not to be reduced by any other percentage for minimum lot width and area set forth in this title.

3. To reduce the applicable off-street parking facilities required by not more than one (1) parking space or loading space, or twenty (20) percent of the applicable regulations, whichever number is greater.

4. To increase by not more than twenty-five (25) percent the maximum distance that required parking spaces are permitted to be located from the use served as specified in Section 10-5-1(G).

5. To allow for the deferment, or land banking, of required parking facilities for a reasonable period.

6. To increase by not more than ten (10) percent the maximum gross floor area of any use so limited by the applicable regulations as specified in Chapter 4.

7. To exceed any of the authorized Variations allowed under this subsection when a lot of record or a zoning lot, vacant or legally used on the effective date hereof, is, by reason of the exercise of the right of eminent domain by any authorized governmental domain proceeding, reduced in size so that the remainder of said lot of record or zoning lot or structure on said lot does not conform with one (1) or more of the regulations of the district in which said lot of record or zoning lot or structure is located.

C. **Standards for Variations.**

1. The Planning and Zoning Commission shall not grant a Variation from the regulations of this UDO unless it shall make findings based upon the evidence presented that the standards for hardships set forth in the Illinois Municipal Code are complied with in addition to the following:

   a. A particular hardship to the owner would result because of the physical surroundings, shape, or topographical conditions of the subject property, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

   b. The conditions upon which the petition for a Variation is based are unique to the subject property and are not applicable, generally, to other properties within the same zoning district.

   c. The difficulty or hardship is not created by any person presently having an interest in the property.

   d. The Variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

e. The proposed Variation will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger to the public, or substantially diminish or impair property values within the neighborhood.

f. The proposed Variation is consistent with the official comprehensive plan and other development standards and policies of the City.

2. **Land Banked Parking Facilities Review Standards.**

a. Sufficient evidence is provided by the applicant that supports the reduced parking needs.

b. Approval of a land bank parking plan which illustrates the area proposed for land banking of parking spaces in an area suitable for parking at a future time.

c. Landscaping of the land banked area must be in full compliance of the zoning regulations with this title and, at a minimum, landscaped with turf. As a result of the site plan review process, the Zoning Board of Appeals Planning and Zoning Commission may require additional landscaping of the land banked area.

d. The land banked area cannot be used for any other use and must be part of the same zoning lot and all under the same ownership.

e. As part of the variance process, the applicant must show the area to be banked on the overall site plan and marked as "Land Banked Future Parking".

3. **Conditions.** The Planning and Zoning Commission may impose such conditions and restrictions upon the premises benefited by a Variation as may be necessary to comply with the standards established in this subsection to reduce or minimize the effect of such Variation upon other property in the neighborhood and to better carry out the general intent of this title.

4. **Procedure.** The variation process will require the review of the following bodies unless otherwise determined by the Zoning Administrator:

a. **Plan Council.** The Plan Council shall review the variation request and report to the Planning and Zoning Commission its findings and recommendations.

b. **Economic Development Committee.** The Economic Development Committee shall review the variation request and report to the Planning and Zoning Commission its findings and recommendations.

c. **Planning and Zoning Commission.** The Planning and Zoning Commission shall hold a public hearing on the application. The Planning and Zoning Commission shall report to the City Council its findings and recommendations, including the recommended stipulations of conditions and guarantees as part of the approval.

d. **City Council.** The application shall be reviewed by the City Council to ensure that the application meets all the applicable review criteria. Based on the review, the City Council shall approve or deny the application.

5. **Expiration and Lapse of Approval.** Where a Variation has been granted pursuant to the provisions of this section, such approval shall become null and void unless construction thereon is substantially under way within twelve (12) months of the date of issuance, unless extended by the Zoning Administrator.

10-8-10. Appeals

A. **Purpose.** An Appeal may be taken to the Planning and Zoning Commission for any order, requirement, decision, interpretation, or determination of the regulations of this title made by the Zoning Administrator by any individual aggrieved by the action taken under. The Planning and Zoning Commission shall hear the Appeal, hold a public meeting, and render a decision.

B. **Initiation.** An Appeal may be taken within thirty (30) days of the action of the Zoning Administrator by filing a notice of Appeal specifying the grounds thereof, who shall forward such Appeal to the Planning and Zoning Commission.

C. **Procedure.**

1. **Planning and Zoning Commission.** The Planning and Zoning Commission shall review the Appeal at a regularly scheduled meeting. The Planning and Zoning Commission may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination relating to this title, made by the Zoning Administrator subject to the criteria in Section 10-8-10(D).

D. **Appeal Review Criteria.** An Appeal of administrative decisions shall be granted only if the Planning and Zoning Commission makes one of the following findings.

1. The decision constituted an erroneous application or interpretation of this UDO.

2. The decision constituted an abuse of the administrative official's discretion to interpret or apply this UDO.

3. The decision was rendered based upon an erroneous material fact.

E. **Record of Action.** The Planning and Zoning Commission's decision shall be filed and recorded with the City Clerk.

10-8-11. Text Amendments

A. **Initiation of Text Amendments.** Text Amendments to this UDO may be proposed by the Mayor and City Council, the Planning and Zoning Commission, City staff, majority beneficiary of land trust, contract purchaser, any property owner, or an authorized agent.

B. **Text Amendment Review Criteria.**

1. The proposed Text Amendment is consistent with the purpose of this UDO and the City's Comprehensive Plan.

2. The Text Amendment will not adversely affect the public health, safety, or general welfare.

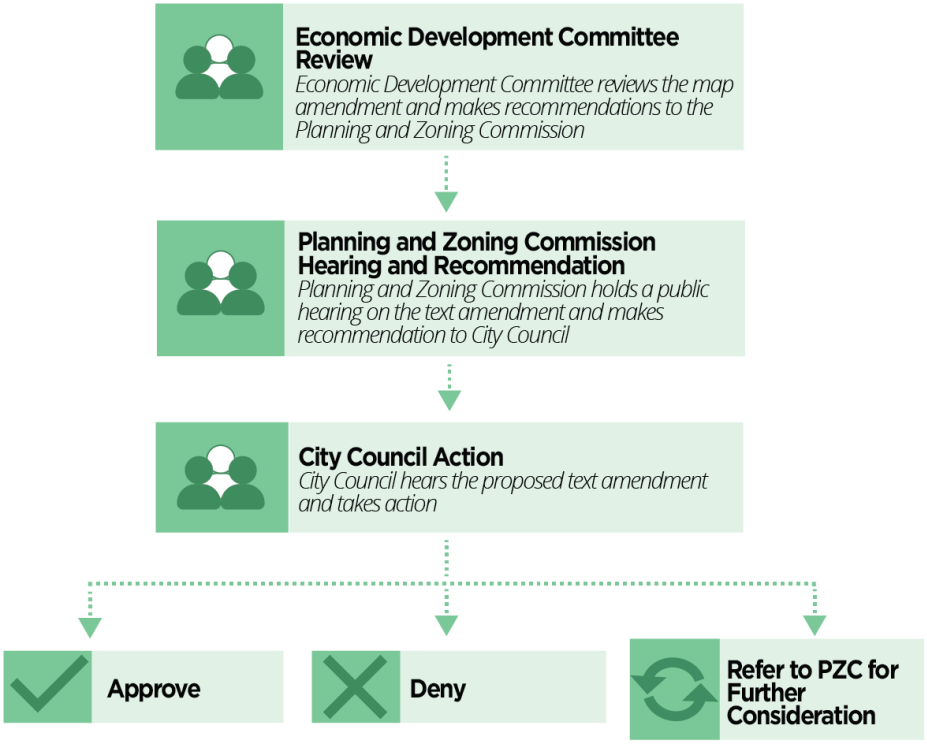
C. **Procedure.** The text amendment process will require the review of the following bodies unless otherwise determined by the Zoning Administrator:

1. **Economic Development Committee.** The Economic Development Committee shall review the text amendment request and report to the Planning and Zoning Commission its findings and recommendations.

2. **Planning and Zoning Commission.** The Planning and Zoning Commission shall hold a public hearing on the application. The Planning and Zoning Commission shall report to the City Council its findings and recommendations, including the recommended modifications and guarantees as part of the approval.

3. **City Council.** The City Council, upon receiving the recommendation of the Planning and Zoning Commission, may approve or deny a proposed Text Amendment in accordance with applicable Illinois Statutes or may refer to the Planning and Zoning Commission for further consideration.

Figure 8.4. Text Amendment Procedure



10-8-12. Map Amendments

A. **Initiation of Amendments**. Map Amendments may be proposed by the subject property owner, the Mayor and City Council, the Planning and Zoning Commission, Zoning Administrator, or another City official.

B. **Map Amendment Review Standards.** The Planning and Zoning Commission shall approve Map Amendments only if the following standards are satisfied.

1. The proposed Map Amendment is consistent with the Comprehensive Plan and the purposes of this UDO.

2. The proposed Map Amendment is consistent with the Comprehensive Plan and the purposes of this UDO.

3. The proposed Map Amendment is consistent with the existing and planned uses and zoning of nearby properties.

4. The subject property is suitable for the purposes of the proposed zoning district.

5. The proposed Map Amendment will not result in an individual parcel zoned in one zoning district that is not shared by any adjacent parcels, and

6. The proposed parcel(s) to be rezoned shall meet the minimum frontage and area requirements of the requested zoning district as specified in Section 10-3-9(A).

C. **Procedure.** The map amendment process will require the review of the following bodies unless otherwise determined by the Zoning Administrator:

1. **Plan Council.** The Plan Council shall review the map amendment request and report to the Planning and Zoning Commission its findings and recommendations.

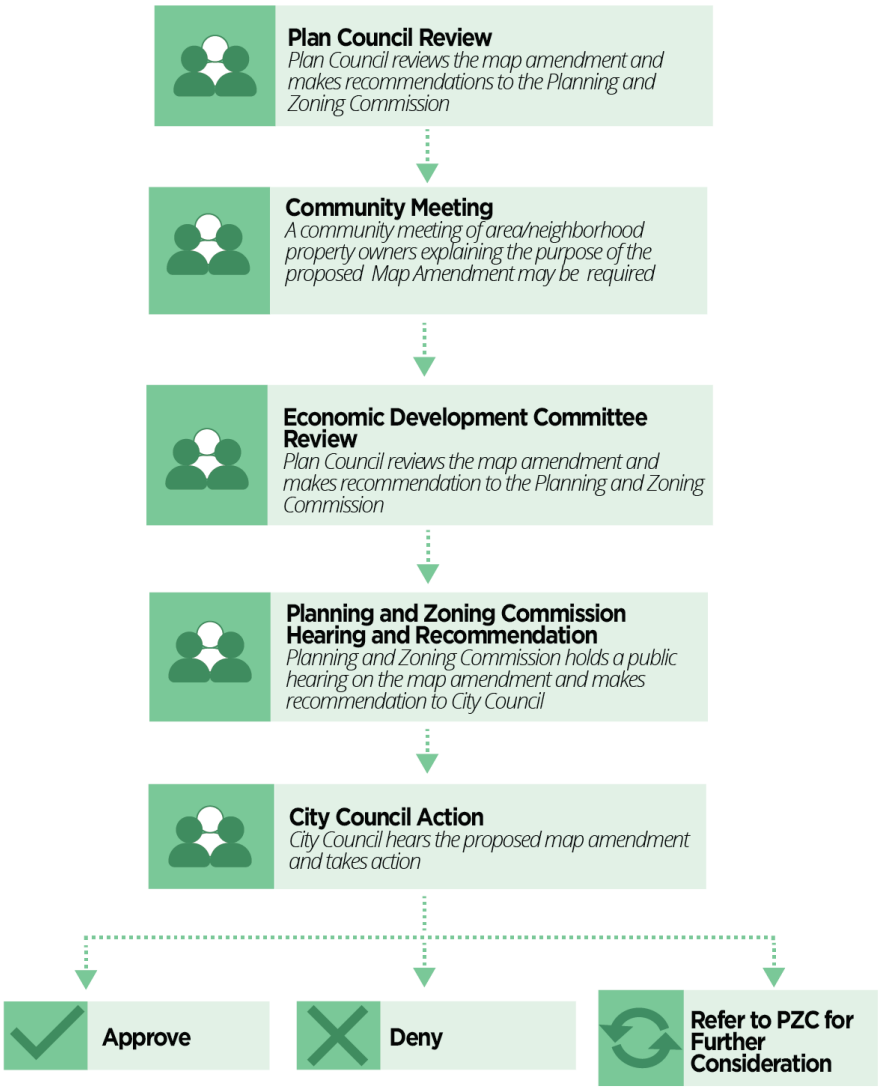
   a. A community meeting of area/neighborhood property owners explaining the proposed Map Amendment conducted by the petitioner at their own expense and at a location of their choosing may be required as a recommendation from the Plan Council prior to the Planning and Zoning Commission public hearing date.

2. **Economic Development Committee.** The Economic Development Committee shall review the map amendment request and report to the Planning and Zoning Commission its findings and recommendations.

3. **Planning and Zoning Commission.** The Planning and Zoning Commission shall hold a public hearing on the application. The Planning and Zoning Commission shall report to the City Council its findings and recommendations.

4. **City Council.** The City Council, upon receiving the recommendation of the Planning and Zoning Commission, may approve or deny a proposed Map Amendment in accordance with applicable Illinois Statutes or may refer to the Planning and Zoning Commission for further consideration.

Figure 8.5. Map Amendment Procedure



10-8-13. Annexations

A. **Petition for Annexation.** All Annexations shall be initiated by the filing of a petition with the Zoning Administrator. Such petitions shall be verified under oath by all the record title owners, including mortgage holders, of all the lands included within the Annexation.

B. **Procedure.** The annexation process will require the review of the following bodies unless otherwise determined by the Zoning Administrator:

1. **Plan Council.** Plan Council shall review the application for annexation and report to the City Council its findings and recommendations as part of the approval.

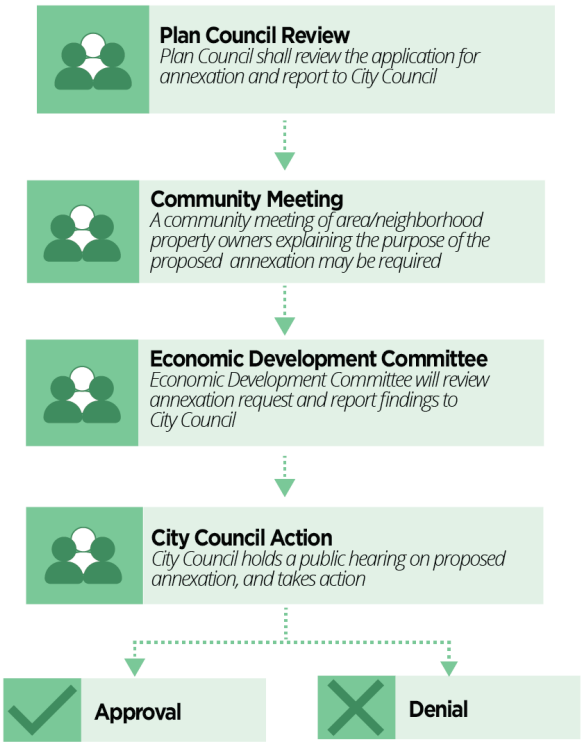
   a. A community meeting of area/neighborhood property owners explaining the proposed Annexation conducted by the petitioner at their own expense and at a location of their choosing may be required as a recommendation from the Plan Council prior to the Planning and Zoning Commission public hearing date.

2. **Economic Development Committee.** The Economic Development Committee shall review the annexation request and report to the City Council its findings and recommendations.

3. **City Council.** The City Council shall hold a public hearing on the proposed annexation. The City Clerk shall publish notice of the public hearing as required in Section 10-8-4(B). City Council shall approve or deny a proposed by a majority vote in accordance with applicable Illinois Statute.

C. **Request for Zoning Map Amendments.** All petitions for Annexation agreement requesting a zoning classification other than the R-1, Single-Unit Suburban Residence Zoning District shall be processed in the same manner as a petition for a request for a Map Amendment as provided in Section 10-8-12 for lands within the jurisdictional limits of the City. All such requests for a Map Amendment or Variations shall be accompanied by the fees as provided in Section 10-7-9 of the Yorkville Code of Ordinances and the said fees shall be paid at the time of filing the petition for Annexation agreement.

Figure 8.6. Annexation Procedure



10-8-14. Economic Incentive/Development Agreement

A. **Petition for Economic Incentive/Development Agreement.** Economic Incentive and Development Agreements are negotiated between the municipality and the developer and/or owner on a project-by-project basis. Such items considered as part of an economic incentive or development agreement are the amount of tax sharing, timing of payments, performance and compliance requirements and any other details. Applications will be evaluated on the merits of their impact to create or maintain jobs; further development; strengthen the commercial or industrial sector; enhance the tax base; and be in the overall best interest of the municipality.

B. **Procedure.** The economic incentive/development agreement process will require review of the following bodies unless otherwise determined by the Zoning Administrator:

1. **Plan Council.** The Plan Council shall review the economic incentive/development agreement request and report to the City Council its findings and recommendations.

2. **Economic Development Committee.** The Economic Development Committee shall review the economic incentive/development agreement request and report to the City Council its findings and recommendations.

3. **City Council.** The City Council, upon receiving the recommendation of the Economic Development Committee, may approve or deny a proposed economic incentive/development agreement in accordance with applicable Illinois Statutes or may refer to the Economic Development Committee for further consideration.

Figure 8.7. Economic Incentive/Development Agreement Procedure

Chapter 9. Nonconforming Buildings, Structures, and Uses

10-8-1. Continuance of Uses and Structures 1
10-8-2. Nonconforming Uses 1
10-8-3. Nonconforming Structures 2
10-8-4. Elimination of Nonconforming Buildings, Structures, and Uses 3
10-8-5. Exempted Buildings, Structures, and Uses 3

10-8-1. Continuance of Uses and Structures

A. Any lawfully established use of a building or land on January 1, 2024, including any use which is rendered nonconforming by a subsequent amendment to this title, that does not conform to the use regulations for the district in which it is located shall be deemed to be a legal nonconforming use and may be continued subject to the provisions of this chapter.

B. Any lawfully established building or structure on January 1, 2024, including any building or structure which is rendered nonconforming by a subsequent amendment to this title, that does not conform to the regulations for the district in which it is located shall be deemed to be a legal nonconforming building or structure and may be continued in use subject to the provisions of this chapter.

10-8-2. Nonconforming Uses

A. **Relocation**. A nonconforming use shall not be relocated in whole or in part to any other location on the same property or to any other property unless the nonconforming use complies with all of the regulations of the zoning district into which it relocates.

B. **Change in Use.** A nonconforming use of land shall not be changed to any other use except to a land use, specifically enumerated in the list of permitted uses for the zoning district in which the land is located. Whenever any part of a building, structure or land occupied by a nonconforming use is changed to or replaced by a conforming use, such premises shall not thereafter be used or occupied by a nonconforming use.

C. **Expansion.** A nonconforming use shall not be extended, expanded, enlarged, or increased in any manner including, but not limited to, the following:

1. A nonconforming use that does not involve a structure or which is accessory to the nonconforming use of a structure shall not be expanded or extended to any land area not occupied by such nonconforming use.

2. A nonconforming use shall not be expanded within a structure to any portion of the floor area that was not occupied by such nonconforming use. A use permitted in the district in which it is located may expand in a nonconforming structure.

D. **Abandonment.** A nonconforming use of any land or structure, including any accessory uses, shall not be reestablished subsequent to abandonment as follows:

1. Whenever a nonconforming use of a building or structure, or part thereof, has been discontinued for a period of twelve (12) consecutive months, or whenever there is evident a clear intent on the part of the owner to abandon a

nonconforming use, such use shall not, after being discontinued or abandoned, be reestablished, and the use of the premises thereafter shall be in conformity with the regulations of the district.

2. Where there is a change in use, regardless of whether or not such change was made in compliance with all applicable codes and ordinances, the nonconforming use of any land or structure shall not be reestablished. Any subsequent use of such land or structure shall comply with the regulations of the zoning district in which it is located and with the provisions of the other titles of this UDO.

3. Where no building or structure is involved, discontinuance of a nonconforming use for a period of six (6) months shall constitute abandonment and shall not thereafter be used in a nonconforming manner.

10-8-3. Nonconforming Structures

A. **Relocation.** A nonconforming structure shall not be relocated in whole or in part to any other location on the same property or to any other property unless the nonconforming structure complies with all of the provisions of this UDO.

B. **Maintenance, Repair, Alteration and Enlargement.**

1. A nonconforming structure which is designed or intended for a use that is not permitted in the zoning district in which it is located may be maintained or repaired, not including structural alterations, subject to compliance with all of the regulations of the zoning district in which it is located and with the provisions of the other titles of this Code, but such nonconforming structure shall not be altered or enlarged, unless such alteration or enlargement and the use thereof, conform to all of the regulations of the zoning district in which it is located, and does not extend or intensify the nonconforming use.

2. No structural alteration shall be made in a building or other structure containing a nonconforming use, except in the following situations:

   a. When the alteration is required by law, or

   b. When the alteration will actually result in elimination of the nonconforming use, or

   c. When a building is in a residential district containing residential nonconforming uses, it may be altered in any way to improve livability, provided no structural alterations shall be made which would increase the number of dwelling units or the bulk of the building.

3. A nonconforming structure which is nonconforming only with respect to the bulk regulations for the zoning district in which it is located may be maintained, repaired, altered, or enlarged, provided that the maintenance, repair, alteration, or enlargement does not establish any additional nonconformity and complies with all of the regulations of the zoning district in which it is located and the provisions of the other titles of this UDO.

C. **Damage and Destruction.**

1. If a building or other structure containing a nonconforming use is damaged or destroyed by any means to the extent of fifty (50) percent or more of its fair market value prior to such damage, the building or other structure can be rebuilt or used thereafter only for conforming principal and accessory uses and in compliance with the provisions of the district in which it is located.

2. In the event the damage or destruction is less than fifty (50) percent of its market value, the building or structure may then be restored to its original condition and the occupancy or use of such building or structure may be continued which existed at the time of such partial destruction.

3. In either event, restoration, or repair of the building or other structure must be started within a period of six (6) months from the date of damage or destruction and completed within twenty-four (24) months.

4. The methodology for determining the extent of damage with regard to fair market value shall be as recommended by the Zoning Administrator and approved by the City Administrator.

10-8-4. Elimination of Nonconforming Buildings, Structures, and Uses

The period of time during which the following nonconforming uses, buildings, or structures may continue or remain nonconforming shall be limited from January 1, 2024, or when any use, building or structure is rendered nonconforming by a subsequent amendment to this title. Every such nonconforming use, building or structure shall be completely eliminated or removed from the premises at the expiration of the period of time specified below:

A. Any nonconforming use of a building or structure having an assessed valuation not in excess of five hundred (500) dollars shall be removed after two (2) years.

B. All nonconforming advertising devices, such as pennants, flags, movable signs, or portable outdoor displays in any business district shall be removed after two (2) years.

C. Any nonconforming signs and any and all billboards and outdoor advertising structures shall be removed after five (5) years.

D. Any nonconforming use of land where no enclosed building is involved, or where the only buildings employed are accessory or incidental to such use, or where such use is maintained in connection with a conforming building, shall be removed after a period of two (2) years.

E. In all residence districts uses permitted only in the B-2 Mixed-Use Business and B-3 General Business Districts or the manufacturing districts, and which use is located in a building, all or substantially all of which is designed or intended for a residential accessory purpose, shall be entirely discontinued and shall thereafter cease operation in accordance with the following amortization schedule:

Table 10-8-4(E): Amortization Periods

Description of Use	Amortization Period
Uses permitted in the B-2 and B-3 Districts	15 Years
Uses permitted only in the Manufacturing Districts	15 Years

F. Requests for extensions to the elimination period may be sought before the City Council. In no case shall an extension be granted for a period longer than two (2) years.

10-8-5. Exempted Buildings, Structures, and Uses

Wherever a lawfully existing building or other structure otherwise conforms to the use regulations of the district in which it is located but is nonconforming only in the particular manner thereinafter specified, the building and use thereof shall be exempt from the requirements of Section 10-8-4 and Section 10-8-3(B) of this chapter as follows:

A. In any residence district where a dwelling is nonconforming only as to the number of dwelling units it contains, provided no such building shall be altered in any way so as to increase the number of dwelling units therein.

B. Legally nonconforming duplex units zoned R-2, Single-Unit Traditional Residence District are exempt from subsection 10-15-3.C of this chapter; however if the total structure containing both units of the duplex building is damaged or destroyed by any means to the extent of seventy-five (75) percent or more of its fair market value prior to such damage, the building shall be rebuilt or used only for conforming principal and accessory uses in compliance with the R-2, Single-Unit Traditional Residence District.

C. In any residence district where a use permitted in the B-1 Local Business District occupies ground floor space within a multiple-unit dwelling located on a corner lot.

D. In any business or manufacturing district where the use is less distant from a residence district than that specified in the regulations for the district in which it is located.

E. In any district where an established building, structure or use is nonconforming with respect to the standards prescribed herein for any of the following:

1. Lot coverage;
2. Lot size per dwelling unit;
3. Yards front, side, rear or transitional;
4. Off-street parking and loading;
5. Lot size;
6. Building height;
7. Gross floor area.

F. In any district, unless otherwise limited or restricted by an annexation agreement, agricultural uses that exist upon annexation of the property and become legal nonconforming shall continue to be legal nonconforming uses and shall not be subject to elimination by abandonment or amortization.

Appendix A. Standard Specifications For Improvements

10-A-1. General Provisions 1
10-A-2. Roads 2
10-A-3. Sidewalk 5
10-A-4. Drive Approaches 5
10-A-5. Parkways and Park Sites 6
10-A-6. Street Lighting 6
10-A-7. Storm Sewer System 8
10-A-8. Water System 12
10-A-9. Sanitary Sewer System 13
10-A-10. Traffic Study 16
10-A-11. Driveway and Parking Lot Paving 18

10-A-1. General Provisions

A. These Standards apply to all infrastructure improvements, and may be modified as needed upon the advice of the City Engineer for special identified situations or conditions. All contractors shall give the City Engineer's office a minimum 48-hour notice of all work and of all required approvals. Failure to obtain these required approvals will require extensive testing, removal and replacement, and a ban for a minimum of one year, from working on the City's right-of-way. Subdividers that have been unfaithful in previous City agreements or developments, or who owe the City payments, will not be allowed to have work performed for them within the public right-of-way. Resident engineering inspection shall be provided through the City Engineer's office, and all such costs shall be charged to the developer by the United City of Yorkville. Required written approvals will not be given until outstanding bills are paid in full. The developer's improvement Letter of Credit or other subdivision securities will also be liable for all such costs. The developer shall be responsible for layout and staking engineering, as well as for record drawings by a registered Professional Engineer. These Specifications for Improvements shall become a part of each and every project approved by the United City of Yorkville, and no other specifications will take precedence.

B. All improvements included in the United City of Yorkville's Standard Specifications for Improvements, unless noted herein, shall conform to the latest editions of the State of Illinois "Standard Specifications for Road and bridge Construction", the "Manual on Uniform Traffic Control Devices", and all amendments thereto. These documents shall be considered as included within the City of Yorkville Standard Specifications for Improvements, and in the case of a conflict of requirements, the most stringent shall apply.

C. Prior to starting construction of any project, the developer shall attend a pre-construction meeting and bring a representative from each contractor, a list of all contact persons that can be reached at any time, and a complete schedule of all work to be performed.

D. No work is to start until the City Engineer and the City Administrator have approved the engineering plans, and the pre-construction meeting has been held. The City Engineer must approve any changes to the approved plans in writing. The City Engineer or a representative will, upon discovery of improper material or·installation practices, issue a written document

to the contractor, stating that failure to stop and correct such deficiencies will- result in the City's refusal to accept such improvements to issue any further building permits, or to perform required inspections.

E. The subdivider shall obtain and keep in force insurance coverage for Worker's Compensation, and Employer's Liability, Commercial General Liability, Commercial Automobile Liability, and Umbrella Liability, as described in IDOT's "Standard Specifications for Road and Bridge Construction". The United City of Yorkville shall be named as an additional insured. The insurance coverage shall remain in effect until the City accepts the entire development.

F. The City will not consider acceptance of the public improvements in a development until it is at least fifty (50) percent built out, or three years after the roadway binder course is paved, whichever is sooner.

G. Blasting will not be allowed.

10-A-2. Roads

A. All roadways shall conform to the Illinois Department of Transportation (hereinafter termed IDOT) "Standard Specifications for Road arid Bridge Construction", unless modified herein. Horizontal and vertical geometric for right-of-ways and roadways shall conform to the City Standards, listed in Figure 2.

B. Surface course must not be placed until at least seventy- (70%) percent of the adjacent, private improvements are in place. However, in no case shall the surface course be placed until the binder course has been in place for at least one full winter season. In no case shall the surface course be delayed more than three (3) years after the binder course has been installed.

C. The sub grade shall be graded and compacted to a hard, uniform surface, matching the slopes of the surface course. It shall have no rutting and shall completely drain to the outer edges. It shall be proof rolled by the contractor with a fully loaded (gravel) 10-cubic yard dump truck and witnessed by and approved in writing by the City Engineer's representative (hereafter termed City Engineer) before proceeding to build the roadway. All unsuitable subgrade shall be removed and replaced with compacted, stable clay material or shall be replaced with compacted CA6 limestone on an approved, non-woven roadway fabric (6.5 oz. minimum). Other geo-grids may be required for certain conditions. All bituminous mixtures shall be delivered and handled so that the bituminous mixture immediately behind the paver screen is at or above 270 degrees F. All asphalt delivered to the project shall be covered when the temperature is at or below 70 degrees F.

D. All subgrades, other than approved granular subgrades, shall be completely covered with a subgrade fabric (Amoco 4551 or approved equal), with a full 18 inches of overlap. Subgrade Fabric shall also be used on lime-stabilized sub grades. It shall be placed neat and tight, without wrinkles, tears, or defects. Construction equipment shall not be allowed to drive on the fabric until it has a minimum of four inches cover of granular base material. The City Engineer shall approve in writing the subgrade fabric installation prior to placing base material. The subgrade fabric shall extend a minimum of twelve inches beyond the back of each curb.

E. In areas where undercutting of the sub grade is required, the bottom of the excavation shall be lined with a woven geotextile (Amoco 2002 or approved equal) and backfilled with CA-3 aggregate.

F. The aggregate base course shall be compacted to a minimum of 95% Modified Proctor and shall be free of all dirt and debris. The course shall be proof rolled, as described above, and witnessed by and approved in writing by the City Engineer before proceeding to build the roadway. A bituminous prime coat shall be applied to the aggregate base course prior to paving.

G. The bituminous concrete binder course shall be placed only upon the written approval of the City Engineer. All asphalt must be laid utilizing a good-quality, properly-functioning, tracked or wheeled asphalt laying machine, utilizing fully-automatic, electronic sensing control from a stringline for the initial course, and from a minimum fifteen (15 ') foot ski for all other lifts. The bituminous binder course shall be proof rolled as described above, and witnessed by, and approved in writing, by the City Engineer before proceeding with the surface course. All repairs must be made as directed by the City Engineer. All bituminous pavement patches shall be at least fifty (50%) percent thicker than the pavement being patched.

H. Also, the binder course shall be bump tested by the contractor, and witnessed by the City Engineer, and all areas exceeding one-half inch (1/2") bumps, including header joints and any patch joints, shall receive a leveling course prior to surfacing. Areas of excessive patching will automatically receive a level course prior to surfacing. Prior to any leveling course or surface course, the streets shall be flushed clean and free of all dirt and debris. A bituminous tack coat will be required. Minimum temperature requirements for laying asphalt will be 5 degrees F higher than that allowed by IDOT specifications.

I. The bituminous concrete surface course shall be placed only upon the written approval of the City Engineer. All asphalt must be laid utilizing good-quality, properly functioning, tracked or wheeled asphalt laying machine, utilizing fully automatic, electronic sensing control from a minimum 15-foot ski. Tue surface course shall be bump tested by the contractor and witnessed by the City Engineer. All bump test penalties specified by IDOT specifications shall be quadrupled, and areas that have an excessive amount of one-half inch (1/2") bumps shall be completely removed and replaced, not just the bump itself. Minimum temperature requirements for laying bituminous surface course will be five (5) degrees F higher than that allowed by IDOT specifications. The surface elevation of the asphalt at the concrete gutter shall be ¼ inch higher than that of the adjacent concrete. All streets shall have a cross slope of 2% from the centerline to the concrete curb.

J. Areas of segregated binder course and/or surface course shall be removed and replaced at the direction of the City Engineer. Segregated asphalt is the uneven distribution of course and fine materials in the asphalt characterized by pavement textures different from the surrounding material, and can usually be seen by the naked eye.

K. Pavements constructed from Portland Cement Concrete shall be designed in conformance with American Concrete Pavement Association Publications IS 184P and IS 061P, as amended.

L. Combination concrete curb and gutter will be required- on all roadways. All curb and gutter shall be placed on an aggregate base with a minimum thickness of four inches, but in no case shall the curb and gutter sub grade be higher than one inch below the adjacent roadway subgrade. The height of the gutter flag shall be ten (10") inches, unless directed otherwise by the City Engineer. As noted previously, the roadway subgrade fabric will extend over the curb and gutter subgrade, and beyond by a minimum of twelve (12") inches. Tue concrete curb and gutter shall be reinforced with two #4 deformed bars, placed three (3") inches from the bottom, spaced twelve (12") inches apart, centered on the total width of the curb and gutter. Machine-placed concrete curb and gutter is to be utilized wherever practical, utilizing a minimum Class X concrete, and a five (5%) percent minimum air-entrainment. Plastizers will be allowed, but chlorides will not. An approved spray-on curing compound with red fugitive coloring shall be applied immediately after finishing, and a sealer, WR Meadows TIAC, or approved equal, shall be applied after seven days. The resident engineer shall be notified of these applications, and proof of purchase, with material specifications, will be required. Tue concrete curb and gutter shall have the required slip bar expansion joints, and¾ inch deep sawed contraction joints will be required every 15-20 feet, within 24 hours after each pour. Minor honeycombing on the two outer, vertical surfaces will be allowed, but they must be patched in an approved manner, and witnessed by the City Engineer, prior to backfilling. The clay backfill behind the curb shall be placed and compacted prior to placing aggregate b e course.

M. Roadway extensions and stubs will be required as part of the development, with full improvements where needed, for future growth. Additional lanes, access improvements, traffic signalization, etc., may be required, at the developer's expense. The developer shall reimburse the City for two of each street name and regulatory signs and posts required, and the City will install them. All signs shall be high-intensity, as approved by the Director of Public Works. All pavement markings shall be thermoplastic. The developer shall reimburse the City for the cost of replacing any signs that are missing, stolen, or damaged prior to final acceptance.

N. The developer, to comply with these Standard Specifications for Improvements, shall improve existing roadways running through, or adjacent to, the development.

O. Half-streets are discouraged, but where they are necessary, on advice of the City Engineer, the minimum width street will be twenty-four (24') feet from the edge of pavement to the back of curb, on the development side of the roadway. Street lighting, sidewalk, and landscaping on the development side will be required. Temporary tee tum-arounds will be required on all streets stubbed for future roadway extension, as recommended by the City Engineer, and shown on the Final Plat. Paving for the tee will extend from right-of-way line to right-of-way line, to a length of fifteen (15 ') feet, and two radii of fifteen (15') feet. The pavement beyond the road edge shall be three (3") inches of bituminous concrete surface course, on a

ten- (1 0") inch CA6 aggregate-compacted base, with pavement fabric. Concrete c□b and gutter will not be required around the tee, and sidewalk will not required through the tee. The developer extending the street in the future shall remove the excess paving and base, place topsoil, and seed the area disturbed, construct the additional curbing so that the curb and gutter is continuous and uninterrupted from one development to another, and resurface for a distance of thirty (30') feet, including header joints, as approved by the City Engineer.

P. When a development includes construction along State and County highways, or other heavily traveled road, the developer shall post advance-warning signs. The developer shall consult with the Yorkville Police Department concerning the types and locations of signs, and shall obtain a permit from the appropriate jurisdictional agency prior to erecting the signage.

Q. The City may require the roadway design to include traffic-calming measures. These measures may include, but not be limited to, curvilinear roadway layout, landscaping beyond the requirements of the Landscape Ordinance, traffic tables, and fog lines.

R. If a development includes the construction or modifications of traffic signals, the new signals shall be designed to have light-emitting diode (LED) lights. The traffic signal shall also have a battery backup device.

S. All new roadways shall be designed in accordance with IDOT Circular 95-11, or the most recently adopted IDOT standard for the design of flexible and full-depth bituminous pavements. The following minimum design criteria shall be used when applying the design method:

Design period = 20 years	Class II Roadway
Traffic Factor Equations for 80,000 lb.	2.0% traffic growth rate
Vehicles AC viscosity of AC-20	Subgrade Support Rating of Fair

T. **Local Residential Roadways**. Local Residential Roadways are intended to carry an average daily traffic (ADT) volume of less than 1000. The right-of-way width shall be 66 feet. The bituminous .concrete surface course shall be a minimum of 1.5 inches in thickness of Class "I" Superpave mixture. The bituminous concrete binder course shall be a minimum of 2.5 inches in thickness. The aggregate stone base shall be 10 inches in thickness of clean, crushed CA-6 gradation gravel or limestone. The roadways shall be bound with B-6.12 combination concrete curb and gutter to a width of thirty feet from back of curb to back of curb (B-B). The street radius for all intersecting streets shall be a minimum of thirty feet to the back of curb. The edge of pavement shall be cleaned and sealed with rubberized asphalt cement hot-poured joint sealer.

U. **Estate Residential Roadways**. Estate Residential Roadways are intended to carry an average daily traffic (ADT) volume of less than 1000. The right-of-way width shall be 70 feet. The bituminous concrete surface course shall be a minimum of 1.5 inches in thickness of Class "I" Superpave mixture. The bituminous concrete binder course shall be a minimum of 2.5 inches in thickness. The aggregate stone base shall be ten inches in thickness of clean, crushed CA-6 gradation gravel or limestone .. The roadway surface shall be 28 feet wide with two 12.5-foot wide through-lanes. The lane edges shall be striped with a four-inch thermoplastic pavement marking. The roadway up to and including the aggregate stone base shall be 32 feet wide to provide a 2-foot wide aggregate shoulder (nominal thickness of at least 12 inches), and also to allow for future widening. Mailbox turnouts will be paved, using driveway specifications to determine thickness.

V. **Minor Collector Roadways.** Minor Collector Roadways are intended to carry 1000-2500 ADT. The right-of-way width shall be 70 feet. The bituminous concrete surface course shall be a minimum of 1.5 inches in thickness of Class "I" Superpave mixture. The bituminous concrete binder course shall be a minimum of 4.5 inches in thickness. The aggregate stone base shall be 12 inches in thickness of clean, crushed CA-6 gradation gravel or limestone. The roadways shall be bound with B-6.12 combination concrete curb and gutter to a width of 34 feet B-B. The street radius for all intersecting streets shall be a minimum of thirty feet to the back of curb. Minor collector roadways may provide direct access to adjacent private lots. The edge of pavement shall be cleaned and sealed with rubberized asphalt cement hot-poured joint sealer.

W. **Collector Roadways and Commercial/Industrial Roadways.** Collector Roadways are intended to carry 2500--12,000 ADT. The right-of-way width shall be 80 feet. These design standards shall also apply to all roadways directly serving

commercial or industrial zoned areas. The bituminous concrete surface course shall be a minimum of 1.5 inches in thickness of Class "I" Superpave mixture. The bituminous concrete binder course shall be a minimum of 4.5 inches in thickness. The aggregate stone base shall be 12 inches in thickness of clean, crushed CA-6 gradation gravel or limestone. The roadways shall be bound with B-6.12 combination concrete curb and gutter to a width of39 feet B-B. The street radius for all intersecting streets shall be a minimum of 40 feet to the back of curb. Collector roadways shall not provide direct access to adjacent lots in residential-zoned areas. The edge of pavement shall be cleaned and sealed with rubberized asphalt cement hot-poured joint sealer.

X. **Major Collector Roadways**. Major Collector Roadways are intended to carry more than 12,000 ADT. The right-of-way width shall be 100 feet. The bituminous concrete surface course shall be a minimum of 1.5 inches in thickness of Class "I" Superpave mixture. The bituminous concrete binder course shall be a minimum of six inches in thickness (2 lifts required). The aggregate stone base shall be 16 inches in thickness of clean, crushed CA-6 gradation gravel or limestone. The roadways shall be bound with B-7 .18 combination concrete curb and gutter to a width of 51 feet (four 12-foot lanes) B-B. The City Engineer may require an additional 12-foot center tum lane, as deemed appropriate. The street radius for all intersecting streets shall be a minimum of 50 feet to the back of curb. The edge of pavement shall be cleaned and sealed with rubberized asphalt cement hot-poured joint sealer.

Y. An alternative bituminous base course may be approved by the City Engineer, and B6-18 or B6-24 combination concrete

Z. **Boulevards.** Boulevard-style roadways shall have a minimum width of 28 feet B-B for approaches to intersections. The minimum pavement width in other areas shall be 20 feet B-B.

10-A-3. Sidewalk

A. Non-reinforced, concrete sidewalks will be required on both sides of all roadways. They shall be a minimum of four (4') feet wide where four (4') feet wide walks now exist, and five (5') feet wide in all other locations. All sidewalks shall be five (5;') inches in thickness. They will be a minimum of six (6") inches in thickness across driveway approaches. All sidewalks shall have an aggregate base of CA 7, with a minimum thickness of two inches (five inches across driveway approaches). All concrete shall be Class X, with a minimum of five (5%) percent air-entrainments. Sidewalks shall slope two (2%) percent towards the street. Approved curing and sealing compounds are required, as specified previously for concrete curb and gutter. The back of the sidewalk shall be placed twelve (12") inches from the right-of-way line, unless directed otherwise. The sidewalk shall have a light broom finish. Formed contraction joints are required, at a spacing of five (5') feet. Expansion joint material, one-half inch in thickness, and full-depth, shall be placed every 100 feet. The subgrade for the sidewalk shall be uniform, neat, and compacted to a minimum 90% modified proctor.

B. Spalling or chips will not be allowed to be patched. All such areas will be removed from contraction joint to contraction joint, and replaced. All sidewalks will be in place prior to acceptance of the public improvements by the City, which includes in front of vacant lots. These areas must be protected during future construction.

C. No sidewalks are required in Estate-residential subdivisions. However, in the event sidewalks are not provided, a paved trail that abuts every lot must be provided, that meets the City's standards, specifically a ten (10') foot width, with an exit and entrance identification, consisting of two (2") inches of asphalt on eight (8") inches of CA6 aggregate. Dedicated easements at least fifteen (15') feet wide must be provided for the trail.

10-A-4. Drive Approaches

A. Drive approaches must be constructed to one of the following:

1. Six inches, minimum of Class X concrete, with a minimum of five (5%) percent air-entrainment, over six inches minimum CA6 aggregate base over a 90% modified proctor compacted subgrade, with curing and sealing treatments, as specified above, under concrete curb and gutter. Expansion joint material, one-half (1/2") thick find full-depth, shall be installed at the curb and at the sidewalk.

2. Two inches, minimum of Class I bituminous concrete surface course, over a minimum base of eight (8") inches of CA6 aggregate over a 90% modified proctor compacted subgrade. The concrete sidewalk will be constructed through the drive approach, and any construction damage to the concrete sidewalk or curb will cause removal and replacement of those improvements. Drive approaches will not be constructed steeper than eight (8%) percent.

3. In Estate-residential subdivisions, all driveways must be paved with brick, asphalt, or concrete, and must have a concrete culvert with flared end sections. Culvert diameter shall be twelve (12") inches or greater, as required by the City.

10-A-5. Parkways and Park Sites

A. All parkways, park sites, and other open spaces shall be landscaped and designed in accordance with the City of Yorkville' s Landscape Ordinance and the Park Development Standards, as amended from time to time.

B. Any existing trees within a development deemed by the Parks Department and Public Works Department to be dead, dying, or of an undesirable species shall be removed by the developer. The developer shall not remove or cut down any trees without the prior consent of the Parks Department and Public Works Department, or as indicated in the approved landscape plan.

10-A-6. Street Lighting

A. All streets shall have a complete street lighting system designed by a professional engineer. A street light will be required at all intersections, all curves, at all ends of cul-de-sacs, and at a maximum spacing of 300 feet. In Estate-residential subdivisions, street lights shall be required at intersections, and at a maximum spacing of 500 feet, with lights also placed at curves and a he end of dead-end streets. The poles shall be concrete with butt-type foundations. The City Engineer may require a streetlight to be placed at other points, as may be necessary in the public interest in unusual or special conditions. They shall be located at side lot lines, and on the opposite side of the street from the' water main, wherever possible, and shall be set two feet from back of curb to face of pole. Occupancy permits cannot be issued until all streetlights in that phase of the development are installed, complete, and operational.

B. AU exterior lighting of private property in new developments shall be designed, located, and mounted at heights no greater than twenty (20') feet above grade for non-cutoff lights, and forty- (40') feet above grade for cutoff lights. The lighting plan, photometrics, and shop drawings for lighting equipment shall be submitted prior to issuance of a building permit. Glare shall be minimized to the extent practical by orienting lights away from the public right-of-way and abutting properties, or by planting vegetation to provide screening. Exterior lighting shall be designed, located, and mounted so that the maximum illumination measured horizontally at the lot line does not exceed one (I ') foot-candle.

C. **Light Distribution.** Luminaries of the Type II distribution as approved by the Illuminating Engineering Society (herein termed IES) shall be used, except at intersections where Type II or Type IV IES distribution shall be used. The City Engineer may designate the IES Type V distribution luminaries be used in the public interest under unusual or special conditions.

D. **Individual Control.** On individual control of lights, the photoelectric control shall be mounted on top of the luminaire.

E. **Line Drop.** Voltage drop shall be no greater than three (3%) percent from power supply to the last pole, with no wire size smaller than No. Six (6) Type RHH or RHW Underground Service Cable (USC). All streetlights shall operate at 120 volts, except for those on major streets.

F. **Power Supply Location.** Connection to the power supply shall be made to comply with Commonwealth Edison Company rules and regulations, as amended fro time to time.

G. **Conduit.** All driveways, street, and sidewalk crossovers shall have two (2") inches of HD PVC conduit, used as raceways for underground cable.

H. **Underground Cable.** All underground cable shall be direct-buried cable, placed at a depth at least thirty-(30") inches below the normal finished grade. Three cables (Black, White, Green) shall be run from the pole to the power supply. Any underground cable broken more than once prior to Final Acceptance shall be replaced from the power source to the pole or from pole to pole.

I. **Splices.** All cable on the underground cable section shall be continuous, and no splicing shall be made underground. All necessary splices shall be made above ground level.

J. **Underground Cable Location.** Underground cable shall be installed in a trench not less than two feet from the back of the curb, except that in no case shall the underground cable be installed under the sidewalk.

K. **Grounding.** A copper-clad ground rod shall be placed at each pole. The rod shall be minimum 5/8-inch diameter, and ten (10') feet long.

L. **Fusing.** All underground feeders shall be fused at or below their rated capacity. Each standard shall contain in-line fuse holders, with proper fusing in series with each underground conductor to protect the luminaire located on that pole.

M. **Maintenance Prior to Acceptance.** Once streetlights are operational, the Yorkville Public Works Department shall perform normal maintenance, even though the Yorkville City Council has not accepted the streetlight system. Normal maintenance consists of investigating the cause of an outage, and repairing it if the cause is a burned out lamp, fuse, or photocell. All other repairs shall be referred to the developer. The cost of performing normal maintenance prior to acceptance by the Yorkville City Council shall be paid from a "Streetlight Normal Maintenance" deposit established by the developer prior to recording the Final Plat. The deposit shall be $300.00 per pole, or other such amount, as may be determined by the Yorkville City Council, from time to time. If the deposit proves insufficient, the developer shall replenish the deposit within thirty- (30) days of written request by the City Engineer. The Yorkville City Council shall return any unused funds to the developer upon acceptance of the streetlight system.

N. **Streetlight Standard and Bracket.** Local streets shall use 906 B 19-AD4, American Concrete Company pole and bracket, or approved equal. Luminare shall be mounted 19'9" above the street, shall have a four-(4') foot arm. The pole s.hall be buried a minimum of five (5') feet below grade and backfilled with crushed CA6 limestone, watered, and compacted around the butt of the pole. The bracket is to be furnished with the pole.

1. The luminare shall be a General Electric Company No. M2RR1551N2AMS3F, or approved equal with the 1-1/4" side mount built-in ballast. The luminaries shall be fitted with General Electric Company "Lucalox" high-pressure sodium lamps LU 150/55/D, or approved equal, with GE Company ANSI specification "S55" high-pressure sodium ballasts (or approved equal) or American Electric 115 15-S-RN-120-R2-DA- 4B.

O. **Major Collector Street.** The lighting pole shall be Stress Crete E340-BPO-G, with Style 210 low rise tapered aluminum davit, or approved equals. The davit outreach length shall be eight (8') feet. The luminaire shall be mounted thirty (30') feet above the street. The pole shall have an embedment depth of five (5') feet and be backfilled with CA 6 limestone.

1. The streetlight system shall be operated through controller(s) in ground-mounted cabinets. The controller and luminaire shall operate at 240 volts. The controller shall be housed in a pad-mounted Type NEMA 3R enclosure. The exterior of the cabinet shall have a bronze tone powder-coat finish. The approximate dimensions of the cabinet shall be 42"H x 36"W x 12"D. A Com Ed meter socket shall be provided on the exterior of the cabinet.

2. The manufacturer or distributor shall guarantee streetlight standards, luminaries, ballast, lamps, and cables for their proper use, for one year, from the date of acceptance.

P. **Testing.** The subdivider shall manually trigger the photocell in order to have each street light bum continuously for at least 48 hours. During this bum test, amperage readings shall be taken, and must be within ten (10%) percent of the connected load, based on equipment ratings.

Q. **Parking Lot Lighting.** Parking lots in areas zoned Business, Residential, or Office-Research, shall be provided with lighting necessary to achieve a minimum average of 2.0 foot-candies, as measured across the entire parking lot, and a maximum of

1.0 foot-candles, as measured at the adjoining property lines. Parking lots in areas zoned Manufacturing shall have a minimum average lighting intensity of one foot-candles, per square foot. Lighting shall be designed to avoid casting direct light or glare onto adjacent residential property.

10-A-7. Storm Sewer System

A. A complete storm sewer system shall be required; consisting of closed conduits to an approved storm water storage system. All storm sewers within the public right-of-way and easements parallel to and adjacent to public right-of-way shall be reinforced concrete pipe (RCP), with a twelve (12") inch minimum diameter. Storm sewers in rear yards and side yards may be high-density polyethylene (H.D.P.E.) of a manufacturer and design, to be approved by the City of Yorkville. All roadways will have a system of inlets/catch basins, tied directly to the storm sewer. These storm water collection locations will be on both sides of the street, with a maximum longitudinal flow interval of 300 feet. All such collection points will be an inlet except the last structure before entering a storm sewer main shall be a catch basin with a two-foot sump. Catch basins or open-lid structures shall not be located over the sewer main. All backfill is to be a CA 7 aggregate. All storm sewer roadway crossings from structure to structure must be backfilled with CA7 aggregate and completely encapsulated in an approved drainage fabric. In this manner, the curb subgrade, the storm crossings, and the inlets and catch basins create a roadway underdrain system for longer roadway life.

B. The City may require that storm sewers be constructed along the centerline of individual roadways at certain locations. Those locations shall normally be limited to within 100 feet of the lowest sag vertical curve of a roadway. Where these locations occur within a horizontal curve of the roadway, storm manholes shall be pf aced at the centerline of individual roadways.

C. If subgrade conditions are excessively sensitive to moisture or other special conditions, a capped, perforated, plastic underdrain may be required under the curb and gutter. All storm water conduits 12" diameter and larger shall be 'internally televised in color just prior to City acceptance, and shall be free of defects, sags, dirt, and debris. All non-RCP storm sewers shall also be mandrel tested (similar to sanitary sewer testing) just prior to City acceptance. All parking lots shall be drained internally, and directed by pipe to the storm sewer. Storm sewers shall extend to the limits of the development with proper sizing, as approved by the City Engineer, based upon current and future runoff conditions, to pick up and safely carry through the development any and all upstream bypass flows.

D. All new homes with basements or crawl spaces shall have a direct, underground conduit to the storm sewer system. Fill-in lots in areas with no storm sewer within 500 feet shall not be required to have this direct connection. Minimum depth of cover for these lines shall be 30 inches. All discharges shall have an approved automatic diverter calve immediately outside the house and a check valve inside the house. Multiple collection lines of four inch and six inch HD PVC will be allowed by an approved design. Terminal and junction points shall be at two-foot diameter precast concrete inlets with open-lid castings. The pipe from the house shall be a 2" minimum HD PVC with cemented joints. The connection to the storm sewer shall be through a neat, tight fitting, bored hole into the concrete pipe. After insertion of the sump pump discharge pipe into the concrete storm sewer pipe, the joint shall be sealed with hydraulic cement. In no case shall the sump pump discharge pipe extend beyond the inner surface of the concrete storm sewer pipe. Connections, however, shall be into a structure wherever practical.

E. Individual storm sewer services shall not be required in areas of the development where soil and ground water conditions indicate that sump pumps would run very infrequently. If the developer does not wish to install storm sewer services, he shall perform soil borings at regular intervals (300' to 400' grid typical) during the Final Plan preparation stage, to determine soil types and ground water elevations. Boring locations are subject to approval by the City. Each boring shall extend at least 20 feet below existing ground elevations and be referenced to the development benchmarks. If the boring logs show granular soil and also show ground water elevations at least five (5') feet below planned basement floor elevations, then individual storm sewer services shall not be required in that area of the development. During excavation of every basement in that area, the developer shall verify (with City representative present) that the granular soil and deep ground water conditions exist. If either condition is found not to exist at a building location, the developer shall construct a storm sewer service to that building, in conformance with these Standard Specifications.

F. The design of the storm water collection system shall be for a ten (10) year storm, running just full. The only exception to this is where the receiving storm water system has less capacity and here the new system of conduits shall be designed for a five (5) year event, running just full. The minimum velocity shall be 2.5 fps and the maximum shall be 8 fps. The storm sewer pipe shall have a minimum cover of three (3') feet. Storm sewer manholes shall be five (5') feet internal diameter, constructed of reinforced concrete, and shall be placed at a maximum spacing of 500 feet. Storm sewer manholes may be four (4 ') feet internal diameter when the largest sewer entering/leaving the manhole is 18" diameter, and the orientation of sewers connecting to the manhole is such that there is at least 12" of precast wall between the openings provided for sewers. The use of adjusting rings is limited in height to eight (8") inches. Inlet and/or catch basin frames and grates shall be Neenah No. 3015, East Jordan No. 7010, or approved equal. Whenever possible, castings for curb drains shall have a fish logo to discourage dumping of oils, pesticides, 'and other inappropriate items into the storm sewer system.

G. Where a continuous grade is carried across an inlet or catch basin casting, the open-vaned cover shall be used, Neenah No. R-32868V, East Jordan No. EV-7520, or approved equal. All manhole castings shall be Neenah No. R-1030, East Jordan No. 105123, and Type B cover, or approved equal. All type B covers shall have "City of Yorkville" and "Storm" cast into the top, and shall be concealed pickhole type. All sections of the manholes shall be completely sealed and butyl rope, including the casting. Manholes shall no be allowed in the pavement, curb, gutter, or sidewalk. All flared end sections 15" or larger shall have grates.

H. In Estate residential developments, a ditch shall be required on both sides of the street, and shall have a minimum profile slope of one (1 %) percent (side slope 4: 1 on the street side, and 3: 1 on the lot side).

I. For developments ten acres in size or larger, the developer may use computer-based methods to determine stormwater storage volumes. The specific method and parameters used in employing the method shall be subject to the approval of the City Engineer.

J. For developments less than ten acres in size, the storm water storage system shall be designed utilizing a Modified Rational Method, as described below:

1. Q = (Cm) iA, where a run-off co-efficient or Ca is calculated for the site based upon actual proposed surface coverage. Cm then equals 1.25 times Ca.

2. The following run-off co-efficient shall be utilized as minimums:

Surface	**C**
Grass	.50
Asphalt/Concrete	.98
Roof	1.00
Detention	1.00

3. The maximum release at the designated 100-year· level is 0.15 cfs/acre. The City Engineer shall reduce this allowable release rate where the downstream accepting system is experiencing drainage problems such as the Elizabeth Street swale where all receiving discharges are limited to 0.10 cfs/acre. The outlet structure design shall address the two-year (0.04 cfs/acre) and the 25-year (0.08 cfs/acre) storm control, in addition to the 100-year event.

4. When depressional compensatory storage is provided by increasing the volume of a stormwater detention basin, the maximum allowable release rates of the basin shall be reduced, as directed by the City of Yorkville to approximate the pre-development release of the depressional area, and realize the full storage potential of the enlarged basin.

5. The minimum size restrictor shall be a four-inch by twelve-inch long HD PVC pipe. The design must be designed for easy maintenance and cleaning during a storm event. The discharge shall be directly to a downstream storm sewer if

one is available within a reasonable distance. If not, the discharge will be to the surface, with approved energy dissipation and downstream erosion protection.

6. The rainfall intensities to be utilized are those established by the Illinois State Water Survey's Bulletin #70, as amended for the specific City of Yorkville area. In designating the required storm water storage volumes, the maximum value calculated using the various events should be utilized. See Figure 3 for a sample calculation.

7. The storm water storage areas must have containment for twelve inches of additional storm water storage, with an approved calculated overflow area at six inches above calculated 100- year elevation. This - overflow shall have an erosion concrete curtain wall, with a minimum thickness of 8 inches, a minimum depth of three feet below grade, and a length to extend a minimum of four feet beyond the limits of the overflow on either end. This wall is not to be formed, but is to be trenched or excavated into natural soil, or into the compacted fill, and is to be finished flush to the ground.

8. Storm water storage areas shall be covered by an easement, including access thereto, such that should the owner not maintain said area as necessary, the City can cause such corrections and bill the owner, including any and all administrative costs.

9. The engineering plans shall have a full sheet dedicated to the soil erosion and sedimentation control requirements for the development, including silt fencing, straw bales, drainage fabric, etc. Failure to properly maintain this system may result in major storm sewer cleaning within the site and in the offset storm system. The City reserves the right to place a hold on all building permits and inspections if the soil erosion and sedimentation control plan is not properly maintained. Keeping the streets clean is part of this plan, and failure to do so will result in these actions. The developer shall establish a Street Cleaning deposit with the City of Yorkville, in the amount of $5000.00. If the streets are not cleaned within 48 hours of a written request by the Director of Public Works, the City shall have the streets cleaned, and subtract that cost from the deposit. The developer shall replenish the deposit to the full amount if it falls to less than $1000.00. The Yorkville City Council shall return any unused portion of the deposit to the developer upon acceptance of the streets.

10. The developer shall establish basins onsite where concrete ready-mix trucks must wash out after delivering their load. Signs shall be posted at each entrance to the development to warn truck drivers of the requirement to wash out at specific sites, and notify them of the fine for non-compliance (up to $100.00 for each offense). Each entrance sign shall include a simplified map of the development, to show the locations of the washout basins in the development. A sign shall also be posted at each washout basin, to identify the site. The developer shall maintain all signs, basins, and appurtenances in good condition until the City accepts the public improvements.

    a. Washout basins shall be located outside of the public right-of-way, parks, and all public utility easements. They shall be located in relatively low-traffic areas, and be at least fifty- (50') feet from storm drains, open drainage facilities, and watercourses, unless approved otherwise by the City Engineer. Basins shall have a minimum twelve (12") inch thick CA-3 aggregate approach of sufficient width over a woven geotextile 'fabric, to reduce tracking of mud onto roadways. The washout area shall be contained by an earthen berm, and be at least ten (10') wide by ten (10') long. The maximum depth of a washout basin shall be three feet. When the volume of a washout basin is 75% full, the developer shall remove the hardened concrete and transport it to a legal landfill. Burying waste concrete onsite shall not be permitted.

    b. The developer shall incorporate the items necessary to comply with this requirement, as well as provisions for maintenance, onto the erosion and sediment control plan sheet. All signage, washout basins, and appurtenances shall be in place before the first building permit is issued.

11. The engineering plans shall have one or more full sheets dedicated to the Final Grading of the entire site. The minimum grade for all grass areas shall be two (2%) percent, except that swale areas may be at one (1 %) percent if it is over an approved, piped underdrain. Slopes shall be shown with arrows at all locations from all break points. A grading plan on an 8-1/2" x 11" paper for the actual building must be submitted for each building permit submitted, and will become a part of the building permit. All top of foundation elevations will be a minimum of two (2 ') feet, and a maximum of three (3 ') feet above the street centerline elevation, measured at the center of the lot in question, unless

the City Engineer directs otherwise, based on site-specific conditions. Drives must be at a minimum slope of two (2%) percent, and maximum slope of eight (8%) percent towards the curb flow line from the garage. When the forms for the foundation are ready to pour, a top of foundation elevation and location certification of a registered surveyor or engineer, as approved by the building inspector, is required prior to pouring the concrete into the forms. The tolerance here is 0.15 feet lower and 0.5 feet higher, and behind all applicable setback and easement lines.

12. Requests for an occupancy permit must include an as-built grading plan, signed and sealed by a registered land surveyor, showing the original, approved grades and slopes, along with the actual grades, just prior to the occupancy permit request. The actual grades must fall within a tolerance of 0.15 feet in order to receive an occupancy permit. Top soiling and seeding or sodding, if applicable, must be in place prior to the final grading plan. All City-incurred costs of reviewing these grading plans shall be the responsibility of the developer. Note that specific building codes, ordinances, and permitting procedures, which may be established by the United City of Yorkville, shall supersede these requirements.

13. General grading and landscaping of the storm water areas shall be designated according to the Park Development Standards, Landscape Ordinance, and these Standard Specifications. The City may require that storm water detention and retention facilities, as well as grading, landscaping, and stormwater collection systems, incorporate currently acknowledged Best Management Practices to improve storm water quality. These may include, but are not limited to, naturalized detention basins, bio-swales, low impact design standards, perforated storm sewer, designs that reduce the degree of connected impervious areas, designs that encourage infiltration of stormwater, etc.

    a. Wet ponds shall have a maximum allowable depth of two feet between the normal water level and the high water level corresponding to the Ten-Year Frequency Storm. The City may require wetland-type plantings and appropriate grading around the perimeter of wet ponds.

    b. The developer shall provide a soil report, prepared by a licensed professional engineer, to determine whether or not lake lining will be required. Vertical or nearly vertical edge treatment will require an approved method, allowing a child to easily climb out of the water.

    c. Storm sewers discharging to a stormwater basin shall be designed such that the sewer invert at the discharge point is no lower than 6" below the normal water level of the basin, and the top of sewer is no lower than the ten-year high water level of the basin.

14. Storm water storage basins shall operate independently of any watercourse or water body receiving the discharge from the basins. Bypass flows from upstream areas should bypass the storm water storage facility, where practical. The entire development shall be examined under the premise that all storm sewers are blocked and full when a 100-year event occurs, and the development can pass these flows without flooding homes. All overflows are to be contained within the right-of-way, or where absolutely necessary, through special drainage easements. All buildings shall have the lowest water entry a minimum of 1-8 inches above the elevations determined for this bypass situation.

15. Storm water detention shall not be required under the conditions listed below. The City reserves the right to require detention on any parcel of land if special circumstances exist, and to require that sewer be constructed as necessary, to carry away the storm water.

    a. Proposed development or re-development of the existing lots zoned single-family detached, or duplex residential, less than 2.5 acres in gross area:

    b. Proposed development or re-development of existing lots zoned other than single-family detached or duplex residential, that are less than 1.25 acres m gross area.

10-A-8. Water System

A. All water mains shall be Class 52 ductile iron pipe, conforming to the latest specification requirements of ANSI A21.5.I. Mains shall be cement lined, in accordance with ANSI A21.4. Fittings shall conform to ANSI 21.10. Gate valves shall be resilient wedge type, conforming to the latest revised requirements of A WW A specification C509. All water mains are to be polyethylene wrapped. Main line valves 10" diameter and larger are to be installed in a vault. Smaller main-line valves shall either be installed in a vault, or have a Trench Adapter valve box, similar to those used at fire hydrants. No vaults or valve boxes shall be in the pavement or sidewalk.

B. Water services up to 3" diameter shall be type "K" copper, conforming to the latest revised specification requirement of ASTM B88. Minimum size for residential units shall be one inch in diameter. Corporation stops shall be McDonald No. 4701, Mueller H-15000, or Ford F-600. Curb stops shall be McDonald No. 6104, Mueller H-15154, or Ford B22-333m, with Minneapolis patter B-boxes, similar to McDonald N.5614 or Mueller H-10300.

C. Minneapolis type B-boxes shall be installed in the right-of-way, but not in the sidewalk or driveway.

D. Fire hydrants shall be one of the following:

1. Clow F-2545 (Medallion)
2. Mueller A-423 Super Centurian
3. Waterous WB-67-250

Hydrants shall have a 5-1/4" main valve assembly, one 4-1/2" pumper nozzle, and two 2-1/2" hose nozzles, with national standard threads, a national standard operating nut, and above ground break flange. The installation of the hydrant shall conform to A WW A 600 standards. Auxiliary valve boxes shall either be Trench Adapter Model Six by American Flow Control, Clow F-2546 with F-2493 cover, or approved equal. For valve boxes other than those by American Flow Control, the box shall be attached to the hydrant barrel with grip arms, as manufactured by BLR Enterprises, or approved equal.

E. **Inspections and Installation.** All water mains shall be designed and installed in accordance with the Standard Specifications for Water Mains in Illinois. Upon completion, water mains shall be subjected to hydrostatic pressure test of 150-psi average for up to 4 hours. Allowable recovery shall conform to the Standard Specifications for Water & Sewer Main Construction in Illinois. The water operator in charge or person authorized by the water operator in charge shall be present during all testing. The developer shall use the pressure gauge supplied by the City for the test.

F. New water main shall be disinfected in accordance with A WW A standard C601. Water will be tested to assure that 50 mg/l of CL2 is in disinfected water. Sampling shall be taken by water operator in charge or persons authorized by the water in charge. Water must pass two consecutive days of sampling tests by a state approved lab.

G. Water mains shall be minimum eight inches internal diameter, with a cover of five feet, six inches below finished grade. Watermain stubs to hydrants shall be at least six inches internal diameter. City water mains and hydrants shall be placed of the North and West sides of the streets, unless approved otherwise the City Engineer/ Valves shall be installed each second consecutive hydrant, at intersecting lines, and other locations as required, such that a minimum number of services will be affected during a main isolation.

1. Fire hydrants shall be installed throughout the subdivision at each intersection and at intervals not exceeding the requirements of two fire hydrants serving any point of any building, or 300 feet along the roadway, whichever is more stringent. Special conditions may dictate a closer spacing, as approved. Fire hydrants shall be located on the property line, except at comers, and shall be set two feet minimum and three feet maximum from the curb back to the face of the pumper nozzle. Where there is no curb and gutter, the face of the pumper nozzle shall be between 18 inches to 20 inches above finished grade line (sidewalk to curb).

2. Base elbow of hydrant shall be properly thrust blocked, and shall be provided with clean, washed CA 7 aggregate and polyethylene covering. All hydrants and any adjustment fittings shall receive one field coat of red paint, as recommended by the manufacturer, prior to final acceptance.

H. All tees, bends, fire hydrants, and valves shall be adequately blocked with pre-cast blocks and poured in place thrust blocking against undisturbed earth.

I. Services shall be equipped with corporation stop, curb stop, and buffalo box. The buffalo box shall be set in the parkway, on the centerline of the property, approximately centered between the back of sidewalk and the adjacent right-of-way line. Service trenches beneath or. within two feet of proposed driveways, sidewalks, or other pavements shall be backfilled full-depth with aggregate. Except as permitted below, the underground water service pipe and the building drain, or building sewer, shall be not less than ten feet apart horizontally, and shall be separated by undisturbed or compacted earth. The water service pipe may be placed in the same trench with the building drain and building sewer if the conditions listed below are met:

1. Local conditions prevent a lateral separation of ten feet;

2. The bottom of the water service pipe at all points shall be at least 18 inches . above the top of the sewer line at its highest point. All water and sewer services must be inspected an approved by the building inspector prior to backfilling.

3. The water service pipe shall be placed on a solid shelf, excavated at one side of the common trench, and shall have no joints from the buffalo box to the water meter inside the house; and

4. The material and joints of sewer and water service pipe shall be installed in such a manner, and shall posses the necessary strength and durability to prevent the escape of solids, liquids, and gasses there from under all known adverse conditions, such as corrosion, strains due to temperature changes, settlement, vibrations, and superimposed loads.

J. Depth of bury shall be 5'6" below finish grade. No joints will be allowed between the corporation stop and the curb stop.

K. All watermain shall be looped and double fed, and shall be extended to the far limits of the development, and in size appropriate for future development, as directed by the City Engineer. Recapture and over-sizing may be applicable.

L. The developer shall reimburse the City of Yorkville for the cost of water to fill and test new watermains, and also for the cost of laboratory tests after chlorination. The water cost shall be at the bulk rate charged by the City of Yorkville at that e. The volume of water shall be calculated as the volume of two and one-half times the lengths and diameters of new watermains.

M. Watermain proposed to cross existing city streets shall be constructed by directional boring. Open-cut construction shall not be allowed without consent from the Public Works Director.

N. Connections to existing watermains shall employ line stops to minimize the disruption of service to existing residents.

10-A-9. Sanitary Sewer System

A. A complete sanitary sewer system is required for all new development. The minimum internal size of sanitary sewer main shall be eight inches in diameter. The top of the sewer main shall be a minimum of three feet lower than the lowest floor elevation at all service connection locations, but not less than eight feet below finished grade, wherever possible. Should the sewers serving a particular development not be deep enough to serve the basement, as noted above, then overhead plumbing will be required. However, all levels of the building must be served by gravity, with only the below-grade levels being served by a pump unit. The City Engineer may require that certain buildings not have subgrade levels due to special situations.

B. The sanitary sewer shall be extended to the development's far extremes, as directed by the City Engineer, for proper and orderly growth. The city Engineer will also direct the sizing and grades for the sewer, so as to fit the overall plan for the City.

The City strongly discourages the use of lift stations, but if the City Engineer approves the use of a public lift station, the following shall be required as a minimum:

C. The pumps shall be submersible, with a back up pump and well-designed wet well.

D. The station building shall be a brick structure with conventional-pitched roofing and paved access. The building shall comply with all International Building Code regulations, and shall be heated and ventilated. The subdivider shall follow normal building permit procedures, and pay the normal fees for construction of the lift station building.

E. The unit will be equipped with a back-up power source, utilizing natural gas as a fuel, and can operate on manual or fully automatic mode, complete with a variable exercise mode.

F. The motor control center shall have a solid-state duplex logic. Sewage level in the wet well shall be measured with a pressure transducer. A dial-out alarm system matching that currently in use in the City shall be provided.

G. The City Engineer must approve any and all lift stations, and may require other improvements.

H. There shall be good-quality noise control, and all electronic components shall be explosion-proof.

I. Force mains shall be sized to carry the initial, intermediate, and ultimate flow rates from the tributary area, at a velocity of between 3.0 and 6.0 feet per second. Material shall be watermain quality Ductile Iron with polyethylene encasement. Gate valves in vaults shall be constructed in the force main at intervals not exceeding 600 feet, to allow quick isolation in the event of a leak. Blow-off valves in vaults shall be constructed at high points in the force main, and shall discharge to sanitary sewers, where possible. Force mains shall be tested at

J. 150- psi for two hours, similar to watermain testing.

K. The sub-divider shall maintain an inventory of each size and type fuse, relay, and other plug-in type devices used in the lift station motor control center, as recommended by the manufacturer. These items shall be housed in a wall mounted metal cabinet. The subdivider shall also supply a heavy-duty free standing metal shelf with not less than square feet of shelf space, and one (1) fire extinguisher rated for Type A, B, and C fires.

L. The sub-divider shall provide start-up training to the Public Works Department personnel, and shall provide three sets of Operations and Maintenance Manuals for all equipment at the lift station.

M. Underground conduit shall be heavy-wall PVC.

N. The exterior of the wet well shall be waterproofed. The City may require the wet well to have a minimum internal diameter of up to eight feet.

O. Sewer construction cannot start until the Illinois Environmental Pollution Agency (IEP A) has notified the City Engineer that approvals have been secured. Sanitary sewer pipe shall be PVC plastic pipe, with a minimum SDR 26. All pipe and fittings shall be pressure rated in accordance with ASTM D-2241 and ASTM D-3139 (per AWWA C-900) for sizes 6-15 inches. Solvent joints are not permitted.

P. All public sanitary sewers will be air and mandrel tested (7-point minimum) by the developer, at his expense, under the supervision of the City Engineer. One copy of the report shall be forwarded to the Yorkville-Bristol Sanitary District, and one report shall be forwarded to the City Engineer.

Q. All testing will be done in conformance with the "Standard Specifications For Water and Sewer Main Construction in Illinois", current edition.

R. All public sanitary sewers shall be internally televised in color and recorded on videotape and written log by the developer, at his expense; under the supervision of the City Engineer, to ensure that the sewers are straight, unbroken, tight, and flawless. There must be good-quality lighting for a sharp and clear image of all sewer segments. Poor quality images will result in re-televising the system, at the developer's expense. The videotape must clearly mark the segment being televised through manhole numbering, and the image must clearly identify the footage as it progresses through the pipe. One copy of the complete videotapes and written log shall be forwarded to the Yorkville-Bristol Sanitary District, and one complete set shall be forwarded to the City Engineer.

S. All manholes will be required to be internally vacuum tested by the developer, at his expense, under the supervision of the Engineer. This test will check the integrity of the complete structure, from the invert to the casting, including all adjusting rings. One copy of the test results shall be forwarded to the Yorkville-Bristol Sanitary District, and one copy shall be forwarded to the City Engineer. Vacuum testing of each manhole shall be carried out immediately after assembly backfilling, and rough grading, and shall be witnessed and approved by the City Engineer. All lift holes shall be plugged with an approved non-shrinking grout. No grout will be placed in the horizontal joints before testing. All pipes entering the manhole shall be plugged, taking care to securely brace the plugs from being drawn into the manhole. The test head shall be placed at the inside of the top of the casting and the seal inflated in accordance with the manufacturer's recommendations. A vacuum of ten inches of mercury shall be drawn and the vacuum pump shut off. With the valve closed, the time shall be measured for the vacuum to drop to nine inches. The manhole shall pass if the time is greater· than 60 seconds for a 48-inch diameter manhole, 75 seconds for a 60-inch manhole, and 90 seconds for a 72-inch manhole. All manhole castings shall be Neenah No. R-1030 frame, East Jordan No. 105123, and Type B cover, or approved equal.

T. If the. manhole fails the initial test, necessary repairs shall be made with a non-shrink grout, while the vacuum is still being drawn. Retesting shall proceed until a satisfactory test result is obtained. If the rim of a sanitary manhole needs to be reset or adjusted after successful vacuum testing, but before the expiration oft eh one-year warranty period, it shall be sealed and adjusted properly in the presence of the City Engineer. Failure to do so will require the manhole to be vacuum tested again.

U. All manhole frames shall be Neenah No. R-1030, East Jordan No., 105123, or approved equal, with Type B covers. All Type B covers shall have "City of Yorkville" and "Sanitary" cast into the lid and shall have concealed pick holes with a machined surface and watertight rubber gasket seals. All manhole segments, including the frame and adjusting rings, shall be set with butyl rope joint sealant. Manholes shall be minimum four-foot diameter, and shall not be located in pavement, curb, gutter, or sidewalk.

V. All sanitary sewer manholes shall be provided with approved cast in place rubber boots (flexible manhole sleeve), having a nominal wall thickness of 3/16" with a ribbed concrete configuration and with stainless steel binding straps, properly sized and installed for all conduits.

W. All manholes shall be reinforced precast concrete, and shall be located at intersections and spaced at a maximum interval of 300 feet, except that a closer spacing may be required for special conditions. The maximum allowable amount of adjusting rings shall be eight inches in height using as few rings as possible. All manholes shall be marked at the time of construction with a four-inch by four-inch hardwood post neatly installed vertically and with a minimum three-feet bury and a minimum four-foot exposed. The top one-foot of the post shall be neatly painted white.

X. Wells and septic systems are allowed in Estate-residential developments that are not within 250 feet of water and/or sewer service. When each lot is within 250 feet of water and/or service, that lot may maintain their septic and/or well only until failure of the septic or well. At that time the lot must, if within 250 feet of the sewer and/or water line hook-up to the sewer and/or water, as the case may be, connect to the City utilities at the lot owner's sole expense. After connection to the City Sanitary Sewer System, individual septic fields shall be abandoned by pumping out the tank, knocking in the cover, and filling with dirt or stone in accordance with Health Department regulations.

10-A-10. Traffic Study

A. A traffic study may be required, and shall include:

1. Levels of service for existing conditions;

2. Levels of service for post-construction conditions;

3. All calculations shall be conducted according to the '.'Highway Capacity Manual";

4. Recommendations as to additional/limited access, additional lanes, signalization, etc.

B. If the City of Yorkville requires a traffic study for a development, that study will be contracted for by the City, and paid for by the developer. The developer shall establish a Traffic Study deposit with the City of Yorkville, in an amount to be determined by the City Engineer. The City shall return any unused portion of the deposit to the developer upon approval of a Final Plat or Site Plan.

C. If the land use plan of the development changes during the approval process, the developer may be required to make additional deposits to fund re-analysis and revisions to the Traffic Study.

D. The need or requirement for a traffic impact study shall be determined during the concept or preliminary planning stage of the proposed development. The developer/subdivider shall meet with City of Yorkville officials during one of these stages for the purpose of determining the traffic study requirements. Wlien the City of Yorkville requires that a traffic study be prepared based upon the above, the study shall include, but not be limited to, addressing the following issues:

1. **Introduction.** A general description of the proposed development, including it's size, location, the political jurisdiction in which the site is located, the boundary limits of the study area, and any other information needed to aide in the review of the development's traffic impacts.

2. **Project Description.** A description of the existing and proposed land uses of the development. If alternative land uses are being proposed, the highest trip generation uses shall be assigned for each land use.

3. **Site Accessibility.** A clear and concise description of the proposed ingress/egress points to the proposed development, including a sight distance analysis.

4. **Existing External Roadway Network.** A description of the existing external roadway networking the vicinity of the proposed development, to include functional classification, primary traffic control devices, signalized intersections, roadway configurations, geometric features (curves and grades), lane usage, parking regulations, street lighting, driveways servicing sites across from or adjacent to the site, and right-of-way data. The area of influence shall be determined by the traffic generated from the site, the trip distribution of traffic, and the trip assignment of the traffic generated by the development over the surrounding area road network.

5. **Existing AM, PM, and Total Daily Traffic Volumes.** Existing AM, PM, and total daily traffic volumes for access driveways (if existing), intersections, and the roadway network in the site vicinity shall be determined and displayed on a graphic(s) in the final report. To determine AM and PM existing traffic volumes, machine counts and/or manual counts shall be conducted during a three-hour period of the morning, between approximately 6:00 AM to 9:00 AM of an average or typical weekday, and also between approximately 3:00 PM to 6:00 PM, on an average or typical weekday. Peak hour counts may be required on Saturday and/or Sunday, depending on the proposed land use. All AM and PM peak hour counts shall be recorded and summarized in fifteen-minute increments, and be included in the Appendix of the final report. Manual counts shall include vehicle classifications, i.e. passenger cars, single-unit, multi-unit trucks and buses. Traffic counts shall show both entering and exiting traffic at the proposed access points (if existing), in addition to turning and through traffic movements at critical intersections.

6. **Trip Generations and Volumes**. Trip generation rates and volumes for each type of proposed land use shall be determined for the AM and PM peak hours, and total daily volumes may be required on Saturday and/or Sunday, depending on the proposed land use. The trip generation rates shall be calculated from the latest data available contained in the Institute of Transportation Engineer's "Trip Generation Manual". If trip generation rates for a specific land use are not available from the "Trip Generation Manual", the United City of Yorkville shall approve the substitute rates.

7. **Site Generated Trip Distribution and Assignment.** The most logically traveled routes in the vicinity of the development shall be used for trip distribution and assignment purposes. The directional distribution of site-generated traffic approaching and departing the development should be shown in both graphic and tabular form. All assumptions used in the determination of distribution and assignment shall be clearly stated.

8. **Existing, Plus Site-Generated Traffic Volumes.** Existing, plus site-generated traffic volumes for the AM and PM peak hours, and total daily traffic for access drives, intersections, and the roadway network in the site vicinity shall be determined and displayed on a graphic(s) in the final report. Traffic volumes shall show both entering and exiting traffic at the proposed access points, in addition to turning and through traffic movements at critical intersections.

9. **Future Traffic (Existing, Plus Site Generated) Volumes.** Future traffic (existing, plus site-generated traffic volumes) for the AM and PM peak hours, and the total daily traffic for access drives, intersections, and roadway network in the site vicinity shall be determined and displayed on a graphic(s) in the final report. Projected increases in the external (non site related) roadway traffic must also be determined. The selection of a horizon year for which traffic operation conditions are to be characterized may be considered as the date full build-out and occupancy is achieved. If the project is a large multi-phased development in which several stages of development activity are planned, a number of horizon years may be required, that correspond to the bringing on line of major. development phases. Horizon dates should be times to coincide with major stages. of the overall project, or to coincide with increments of area transportation system improvements.

10. **Intersection Capacity Analysis.** Proposed access driveways and influenced intersections shall be subject to an existing, plus projected, capacity analysis. Projected traffic conditions shall include the effects of any committed developments within the influenced area. The existing and projected levels of service derived from the analysis shall be used to aid in the evaluation of design and operation alternatives of the access driveways and influenced intersections. The capacity analysis shall be in accordance with the techniques described in the most recent edition of the Transportation Research Board's "Highway Capacity Manual", Special Report 209.

11. **Signalization Warrants.** If it is anticipated that the development's driveway(s) or existing external non-signalized intersections will satisfy signalization warrants, a warrant analysis shall be conducted, using the projected volumes determined from the trip generation. The results of such an analysis shall be tabulated in the traffic impact study.

12. **Conclusions and Recommendations.** Clear and concise descriptions of the findings shall be presented in the final report; These findings shall include all recommended improvements for access facilities, internal roadways and intersections, and external roadway and intersection improvements.

10-A-11. Driveway and Parking Lot Paving

A. All driveways and parking lots shall be paved as per the following specifications.

B. **Asphalt.**

1. **Residential.** Two-inch I-11 bituminous concrete surface, over eight-inches (minimum) of compacted CA6 limestone or crushed gravel.

2. **Commercial/Industrial.** Three-inch I-11 bituminous concrete surface, over ten-inches (minimum) of compacted CA6 limestone or crushed gravel.

C. **Concrete.**

1. **Residential.** Six-inch Class X, over six-inches (minimum) of compacted CA6 limestone or crushed gravel.

2. **Commercial/Industrial.** Eight-inch Class X, over eight-inches of compacted CA6 limestone or crushed gravel.

D. **Paving Brick.**

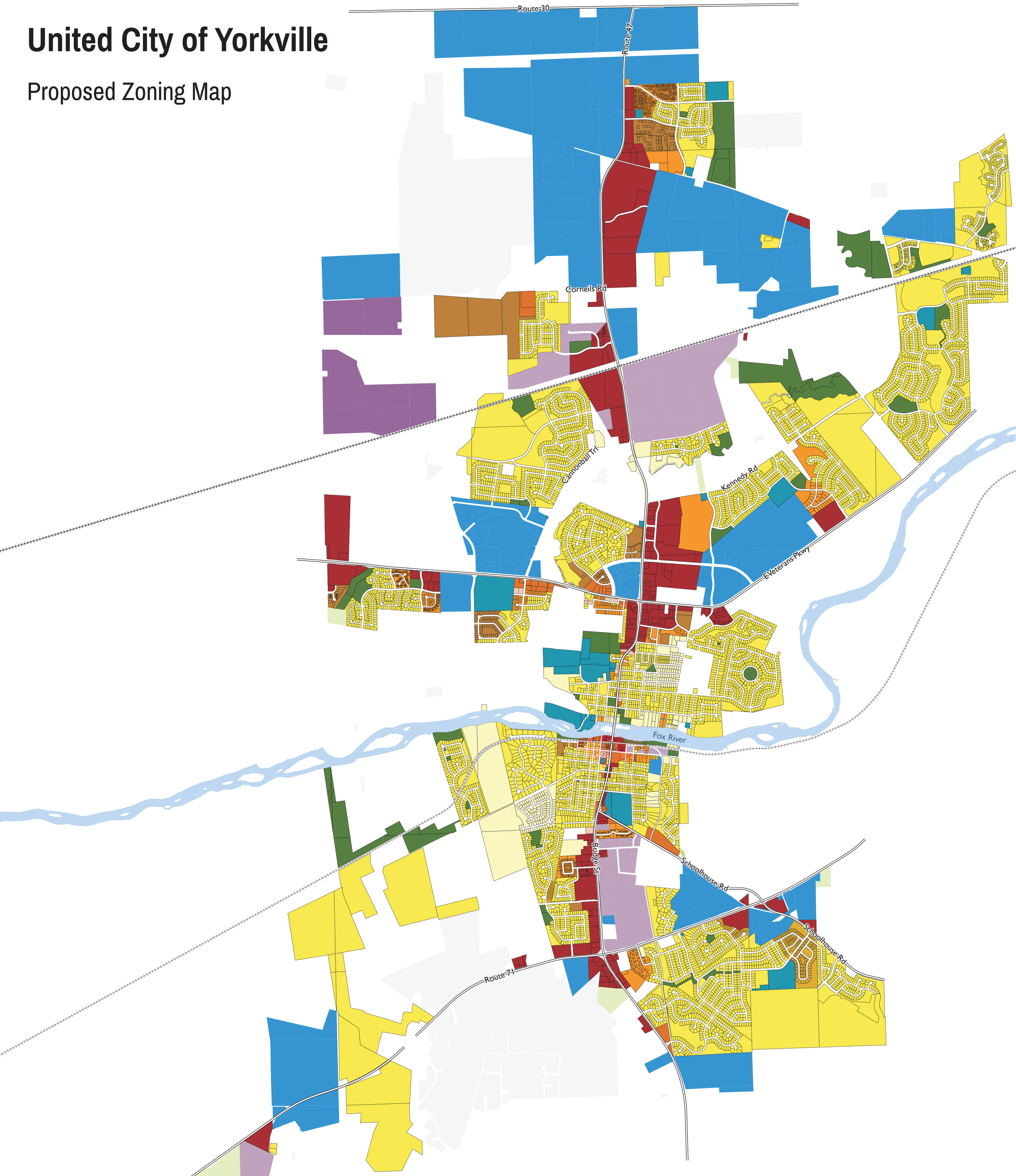
1. **Residential.** Paving brick over one inch of sand and eight inches of compacted CA6 limestone or crushed gravel.

E. **Sealcoat.**

1. **Commercial/Industrial.** An A3 seal coat, as defined by the IDOT's Standard Specifications for Road and Bridge Construction, may be allowed on areas behind the building, when used as a temporary surface, not to exceed three years, after which it must be paved to the above specifications. The same base should be ten inches (minimum) of compacted· CA6 limestone or crushed gravel.

United City of Yorkville

Proposed Zoning Map



Proposed Zoning Designation

- A-1 Agricultural District
- OS Open Space District
- R-1 Single-Unit Suburban Residence District
- R-2 Single-Unit Traditional Residence District
- R-2D Duplex, Two-Unit Attached Residence District
- R-3 Multi-Unit Attached Residence District
- R-4 General Multi-Unit District
- B-1 Local Business District
- B-2 Mixed Use District
- B-3 General Business District
- M-1 Limited Manufacturing District
- M-2 General Manufacturing District
- PI Public Institutional District
- PUD Planned Unit Development
- Downtown Overlay District

Draft
09/19/2023

Reviewed By:	
Legal	■
Finance	☐
Engineer	☐
City Administrator	■
Community Development	■
Purchasing	☐
Police	☐
Public Works	☐
Parks and Recreation	☐

Agenda Item Number

Planning and Zoning Commission #2

Tracking Number

PZC 2023-10

Agenda Item Summary Memo

Title: PZC 2023-10 Energy Industrial Uses – Zoning Text Amendment

Meeting and Date: City Council – September 26, 2023

Synopsis: Details for a proposed text amendment related to Data Centers, Cold Storage, and Battery Uses in all of the Manufacturing Zoned Districts.

Council Action Previously Taken:

Date of Action: PZC – 9/13/23 Action Taken: Moved forward to City Council agenda.

Item Number: PZC 2023-10

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Krysti J. Barksdale-Noble (Name) Community Development (Department)

Agenda Item Notes:

See attached memo.

Have a question or comment about this agenda item?
Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/320/City-Council

Memorandum

To: City Council
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: September 14, 2023
Subject: **PZC 2023-10 Energy Industrial Uses – Zoning Text Amendment** Identifying "Data Center", "Refrigerated Warehouse (Cold Storage)" and "Battery Uses" as permitted uses in all Manufacturing Zoned Districts

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Background & Request:

As the City Council is aware, there is a trend in industrial users seeking expansive tracks of land near rail and interstate road transportation to construct hyper-scaled energy related buildings. Recently, Green Door Nexus, purchaser of the Lincoln Prairie property, has an interested party exploring the site for such uses as data centers, refrigerated warehouses (cold storage) and battery uses (such as electrical vehicle battery manufacturing, charging, and storage). They have approached the City about amending the Zoning Code to explicitly permit these uses within the manufacturing district. With the recent amendment to the City's Comprehensive Plan in 2020 to designate all the properties along the northern Eldamain Road corridor for manufacturing, staff is seeking to improve upon and refine the Zoning Ordinance to address and regulate these emerging modern land uses while remaining competitive with the surrounding communities.

Therefore, staff is proposing to amend the text of the zoning ordinance to define and identify "Data Centers", "Refrigerated Warehouse (Cold Storage)", and "Battery Storage Uses" as permitted uses in the M-1 Limited Manufacturing and M-2 General Manufacturing Districts. Additionally, Table 10.16.03 in Chapter 16 of the Zoning Ordinance will be amended to regulate the minimum number of off-street parking spaces needed for these type of Energy Industrial Uses". These proposed changes are planned to be incorporated into the draft of the Unified Development Ordinance (UDO), Green Door Nexus has requested that the text amendment run separately and parallel to the UDO review to safeguard from any potential delays in the approval process of the UDO.

Additionally, after the introductory discussion of this request at the August 8, 2023 City Council meeting, staff was asked to reach out to the Bristol Kendall Fire District (BKFD) to provide input on how such industrial energy uses may or may not affect their operations. It was the recommendation of the Fire Marshal that the City adopt the new 2023 National Fire Protection Association (NFPA) 855 code which addresses standards for the installation of stationary energy storage systems. The adoption of this code standard and other regulations for fire, electrical and other related hazards from industrial energy uses are forthcoming. In the interim, should a development come into the City for such a use, staff would conduct our normal technical level review with the outside agencies and make a condition of the building permit adherence to the standards in the 2023 NFPA 855.

PLANNING & ZONING COMMISSION ACTION:

The Planning and Zoning Commission reviewed the Petitioner's requests at a public hearing held on September 13, 2023 and made the following action on the motions below:

In consideration of testimony presented during a Public Hearing on September 13, 2023 and discussions conducted at that meeting, the Planning and Zoning Commission recommends approval to the City Council a request for a text amendment to Chapter 6: Permitted and Special Uses in the Zoning Ordinance to identify "data center", "refrigerated warehouse (cold storage)", and "battery uses" as permitted uses within the M-1 Limited Manufacturing and M-2 General Manufacturing

districts and an amendment to Table 10.16.03 in Chapter 16: Off-Street Parking and Loading in the Zoning Ordinance related to the uses is proposed, as recommended in a staff memo dated July 26, 2023.

Action Item:

Vinyard– aye; Millen – aye; Williams – aye; Horaz – aye; Goins – aye.
5 ayes; 0 nay

Attachments:

1. Draft Ordinance
2. Staff memo to Economic Development Committee
3. Public Hearing Notice – republished August 25, 2023
4. Section 10-2-3 Definitions (redline)
5. Section 10-6-0 Uses Tables (redline)
6. Table 10.16.03 Minimum Off-Street Parking Requirements (redline)
7. *APA Zoning Practice*, Practice Data Centers, published June 2022
8. Logistics Brew by Stockarea, "What Is Cold Storage & How Does Cold Storage Work?"
9. Grid-Scale Battery Storage (www.greeningthegrid.org)

Ordinance No. 2023-_____

AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, AMENDING THE ZONING ORDINANCE IDENTIFY, DEFINE, AND REGULATE ENERGY INDUSTRIAL USES

WHEREAS, the United City of Yorkville (the "*City*") is a duly organized and validly existing non home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, pursuant to Section 10-4-10 of the United City of Yorkville Zoning Ordinance ("Zoning Ordinance") the City may initiate amendments to the Zoning Ordinance; and,

WHEREAS, the City filed a petition seeking an amendment to the Zoning Ordinance to identify Energy Industrial Uses as uses consisting of "battery uses", "data centers" and "refrigerated warehouses (cold storage") as their own line items in Table 10.06.04 Manufacturing Uses; and,

WHEREAS, the City filed a petition seeking an amendment to the Zoning Ordinance to define "battery uses", "data center", and "refrigerated warehouse (cold storage)" as permitted uses within the M-1 and M-2 zoning districts; and,

WHEREAS, the City filed a petition seeking an amendment to the Zoning Ordinance to add off-street parking regulations for Energy Industrial Uses in Section Table 10.16.03 regarding battery uses, data centers, and refrigerated warehouses (cold storage), to reflect the proposed new definitions; and,

WHEREAS, the Planning and Zoning Commission convened and held a public hearing on September 13, 2023, to consider each of these requests and made findings of fact and recommendations to the City Council to approve all of the requested text amendments.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

Section 1: That the above recitals are hereby incorporated and made a part of this Ordinance.

Section 2: That a Section 10-2-3 of the United City of Yorkville Zoning Ordinance is hereby amended to add the following definitions:

BATTERY STORAGE USES: A use that enables battery manufacturing, charging, recycling, warehousing, storage, and related uses. This may also include uses that derive energy from renewable sources, such as wind and solar power, to be collected, stored, and then released for later use to an electric grid, power plant or private user.

DATA CENTER: A facility comprised of networked computers, storage systems, and computing infrastructure which organizations use to assemble, process, store and disseminate data. Cryptocurrency centers, which use networked computers, storage systems, and computing infrastructure to manage the flow of digital or virtual currencies, shall be included in the definition.

REFRIGERATED WAREHOUSE (COLD STORAGE): A facility which is artificially or mechanically cooled in order to maintain the integrity and quality of perishable goods.

Section 3: That a Section 10-6-0, Table 10.06.04 of the United City of Yorkville Zoning Ordinance to add the land uses as follows:

	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Battery Storage Uses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Data Center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Refrigerated Warehouse (Cold Storage)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P

Section 4: That a Section 10-16-3-F, Table 10.16.03 of the United City of Yorkville Zoning Ordinance is hereby amended to add language regulating off-street parking for the land uses as follows:

Use	Minimum Spaces Required
Energy Industrial Uses:	
Battery Storage	
Less than 70,000 square feet	Minimum 20 parking spaces
More than 70,001 square feet	0.3 per 1,000 square feet of floor area
Data Center	
Less than 70,000 square feet	Minimum 20 parking spaces
More than 70,001 square feet	0.3 per 1,000 square feet of floor area
Refrigerated Warehouse (Cold Storage)	
Less than 150,000 square feet	0.5 per 1,000 square feet of floor area
More than 150,001 square feet	0.3 per 1,000 square feet of floor area

Section 5: This Ordinance shall be in full force and effect after its passage, publication, and approval as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this ____ day of _____, A.D. 2023.

_____

CITY CLERK

KEN KOCH	_____	DAN TRANSIER	_____
ARDEN JOE PLOCHER	_____	CRAIG SOLING	_____
CHRIS FUNKHOUSER	_____	MATT MAREK	_____
SEAVER TARULIS	_____	RUSTY CORNEILS	_____

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois this ____ day of _____, A.D. 2023.

_____

MAYOR

Memorandum

To: Economic Development Committee
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: July 26, 2023
Subject: **PZC 2023-10 Energy Industrial Uses – Zoning Text Amendment**
Identifying "Data Center", "Refrigerated Warehouse (Cold Storage)" and "Battery Uses" as permitted uses in all Manufacturing Zoned Districts

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Background & Request:

As the Economic Development Committee is aware, there is a trend in industrial users seeking expansive tracks of land near rail and interstate road transportation to construct hyper-scaled energy related buildings. Recently, Green Door Nexus, purchaser of the Lincoln Prairie property, has an interested party exploring the site for such uses as data centers, refrigerated warehouses (cold storage) and battery uses (such as electrical vehicle battery manufacturing, charging, and storage). They have approached the City about amending the Zoning Code to explicitly permit these uses within the manufacturing district. With the recent amendment to the City's Comprehensive Plan in 2020 to designate all the properties along the northern Eldamain Road corridor for manufacturing, staff is seeking to improve upon and refine the Zoning Ordinance to address and regulate these emerging modern land uses while remaining competitive with the surrounding communities.

Therefore, staff is proposing to amend the text of the zoning ordinance to define and identify "Data Centers", "Refrigerated Warehouse (Cold Storage)", and "Battery Storage Uses" as permitted uses in the M-1 Limited Manufacturing and M-2 General Manufacturing Districts. Additionally, Table 10.16.03 in Chapter 16 of the Zoning Ordinance will be amended to regulate the minimum number of off-street parking spaces needed for these type of Energy Industrial Uses". These proposed changes are planned to be incorporated into the draft of the Unified Development Ordinance (UDO), Green Door Nexus has requested that the text amendment run separately and parallel to the UDO review to safeguard from any potential delays in the approval process of the UDO.

Research:

The following is independent research staff conducted related to each of the proposed uses and the zoning implications and impacts to be considered.

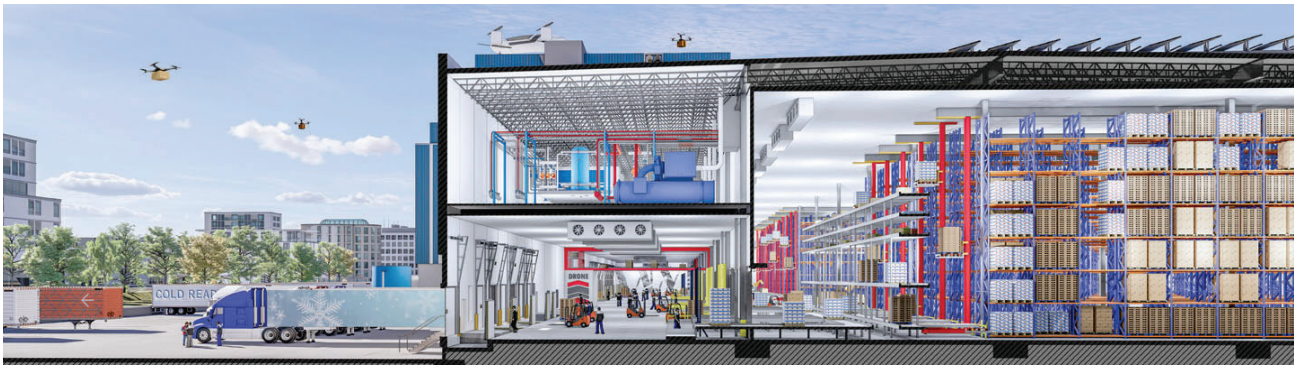
Data Centers

Data Centers are mega-sized structures housing networked computer system servers for data storage, processing, and distribution. According to the June 2022 edition of *Zoning Practice* published by the American Planning Association, "[f]rom the exterior, data centers and crypto-currency mining facilities may be physically indistinguishable from many commercial or light industrial uses. However, the operational characteristics of these facilities are

typically quite distinct… [and] from a planning perspective, the most noteworthy characteristics relate to their electricity and water use, noise production, enhanced security needs, and low employment densities."

Refrigerated Warehouses (Cold Storage)

Refrigerated Warehouses, commonly known as Cold Storage, are facilities that primarily store highly perishable items such as (food, candles, film/artwork, plants, cosmetics, pharmaceuticals, and certain textiles). Cold Storage, while not a typical industrial use by itself, since no processing occurs, is generally used to prolong, and preserve the shelf life of a food or product, without compromising its nutritive or chemical properties. The most common need for cold storage warehousing is from third-party logistic providers who will store and ship goods on behalf of the producer.



Battery Storage Uses

According to the U.S. Department of Energy, energy storage systems, usually batteries, are essential for all electric vehicles, plug-in hybrid electric vehicles (PHEVs), and hybrid electric vehicles (HEVs). The types of batteries used in these energy storage systems are lithium-ion (cellphones, laptops, etc.); nickel-metal hybrid (computer and medical equipment); lead-acid and ultracapacitors (electric vehicles). As electronic vehicles (EV) become increasingly common, the need for battery manufacturing, charging, recycling, and storage uses will expand.

Proposed Text Amendment:

Staff is recommending the following revisions to the Zoning Ordinance regarding Data Center, Refrigerated Warehouse (Cold Storage), and Battery Uses:

1. Amend the Permitted and Special Uses Table in Section 10-06-04 to identify "***Data Center"***, ***"Refrigerated Warehouse (Cold Storage)"***, and ***"Battery Uses"*** as permitted uses in the M-1 Limited Manufacturing and M-2 General Manufacturing districts.
2. Amend Section 10-2-3 of the Zoning Ordinance to include the following definitions:

   Data Center: "A facility comprised of networked computers, storage systems, and computing infrastructure which organizations use to assemble, process, store and disseminate data. Cryptocurrency centers, which use networked computers, storage systems, and computing infrastructure to manage the flow of digital or virtual currencies, shall be included in the definition."

   Refrigerated Warehouse (Cold Storage): "A facility which is artificially or mechanically cooled in order to maintain the integrity and quality of perishable goods."

   Battery Storage Uses: "A use that enables battery manufacturing, charging, recycling, warehousing, storage, and related uses. This may also include uses that derive energy from renewable sources, such as wind and solar power, to be collected, stored, and then released for later use to an electric grid, power plant or private user."

3. Amend the Minimum Off-Street Parking Requirements Table 10.16.03 in Chapter 16 of the Zoning Ordinance to identify "Energy Industrial Uses - Data Center, Refrigerated Storage (Cold Storage), and Battery Storage Uses". Further, staff recommends the Data Center and Battery Storage Uses shall have a minimum parking requirement of twenty (20) spaces for buildings over 70,000 square feet in area based upon the uniqueness of the operational features of these uses which typically do not generate highly staffed employees on site. Refrigerated Storage (Cold Storage) will meet the parking standards for general industrial uses.

Staff Recommendation

Staff recommends **approval** of the proposed text amendment in order for the current City Code to address current development trends and be prepared to meet the needs of future developments.

Proposed Motion for Amendment:

In consideration of testimony presented during a Public Hearing on August 9, 2023 and discussions conducted at that meeting, the Planning and Zoning Commission recommends approval to the City Council a request for a text amendment to Chapter 6: Permitted and Special Uses in the Zoning Ordinance to identify "data center", "refrigerated warehouse (cold storage)", and "battery uses" as permitted uses within the M-1 Limited Manufacturing and M-2 General Manufacturing districts and an amendment to Table 10.16.03 in Chapter 16: Off-Street Parking and Loading in the Zoning Ordinance related to the uses is proposed, as recommended in a staff memo dated July 26, 2023, and further subject to {insert any additional conditions of the Planning and Zoning Commission}…

Attachments:

1. Public Hearing Notice
2. Section 10-2-3 Definitions (redline)
3. Section 10-6-0 Uses Tables (redline)

4. Table 10.16.03 Minimum Off-Street Parking Requirements (redline)
5. *APA Zoning Practice*, Practice Data Centers, published June 2022
6. Logistics Brew by Stockarea, "What Is Cold Storage & How Does Cold Storage Work?"
7. Grid-Scale Battery Storage (www.greeningthegrid.org)

PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
BEFORE
THE UNITED CITY OF YORKVILLE
PLANNING AND ZONING COMMISSION
PZC 2023-10

NOTICE IS HEREWITH GIVEN THAT the United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment to Chapter 6: Permitted and Special Uses in the Zoning Ordinance to identify "data center", "refrigerated warehouse (cold storage)", and "battery uses" as permitted uses within the M-1 Limited Manufacturing and M-2 General Manufacturing districts. This text amendment will provide definitions for the establishment and operation of such uses in these zoning districts. Additionally, an amendment to Table 10.16.03 in Chapter 16: Off-Street Parking and Loading in the Zoning Ordinance related to the uses is proposed.

NOTICE IS HEREWITH GIVEN THAT the Planning and Zoning Commission for the United City of Yorkville will conduct a public hearing on said application on Wednesday, August 9, 2023 at 7 p.m. at the Yorkville City Hall Council Chambers, located at 651 Prairie Pointe Drive, Yorkville, Illinois 60560.

The public hearing may be continued from time to time to dates certain without further notice being published.

All interested parties are invited to attend the public hearing and will be given an opportunity to be heard. Any written comments should be addressed to the United City of Yorkville Community Development Department, City Hall, 651 Prairie Pointe Drive, Yorkville, Illinois, and will be accepted up to the date of the public hearing.

By order of the Corporate Authorities of the United City of Yorkville, Kendall County, Illinois.

JORI BEHLAND
City Clerk

Auction house: A structure, area, or areas within a building used for the public sale of goods, wares, merchandise, or equipment to the highest bidder.

Automobile rental: Leasing or renting of automobiles, motorcycles and light trucks and vans, including incidental parking and servicing of vehicles for rent or lease. This definition excludes commercial truck and trailer rental.

Automobile repair: Engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers; collision service, including body, frame or fender straightening or repair and painting of vehicles including incidental repairs, replacement of parts, and motor service to automobiles. Automobile repair excludes repair to semi-trucks as defined in this section.

Bakery, retail: An establishment primarily engaged in the retail sale of baked products. The products may be prepared either on- or off-site.

Bakery, wholesale: A bakery in which there is permitted the production and/or wholesaling of baked goods, excluding retail bakery.

Bank: A building for the custody, loan, or exchange of money, for the extension of credit and for facilitating the transmission of funds. This definition includes credit unions, savings and loan facilities, payday loans, personal loan agencies.

Basement: That portion of a building that is partly or completely below grade.

Battery Storage Uses: A use that enables battery manufacturing, charging, recycling, warehousing, storage, and related uses. This may also include uses that derive energy from renewable sources, such as wind and solar power, to be collected, stored, and then released for later use to an electric grid, power plant or private user.

Bed and breakfast inn (B&B): A private, owner/operator occupied residence with guestrooms, providing overnight accommodations and a morning meal for compensation to transients/travelers. A bed and breakfast inn is operated primarily as a business.

Billiard parlor: A business establishment for a principal use as a billiard facility.

Block: A tract of land bounded by streets or, in lieu of a street or streets, by public parks, cemeteries, railroad rights-of-way, bulkhead lines or shorelines of waterways or corporate boundary lines of municipalities.

Boat sales and rental: A marine retail sales and service use in which boats are rented or sold.

Boat storage: A facility where boats are stored including indoor and outdoor. Outdoor facilities shall be enclosed by an opaque fence or wall a minimum six feet (6') in height.

Bowling alley: A business establishment with a principal use for the sport of tenpin bowling which may include incidental food services.

Brewery: An establishment that engages in the manufacture of beer as such terms are defined in the Liquor Control Act of 1934, as amended, and has obtained a liquor license from the City.

Brewpub: A restaurant-brewery that brews beer primarily for sale in the restaurant and/or bar and is dispensed directly from the brewery's storage tanks. Total production capacity shall not exceed one hundred fifty-five thousand (155,000) gallons per calendar year.

Buffer: A strip of land, including landscaping, berms, walls, and fences, that is located between land uses of different character and is intended to physically and visually separate one use area from another.

Buildable area: The space remaining on a building lot after the minimum yard requirements of this title have been complied with.

Building: Any structure with substantial walls and roof securely affixed to the land and entirely separated on all sides from any other structure by space or by walls in which there are not communicating doors, windows or

Datum point: Any reference point of known or assumed coordinates from which calculation or measurements may be taken.

Data Center: A facility comprised of networked computers, storage systems, and computing infrastructure which organizations use to assemble, process, store and disseminate data. Cryptocurrency centers, which use networked computers, storage systems, and computing infrastructure to manage the flow of digital or virtual currencies, shall be included in the definition.

Daycare facility: Any childcare facility licensed by the State Department of Children and Family Services (DCFS) which regularly provides daycare for less than twenty-four (24) hours per day for more than three (3) children under the age of twelve (12) in a facility other than a family home, 225 ILCS 10/2.09.

Daycare facility, adult: Any facility, public or private, regulated by the State of Illinois in accordance with the Older Adult Services Act which provides care for less than twenty-four (24) hours per day for older adults (seniors) such as nutritious meals, planned program of activities, and social and health related services.

Daycare facility, part day: Any facility licensed by the State Department of Children and Family Services (DCFS) and which is conducted by a church, religious organization or social service agency in which individual children are provided care, on an intermittent basis, for up to ten (10) hours per seven (7) day week. Any facility which provides intermittent care for up to ten (10) hours per seven (7) day week shall not provide such care for more than eight (8) hours in any given day during the seven (7) day week. Any facility which provides intermittent care for up to ten (10) hours per seven (7) day week shall provide at least one (1) caregiver per twenty (20) children, 225 ILCS 10/2.10.

Daycare home, group: Any in home childcare service licensed by the State Department of Children and Family Services (DCFS) which regularly provides care for less than twenty-four (24) hours per day for more than three (3) and up to a maximum of sixteen (16) children under the age of twelve (12) in a family home. The number of children allowed includes the family's natural or adopted children and all other persons under the age of twelve (12), 225 ILCS 10/2.20.

Daycare, in home: Any in home childcare service licensed by the State Department of Children and Family Services (DCFS) which regularly provides care for less than twenty-four (24) hours per day for more than three (3) and up to a maximum of twelve (12) children under the age of twelve (12) in a family home. The term does not include facilities which receive only children from a single household, 225 ILCS 10/2.09.

Decibel (dB): A unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are calibrated in "decibels".

Density, gross: A ratio of the total number of dwelling units on a site, divided by the total acreage of the site, to include streets, schools, parks, etc., expressed as dwelling units per acre.

Density, net: A ratio of the total number of dwelling units on a site, divided by the number of acres used exclusively for a residential type acreage not to include schools, parks, streets, etc., expressed as dwelling units per acre.

Department store: A retail business which is conducted under a single owner's name wherein a variety of unrelated merchandise and services are housed enclosed and are exhibited and sold directly to the consumer for whom the goods and services are furnished.

Displacement (Earth): The amplitude or intensity of an earthborn vibration measured in inches. The displacement or amplitude is one-half (½) the total earth movement.

District: A section or part of the unincorporated portion of the City for which the use regulations are uniform.

Drive-through service establishment: A business or establishment which provides all or some of its services through a building opening or window to its patrons who remain in their vehicles.

Recreational camp private: An establishment consisting of permanent buildings used periodically by an association of persons where seasonal accommodations for recreational purposes are provided only to the members of such association and not to anyone who may apply.

Recreational vehicle: Any type of vehicle used primarily for recreational pleasure or bearing recreational vehicle registration license plates. Examples include, but are not limited to, motor homes, boats, snowmobiles, and all-terrain vehicles.

Refrigerated Warehouse (Cold Storage): "A facility which is artificially or mechanically cooled in order to maintain the integrity and quality of perishable goods."

Refuse: All waste products resulting from human habitation, except sewage.

Religious institution, large: A building, having four hundred (400) or more seats or larger than eight thousand (8,000) square feet of total gross floor area, wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose. Includes church, synagogue, temple, mosque or other such place for worship and religious activities.

Religious institution, small: A building, having four hundred (400) or fewer seats or no larger than eight thousand (8,000) square feet of total gross floor area, wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose. Includes church, synagogue, temple, mosque or other such place for worship and religious activities.

Resale dealer: Any individual, firm, corporation or partnership engaged in the business of operating a business for profit which buys, sells, possesses on consignment for sale or trades jewelry, stamps, audio-video equipment or any precious metals which may have been previously owned by a consumer; or which derives more than thirty-five percent (35%) of its gross receipts from the sale, consignment for sale, pledge or trade of any goods, wares or merchandise which have previously been owned by a consumer, including, but not limited to, furniture, appliances, clothing, automobile accessories, books or metals, whether in bulk or manufactured state.

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A. The term "resale dealer" shall include, but not be limited to, businesses commonly known as swapshop operators, stamp dealers, coin dealers and jewelers that purchase and resell items from persons other than dealers and suppliers and engage in disassembling, melting and otherwise altering jewelry. The term "resale dealer" shall not include pawnbrokers.

B. The fact that any business does any of the following acts shall be prima facie proof that such business is a resale dealer:

   1. Advertise in any fashion that it buys or sells used items. Such advertisements shall include, but not be limited to, media advertisements, websites, telephone listings, and signs whether in the exterior or interior of business.

   2. Devotes a significant segment or section of the business premises to the purchase or sale of used items.

Research laboratory: A building or group of buildings in which are located facilities for scientific research, investigation, testing or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

Residence: The act or condition of residing or dwelling in a place.

Rest home: See definition of *Nursing home.*

Restaurant: Any land, building or part thereof where meals are provided for compensation, including a cafe, cafeteria, coffee shop, lunchroom, drive-in stand, tearoom and dining room, and including the serving of alcoholic beverages when served with and incidental to the serving of meals, where permitted.

2. See section 10-6-1, "Special Conditions", of this chapter.

(Ord. 2014-73, 11-25-2014; amd. Ord. 2015-32, 6-9-2015; Ord. 2015-33, 6-9-2015; Ord. 2016-35, 4-26-2016; Ord. 2017-02, 1-24-2017; Ord. 2017-32, 5-23-2017; Ord. 2019-08, 1-29-2019; Ord. 2019-13, 2-26-2019; Ord. 2022-22 , § 3, 6-14-2022)

TABLE 10.06.04
MANUFACTURING USES

Use Category	Zoning Districts															
	Ag	Open Space		Residential						Business					Manufacturing	
	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Any assembly, production, manufacturing, testing, repairing or processing that can and does operate in compliance with performance standards[1]	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Aggregate materials extraction, processing and site reclamation (stone and gravel quarries)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S
Bakery (wholesale - retail component special use)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Battery Uses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Blacksmith or welding shop	S	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Data Center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Manufacturer of firearms and ammunition	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P

Medical cannabis cultivation center and dispensaries[1]	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S
Refrigerated Warehouse (Cold Storage)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Research laboratories	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Wholesaling and warehousing - local cartage express facilities - not including motor freight terminal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P

P = Permitted use	S = Special use	- = Not permitted use

Notes:

1. See section 10-6-1, "Special Conditions", of this chapter.

TABLE 10.06.05
TRANSPORTATION USES

Use Category	Zoning Districts															
	Ag	Open Space		Residential						Business					Manufacturing	
	A-1	OS-1	OS-2	E-1	R-1	R-2	R-2D	R-3	R-4	O	B-1	B-2	B-3	B-4	M-1	M-2
Airport	S	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S
Bus or truck garage or streetcar house	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Bus or truck storage yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
Marina	-	-	S	-	-	-	-	-	-	-	-	S	S	S	S	S
Motor freight terminals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S

7. *Lighting:* Any lighting used to illuminate off-street parking areas shall be directed away from residential properties and public highways in such a way as not to create a nuisance. The City of Yorkville promotes the "dark sky" concept. Lighting fixtures should be full cutoff, and the use of wall packs on buildings should be minimized.

The average foot-candle intensity should be two to two and one-half (2.0—2.5) foot-candles. The average to minimum light intensity ratio should be no more than six to one (6:1), and the maximum to minimum light intensity ratio should be no more than twenty to one (20:1). The lighting intensity at the property line shall be zero foot-candles.

8. *Signs:* Directional and regulatory signs/markings only are permitted on parking areas.

9. *Repair and service:* No motor vehicle repair work of any kind shall be permitted in conjunction with accessory off-street parking facilities provided in a residence district.

The sale of gasoline and motor oil in conjunction with accessory off-street parking facilities is not permitted in any residence district.

E. *Location:* Off-street parking spaces may be located in any yard defined by this title.

The location of off-street parking spaces in relation to the use served shall be as prescribed hereinafter. All distances specified shall be walking distances between such parking spaces and a main entrance to the use served.

1. *Residence district:* Parking spaces accessory to dwellings shall be located on the same zoning lot as the use served. Spaces accessory to uses other than dwellings may be located on a lot adjacent to, or directly across a street or alley from the lot occupied by the use served, but in no case at a distance in excess of three hundred feet (300') from such use.

2. *Business and manufacturing districts:* All required parking spaces shall be within one thousand feet (1,000') of the use served, except for spaces accessory to dwelling units (except those located in a transient hotel) which shall be within three hundred feet (300') of the use served. However, no parking spaces accessory to a use in a business or manufacturing district shall be located in a residence district unless authorized by the Board of Appeals in accordance with this title.

F. *Number of spaces:* The minimum requirements for the number of spaces needed for a certain use is shown in Table 10.16.03 of this section. At the time of permit review, the Zoning Administrator will assign the development a use category. If the category does not fit one of the descriptions in Table 10.16.03 of this section, then the Zoning Administrator has the right to determine the amount of off-street parking needed for the building, structure, or use.

TABLE 10.16.03
MINIMUM OFF-STREET PARKING REQUIREMENTS

Use	Minimum Spaces Required
Residential uses:	
Single-family dwelling unit	2 per dwelling unit
Multi-family dwelling unit:	
Dwelling units with 1,000 square feet or less	2 per dwelling unit
Dwelling units with 1,001 square feet or more	2 per dwelling unit
Accessory dwelling unit	1 per dwelling unit
Elderly housing	0.5 per dwelling unit

Lodging places:	
Bed and breakfast	1 per lodging unit plus 1 space for permanent residence
Motel, hotel, boarding house	1 per lodging unit
Commercial uses:	
Bulk retail: building materials, appliances, home furnishings, and similar large items	1 per 1,000 square feet of floor area
Commercial services	3 per 1,000 square feet of floor area
Eating and drinking establishments	3 per 1,000 square feet of floor area
Gas stations	No minimum
General office (including banks)	2 per 1,000 square feet of floor area
General retail: grocery stores, convenience stores, specialty retail and shops	3 per 1,000 square feet of floor area
Indoor recreation	2 per 1,000 square feet of floor area
Mortuary or funeral home	1 per 5 seats
Personal services	3 per 1,000 square feet of floor area
Theater, auditorium, or stadium	1 per 4 seats
Vehicle repair	2 per 1,000 square feet of floor area
Energy Industrial Uses:	
Battery Storage	
Less than 70,000 square feet	Minimum 20 parking spaces
More than 70,001 square feet	0.3 per 1,000 square feet of floor area
Data Center	
Less than 70,000 square feet	Minimum 20 parking spaces
More than 70,001 square feet	0.3 per 1,000 square feet of floor area
Refrigerated Warehouse (Cold Storage)	
Less than 150,000 square feet	0.5 per 1,000 square feet of floor area
More than 150,001 square feet	0.3 per 1,000 square feet of floor area
Industrial uses:	
Miniwarehouse, self-service storage	1 per 45 storage units plus 1 per employee of the largest shift
Storage, warehouse, wholesale establishment:	
Less than 150,000 square feet	0.5 per 1,000 square feet of floor area
More than 150,001 square feet	0.3 per 1,000 square feet of floor area
Community services, institutional uses and public uses:	
Elementary and junior high school	1 per classroom
High school	0.25 per student plus 1 per staff
Hospitals, sanatoriums, and other institutional uses	1 per 2 beds, plus 1 per 2 employees and 1 per doctor

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PRACTICE DATA CENTERS

Zoning for Data Centers and Cryptocurrency Mining

By David Morley, AICP

Data centers are the physical facilities where the internet lives. Fundamentally, they consist of networked computer systems used for data storage and processing, along with supporting equipment, such as batteries, back-up power generators, and cooling devices. Modern data centers are the direct descendants of the, so-called, *telecom hotels* that began springing up in downtowns in the late 1990s to accommodate the rapid expansion of the commercial internet and, before that, of automated telephone exchange facilities that made it possible to place landline telephone calls across a city, the nation, or the world (Evans-Cowley 2002).

An emerging segment of the data center market consists of facilities dedicated in whole or part to "mining" cryptocurrency. A cryptocurrency is a decentralized digital currency that uses encrypted data strings to denote individual units, or coins, and a peer-to-peer database known as a blockchain to maintain a secure ledger of transactions. Several of the most popular cryptocurrencies, most notably Bitcoin, require extremely complex computations to verify each transaction and add a record, or block, for that transaction to the blockchain. Whoever verifies a transaction first receives a new cryptocurrency coin as a reward. While, theoretically, anyone with a computer server can "mine" new coins by helping to verify these transactions, large-scale cryptocurrency mining requires a massive amount of computing power.

This article explores the reasons why cities, towns, and counties may wish to define and regulate data centers and cryptocurrency mining as distinct uses in their zoning codes and provides a summary of contemporary approaches. It begins with a brief overview of the factors that drive demand for data centers or cryptocurrency mines in particular locations before examining the key planning issues that may merit special attention through zoning and posing a series of questions to guide code drafting.

Chad Davis / Flickr (CC BY 2.0)

A hyperscale Google data center in Council Bluffs, Iowa.

The article concludes with short profiles of local zoning approaches that may serve as models for others.

DEMAND DRIVERS

Industry analysts predict sustained growth in data center construction in the coming years (Dunbar and Bonar 2021). This includes demand for larger and larger "hyperscale" data centers as well as more widely distributed "edge" data centers (Sowry et al. 2018). Data center developers (or operators) are attracted to sites with low latency to end users and dependable and affordable electricity.

While data centers have historically been clustered around major internet access points, information technology companies, and government employment centers, the proliferation of cloud computing and the internet of things is pushing demand out to network edges. This means more data centers in smaller metropolitan and nonmetropolitan areas.

Big technology companies are likely to continue looking for sites that can accommodate new, large single-story structures. But operators that specialize in leasing space in the same facility to multiple companies (i.e., collocated data centers) may be more open to infill sites and existing structures, especially if those sites have access to fiber optic infrastructure.

Data centers use a lot of electricity (see below) to power processing and storage hardware and to keep that hardware cool. The amount of electricity (and often water) needed for cooling is higher in warm, humid climates than in cool, dry areas. Consequently, holding other factors equal, developers favor locations with low electricity rates and cooler climates. Furthermore, because these facilities operate continuously, developers are also looking for sites that are less vulnerable to natural hazards.

Cryptocurrency miners are also looking for locations with cheap electricity and low hazard risk; however, dedicated mining facilities are not concerned about proximity to customers and are less likely to invest in backup power. While there seems to be a widespread consensus that data centers are essential to global communications and the global economy, cryptocurrency miners

have a more limited "social license" to operate. Widespread concerns about the energy use of mines and the limited utility of the coins they produce has led some countries, including China, to ban Bitcoin mining. Consequently, many cryptocurrency miners are relocating to the U.S. (Obando 2022).

PLANNING ISSUES

From the exterior, data centers and cryptocurrency mining facilities may be physically indistinguishable from many commercial or light industrial uses. However, the operational characteristics of these facilities are typically quite distinct from those of surrounding land uses. From a planning perspective, the most noteworthy characteristics relate to their electricity and water use, noise production, enhanced safety and security needs, and low employment densities.

They Use a Lot of Electricity (and Water)

In 2020, data centers used between 200 and 250 terawatt hours (TWh) of electricity, accounting for approximately one percent of global consumption (IEA 2021). While the total consumption has grown steadily along with global power demand, this ratio has held relatively constant over the past 20 years as efficiency improvements have proportionally offset increased demand from data centers. However, this pattern is unlikely to hold as growth in streaming video, online gaming, cloud computing, machine learning, virtual reality, and the internet of things begins to outstrip efficiency improvements.

The figures above exclude cryptocurrency mining. Bitcoin miners alone used an estimated additional 60 to 70 TWh in 2020. According to Cambridge University, if Bitcoin was country, it's annual electricity consumption would be slightly higher than that of Poland or Malaysia (2022).

Data center and cryptocurrency mining equipment also generates a tremendous amount of waste heat, which must be dissipated by fans or absorbed by a cooling medium to avoid hardware damage and ensure efficient operations. Many data centers and cryptocurrency mines use water as a cooling medium. Water is also necessary for most forms of electricity production. In aggregate, a medium-sized data center typically uses more water each year than two 18-hole golf courses (Mytton 2021).

They Can Be Noisy

Inside a data center or cryptocurrency mine server room, the noise can make it difficult to carry on a conversation at a normal volume. While most data centers and large cryptocurrency mines incorporate construction and soundproofing techniques that ensure this server noise isn't audible outside of the building, air conditioner compressors mounted on the roof or on ground near these facilities can generate noise that carries across property lines.

In some contexts, vegetation or other structures may rapidly attenuate this sound. In others, the sound may travel over long distances. Obviously, the degree to which these sounds constitute nuisance "noise" depends on surrounding land uses and ambient noise levels. The problem is typically most acute when data centers or mines are near residences.

They Have Enhanced Safety and Security Needs

Data centers typically aim to run continuously, and any outage or downtime can threaten business operations. Furthermore, data centers house expensive, highly specialized hardware, and many handle sensitive data. Consequently, most data centers incorporate enhanced safety and security features, such as gated access points, fencing, or bright lighting, to prevent unauthorized access and to minimize the likelihood of disruption.

Cryptocurrency mines have similar safety and security needs, with two key distinctions. First, miners want to maintain network access, but the stakes are lower than for data centers because an outage wouldn't negatively affect any other services or users. Second, cryptocurrency mines generally aren't receiving any clients and have little incentive to draw attention to themselves with fencing or lighting.

They Have a Low Employment Density

Data centers typically have far fewer workers per square foot than professional offices or light industrial facilities (Tarczynska 2016). And cryptocurrency mines generally have even lower employment densities than data centers. For some communities, data centers (and potentially cryptocurrency mines) are highly desirable from an economic development perspective because they often generate a large property tax surplus that can subsidize more service-intensive land uses, such as single-family homes. Others, however, are reluctant to devote too much commercial or light industrial space to uses that generate few jobs.

ZONING CONSIDERATIONS

Any community interested in regulating data centers and cryptocurrency mining through zoning should consider three key questions:

1. Do these uses need new use definitions?
2. Where should these uses be permitted?
3. Do these uses need special development or performance standards?

Do They Need New Use Definitions?

New land uses don't necessarily require new use definitions in the local zoning code. It depends, in part, on whether the use fits

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The roof of eBay's Topaz data center in South Jordan, Utah.

neatly under a broader use category or is substantially like another defined use. And it depends on whether treating the new use the same as this use category or other similar use would be likely to generate negative effects on nearby properties or the community as a whole.

Many communities have defined data centers (or some closely analogous term) as a distinct use in their zoning codes. These definitions typically reference the general function of the facility and the degree to which it is occupied by computer systems and related equipment. For example, Anne Arundel County, Maryland, defines *data storage center* as "a facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer or network equipment, systems, servers, appliances, and other associated components related to digital data storage and operations" (§18-1-101.(44)).

Comparatively fewer communities have defined cryptocurrency mining as a distinct use. Many of these definitions focus on the specialized purpose of the facility, often with references to other newly defined terms, such as *high density load* or *server farm*, that clarify its distinct characteristics. For example, Moses Lake, Washington, specifies that *cryptocurrency mining* often uses more than 250 kilowatt-hours per square foot each year (§18.03.040).

Where Should They Be Permitted?

Communities that choose to regulate data centers or cryptocurrency mines as distinct uses may permit these uses either by right or with a discretionary use permit (i.e., conditional, special, or special exception use permits) in one or more existing base or overlay zoning districts. Alternatively, they may elect to establish a new special-purpose base or overlay zoning district for either use.

Many communities permit data centers and cryptocurrency mines either by right or with a discretionary use permit in commercial and industrial districts. While data centers and mines can fit in a wide range of existing commercial or industrial buildings, purpose-built facilities are often single-story structures with large floorplates.

Given that they generally have few employees and visitors, these uses may not be appropriate in ground-floor street-frontage spaces in pedestrian-oriented commercial areas. Wenatchee, Washington, addresses this issue by permitting data centers and cryptocurrency mines by right in multiple pedestrian-oriented commercial districts, with a simple stipulation that they cannot occupy "grade level commercial street frontage" (§10.10.020).

A new special-purpose zoning district can help steer data centers or cryptocurrency mines toward corridors or other subareas that have suitable utility infrastructure. When adopted as floating zones, special districts can also provide an extra layer of review for large projects that may cover dozens or hundreds of acres.

Prince William County, Virginia, added a Data Center Opportunity Zone Overlay District to its zoning code in 2016 (§32-509). The county has mapped this overlay to more than 70 percent of its industrially zoned land. The overlay permits data centers and includes design standards for these facilities; however, it does not otherwise modify the existing use permissions for underlying districts.

Do They Need Special Development or Performance Standards?

Communities that decide to regulate data centers or cryptocurrency mines as distinct uses may choose to adopt use-specific standards that modify or supplement other relevant universal or district-specific development or performance standards. This approach can help communities target standards to the distinct features of these uses to address specific community concerns.

Use-specific standards can help minimize reliance on discretionary approvals and improve the consistency of local decisions. Without these standards, local officials may be more likely to require all data centers and cryptocurrency mines to obtain a discretionary use permit, and they may be more likely to adopt wildly varying conditions of approval for substantially similar proposals.

Communities that have adopted use-specific standards for data centers and cryptocurrency mines often establish building design and buffering or screening requirements to minimize the visibility or improve the appearance of these facilities from public streets or nearby properties. Other common standards address environmental performance, including noise and light pollution, and evidence of electric utility approval.

EXAMPLES OF DEFINED USES

Jurisdiction	Defined Uses
Alpharetta, GA	Data center (§1.4.2)
Anne Arundel County, MD	Data storage center (§18-1-101.(44))
Fairfax County, VA	Data center (§9103)
Frederick County, MD	Critical digital infrastructure facility (§1-19-11.100)
Moses Lake, WA	Cryptocurrency mining; Data center/server farm/cluster (§18.03.040)
Pitt County, NC	Data processing facility (large scale) (§15)
Plattsburgh, NY	Commercial cryptocurrency mining; Server farm; High density load service (LL 6-2018)
Prince George's County, MD	Qualified data center (§27-2500)
Prince William County, VA	Data center (§32-100)
Somerville, MA	Data center (§9.8.b)
Vernal, UT	Data center (§16.04.173)
Wenatchee, WA	Cryptocurrency mining; Data center (§10.08)

POTENTIAL MODEL APPROACHES

It would be difficult to find a community with more experience with data centers than Loudon County, Virginia. And the county's approach to zoning for data centers serves as a potential model for other communities with suitable sites and sufficient infrastructure to accommodate data center development. In contrast, Missoula County, Montana, was one of the first local jurisdictions to craft zoning regulations for cryptocurrency mining operations. And its emphasis on mitigating the potential climate impacts represents a different type of potential model.

Loudon County, Virginia

Northern Virginia's Data Center Alley, primarily clustered around Routes 7 and 267 in Loudon and Fairfax Counties is the largest data center market in the world (Fray and Koutsaris 2022). Its combined power consumption capacity is more than 1.6 gigawatts (GW), nearly twice as much as the next largest market. And within Data Center Alley, Loudon County has the highest concentration of data centers. As of October 2021, data centers occupied more than 25 million square feet, with another 4 million square feet in development (LCDED 2022).

Several important factors have driven demand for data center development in Loudon County. It is home to the Equinix internet exchange, one of the largest internet access points in the world and a successor to Metropolitan Area Exchange, East, the first U.S. exchange. The county has abundant (and redundant) fiber optic infrastructure, relatively cheap power, and sufficient water. Additionally, it has a high concentration of skilled technology workers and businesses that support the data center industry.

By the year 2000, there was already an emerging data center cluster in Loudon County. However, the county did not define and regulate data centers as a distinct use in its zoning code until 2014 (ZOAM 2013-0003). According to Acting Planning & Zoning Director James David, prior to this, the county defined data centers as commercial offices.

The latest version of the county's zoning ordinance permits data centers by right in Planned Office Park, Research and Development Park, Industrial Park, and General Industrial districts and as a special exception use in Commercial Light Industry districts. New data centers (without vested rights) must comply with a set of use-specific standards governing façade design, screening of mechanical equipment, exterior lighting, pedestrian and bicycle facilities, and landscaping, buffering, and screening (§5-664).

According to David, these standards are intended to improve the aesthetics of data centers, minimize visibility from nearby residential areas, and ensure continuous sidewalk and trail networks. Overall, they represent a light-touch approach that has, so far, worked well for a county with enormous demand for data centers and relatively modest competition for space from other commercial and industrial uses.

However, in February 2022, county officials directed staff to research regulatory options to prevent new data centers in the

EXAMPLES OF USE-SPECIFIC STANDARDS FOR DATA CENTERS AND CRYPTOCURRENCY MINING

Jurisdiction	Use-Specific Standards
Alpharetta, GA	Requires evidence of compliance with noise standards; specifies exterior lighting fixture design; establishes minimum building height; requires building façade design elements; establishes other fencing, screening, and landscaping requirements to minimize visibility from adjacent roads and properties (§2.7.2.1)
Anne Arundel County, MD	Establishes minimum lot size and setbacks; prohibits residences on the same lot; establishes limit on outdoor storage (§18-10-119)
Fairfax County, VA	Requires all equipment to be enclosed within a building; establishes maximum floor area by zoning district (§4102.6.A)
Frederick County, MD	Establishes criteria for reducing setbacks; specifies building design standards; specifies landscaping, screening, and buffering requirements; clarifies parking, loading, signage, and lighting standards; establishes criteria for private roads; establishes noise and vibration standards (§1-19-8.402)
Moses Lake, WA	Clarifies review process for business license; prohibits container storage; requires evidence of electrical utility approval; requires evidence of electrical permit and inspection; establishes environmental performance standards, addressing noise, heat, and electric and magnetic fields; limits amount of exposed equipment on facades (§18.74)
Pitt County, NC	Limits height; requires separation from sensitive uses; requires noise study and compliance with noise standards; requires underground wiring; requires security fencing and vegetative screening; requires evidence of electrical utility approval; clarifies signage standards; requires notification of abandonment (§8(UUUU))
Plattsburgh, NY	Requires fire suppression and mitigation techniques; limits internal ambient temperature and the direct release of heat on colder days; establishes permissible noise levels (LL 6-2018)
Prince George's County, VA	Requires building façade design elements; specifies exterior lighting fixture design; requires screening for security fencing and limits fence height; requires compliance with landscape manual; clarifies applicable off-street parking standard; clarifies signage standards; requires an acoustical study; specifies additional site, locational, and noticing requirements for facilities in rural residential districts (§27-5102(e)(4)(B))
Somerville, MA	Establishes special review criteria related to aesthetic impacts and employment opportunities (§9.8.b)
Vernal, UT	Requires fencing and structural screening for electrical generators; requires noise mitigation plan for facilities near residential zones or existing hotels or motels (§16.20.250)
Wenatchee, WA	Clarifies review process for business license; prohibits container storage; requires evidence of electrical utility approval; requires evidence of electrical permit and inspection; clarifies blank wall limitation standards; requires an affidavit verifying operating sound levels (§18.48.310)

Route 7 corridor. While data center demand remains high in this area, the county's comprehensive plan designates most of this corridor as Suburban Mixed Use, which envisions a compact, pedestrian-friendly mix of commercial, residential, cultural, and recreational uses. Furthermore, the existing electricity network infrastructure is insufficient to accommodate the existing demand for new data centers (LCDED 2022).

The county is working on its first complete overhaul of its zoning code since 1993. And it intends to incorporate any new regulations for data centers into the new code, which officials hope to adopt by the end of 2022.

Google Earth

The heart of Northern Virginia's Data Center Alley in Ashburn, Virginia.

Google Earth

The former Bonner sawmill in Missoula County, Montana, was once home to the HyperBlock cryptocurrency mine.

Missoula County, Montana

In April 2019, Missoula County, Montana, adopted an interim zoning resolution that established a cryptocurrency mining overlay (Resolution No. 2019-026). The county had one large cryptocurrency mine already, and its low electricity rates and cool climate made it an attractive area for prospective miners. While a few other jurisdictions had already defined cryptocurrency mining in their zoning codes, Missoula County appears to be the first to explicitly position its zoning approach as a response to climate change.

According to county planner Jennie Dixon, AICP, local officials originally took an interest in regulating cryptocurrency mining as a distinct use after multiple complaints of noise from cooling fans at an existing Bitcoin mine operating out of a former sawmill in unincorporated Bonner. Soon, though, the county expanded its focus to include energy consumption and electronic waste.

Montana law only authorizes interim zoning in the case of an emergency involving "public health, safety, morals, or general welfare" (§76-2-206). Dixon says the Intergovernmental Panel on Climate Change's 2018 Special Report on *Global Warming of 1.5° C* helped justify climate change as a local emergency that warranted interim zoning to mitigate greenhouse gas emissions (and other potential environmental impacts) from cryptocurrency mining.

The interim zoning regulations defined cryptocurrency mining as a distinct use and created a Cryptocurrency Mining Overlay Zone, mapped to the entire unincorporated geographic extent of the county (which includes some un-zoned areas). The overlay restricted cryptocurrency mining operations to industrial districts and required operators to obtain a discretionary use permit if the mine was adjacent to a residential district or within 500 feet of a residential property boundary. These regulations also required all mining operations to verify that all electronic waste be handled by a licensed recycling firm and that all electricity use be offset by new renewable energy production.

Caroline Lauer, the county's Sustainability Program Manager, stresses the importance of this last requirement. If cryptocurrency miners purchased existing supplies of renewable energy, it could actually displace existing utility customers to dirtier sources. While most of the county's electricity comes from hydropower, coal accounts for much of the remainder.

Missoula County's 2016 *Growth Policy* plan includes an objective to "reduce the county's contribution to climate change" (4.1) and lists policies that promote alternative energy development (4.1.3) and reduce energy use and waste generation as implementation actions (4.1.6). A day before it adopted the interim cryptocurrency mining regulations, the county further strengthened its policy rationale by adopting a joint commitment with the City of Missoula to achieve 100 percent clean electricity use by 2030.

County officials extended the interim zoning for another year in 2020 before adopting the same regulations as a permanent zoning amendment in March 2021 (§1.04

& §5.05). According to Dixon, the Bonner mine ceased operations during the interim zoning period, but not because of the county's zoning. It declared bankruptcy two days after the "Black Thursday" Bitcoin crash in March 2020, leaving the tribal-owned independent power producer that provided its electricity with a $3.7 million unpaid bill (Rozen 2020).

CONCLUSIONS

The rapid rise in data center development has coincided with dramatic decreases in the costs of producing solar and wind power. This, in combination with a growing trend toward clean power commitments among technology companies, has blunted some of the climate impacts of an increased demand for data storage and processing.

The increased digitalization of life virtually guarantees that data centers will continue proliferating in strategic locations across the country (Gomez and DeAngelis 2022). Soon, communities may start seeing a sharp increase in interest in very small edge data centers that could fit in underutilized commercial spaces or even be collocated with other telecommunications infrastructure, such as small cell facilities, in public rights-of-way (Sowry et al. 2018).

The future of cryptocurrency mining facilities is less certain. Bitcoin and other energy-intensive cryptocurrencies are facing social pressure to transition to more energy-efficient transaction verification methods, and several existing cryptocurrencies already use these methods. However, we are still at the very beginning of the cryptocurrency story. While this form of currency currently exists primarily as a speculative investment vehicle, this could change rapidly if valuations stabilize and large numbers of goods and service providers accept cryptocurrencies for payment.

Not every community will see the value in defining data centers or cryptocurrency mines as distinct uses in their zoning codes. Nevertheless, doing so can give local jurisdictions a leg up when it comes to signaling preferences to developers and operators and minimizing or mitigating potential adverse impacts.

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6

Logistics Brew
By Stockarea

What Is Cold Storage & How Does Cold Storage Work?

By Kriti Gupta

Cold storage is a facility that primarily stores food items that are short-lived and highly likely to get spoilt under normal conditions. These may include fruits, vegetables, fish, meat etc. These food items are stored under optimum temperature(primarily low) and humid environment as required for individual items. Almost all cold storage rooms are designed such that these properties are pre-configured based on what is being stored. Some cold rooms are made such that these properties are adjustable.

Construction and Working of a Cold Storage Plant

A cold-storage facility works on a refrigeration system which helps maintain an adequate temperature and environment as per the specifications of each item being stored. These are the main components of a cold storage room:

- **Compressor** – It is the main component that runs the cold room. It is the only device that needs the energy to run. The compressor consumes almost all the power in a cold room. It is used to raise the temperature and pressure of the refrigerant vapour coming out of the Evaporator. As the pressure is increased, the boiling point increases and the compressor can condense the refrigerant(for example, ammonia) at the temperature of the condenser.

- **Condenser** – It is required to remove the heat from the refrigerant and the circulating water. It carries out phase change of the condenser from gas to liquid at high temperature and pressure. The condenser acts as a heat sink, and its heat exchange efficiency determines the efficiency of the cold storage plant.

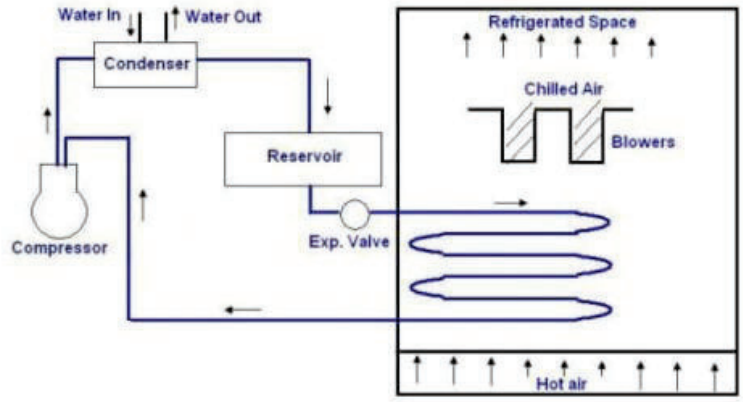
- **Receiver** – The high-pressure liquid condensate is stored here. It is here that the refrigerant comes after phase change from the condenser. After it has reached the receiver component, the liquid refrigerant goes to the expansion valve to decrease the temperature and pressure.

- **Expansion Valve** – It reduces the temperature and pressure of the refrigerant using a throttling device. The throttling process occurs through friction and there is a change in the temperature and pressure of the refrigerant. Its pressure changes from that in the Receiver to that in the Evaporator.

- **Evaporator** – The cyclic process that decreases the temperature of the items stored takes place here. It takes heat from the storage compartment or atmosphere that is supposed to be cooled. This heat is then used to vaporize the liquid refrigerant. This way, the food items are cooled and preserved.

- **Blowers** – The cooled air is spread across the room through the convection process, thus, achieving the desired temperature of the room.

In short, the refrigerant's boiling point is reduced by increasing its temperature and pressure by the compressor. Heat is removed from the refrigerant as it is changed from gaseous to the liquid state by the condenser. Now the refrigerant is transferred to the reservoir for storage. Further, the refrigerant is moved to an expansion valve to reduce the temperature and pressure in the liquid state. The last step takes place in the Evaporator, where the heat from the surroundings is used to change the refrigerant again to a gaseous state, thus causing the cooling effect. The blower circulates this cool air.



Uses of Cold Storage

Cold storage is essentially meant for storing items that need specific low-temperature surroundings. There is a misconception that cold rooms can store only food items this way. However, cold rooms can store the following items:

1. **Food Items** – Several industries use cold storage services to preserve food items. Restaurants, food outlets, supermarkets and grocery shops are a few of these industries. These industries may require domestic fridges, entire cold rooms or blast freezers based on the type of item being stored and the customers' needs. Blast freezers are needed to keep a large number of food items for long periods.
2. **Candles** – In hot and humid climates, candles and similar items made of wax-like substances must be stored in a cold space. Melting will ruin these items

and cause financial losses to the candle-making industries, raising the need for cold storage facilities.

3. **Films and Artwork** – Film-makers can stop camera films from getting ruined by storing them in cold temperatures. Not all but many people still use this method when films need to be stored for longer periods. Old art pieces especially need controlled temperature in their storage spaces as the paint may start to peel off the canvas.
4. **Plants** – Cold temperatures keep plants healthy, primarily decorative plants. Florists and ornamental flower companies especially need these facilities to store flowers whose stems have been cut.
5. **Cosmetics** – Lipsticks, Mascaras, Nail paints etc., may get ruined in high temperatures due to melting at higher temperatures. Thus, while storing them for long durations, companies need to have optimum temperature in the warehouse.
6. **Pharmaceuticals** – Pharmaceutical companies that deal with medicines use cold storage warehouses very often to store syrups, injections, etc. and protect them from denaturation. Cold temperature prevents them from getting ruined by contamination.
7. **Textiles** – Textile companies that deal with organic cloth material such as fur, skin or wool always need cold storage facilities in their warehouse. This is because these materials can rot under high temperatures. It will make them unfit for use. Dry cleaners also make use of cold storage facilities.

Types of Cold Storage Systems

1. **Refrigerated containers –** It is the primary and efficient type of cold storage facility. They can be used for a small number of items that need optimum temperature storage. Further, workers can easily move them from one place to another.
2. **Blast Freezers and Chillers –** These meet large storage requirements that need the items to be chilled when they reach the customer. High-end restaurants and similar companies use these.
3. **Cold rooms –** These can be both refrigerants and blast freezers based on the requirement, except that they are much larger and in the form of entire rooms.

4. **Pharmaceutical grade cold storage warehouse –** These are warehouses that have the cold storage technologies inbuilt with them. Used in hospitals and medical facilities, they are specially used to store blood, certain vaccines and biopharmaceuticals.
5. **Plant attached cold storage warehouse –** When producers wish to keep the cold rooms within their factories, such facilities are built. Conveyor belts are used to send intermediary goods or finished products to cold storage. This makes it an on-site service.
6. **Dedicated custom cold storage warehouse facilities –** It includes companies that have specific cold storage needs and need customized cold rooms. Instead of building entire cold rooms, they can get made one personally by 3PL logistic services or warehousing solution companies.

Benefits of Cold Storage Systems

1. **Multiple variations**

   Most cold storage units have temperature-adjustable modes and are airtight as well. This protects the material inside from extreme temperature changes that may occur in the environment. Further, moisture content can also be regulated using a dehumidifier to dry out the surroundings as required. A cold storage unit can be converted to any of these from a cold room to a blast freezer.
2. **All specifications are customizable**

   Each cold room can be built of a particular dimension and feature specification. Even the shape of a cold room can be customized. Based on what is to be stored, the correct refrigeration system can be chosen. Many times, a freezing temperature is not required for all goods. In such a case, a cold room can keep your goods cold and dry. Mobile cold rooms are also available now.
3. **Acts as extra storage**

   Whenever space is not available for storing items in general, cold rooms themselves can be used. They keep almost all food items safe, and their temperature can be regulated along with the moisture. Items that especially need to be kept away from moisture can be stored here when the monsoon arrives. This way, whenever there are extra orders, the lack of space can be compensated.

4. **It can be used for backup during a power outage**

   In case of power cuts, items stored in coolers and fridges can be moved to the cold storage area. This will prevent those items from getting ruined. The cold room will meet their optimum temperature requirement. The airtight nature helps maintain the cool environment for a longer duration. This will help keep the food items safely. Further, wire racks can be added, which will be kept empty if such a situation arises.

5. **Reduction in waste saves money**

   As cold rooms preserve food items for long durations, they help in reducing wastage. This way, instead of unused goods being spoilt and thrown away, they can be stored for more time. Many restaurants preserve food after preparing it in frozen form; such a facility is provided through cold rooms. These are used when there is a supply crunch. This benefit also helps save the money that the company may have spent on buying extra items in place of the spoilt ones.

Problems associated with Cold Storage

1. **Negative impact on equipment and operator**

   Most cold rooms have adverse effects on the equipment placed inside. For example, as soon as a product will be removed from the cold room for palletization, it will gain moisture. This will spoil the product hence causing wastage anyway. Further, the person operating the cold rooms is often exposed to such artificial cold temperatures that harms their joints, bones, and overall health. Also, battery operated parts within a cold storage unit have extremely low power efficiency, reducing by almost 50% than at room temperature. In order to deal with these issues, palletization can be done within the cold room, and insulation kits can be provided to the workers of the cold room. Seals should be placed on batteries that make them resistant to extreme temperature changes.

2. **Each good has different requirements**

   More than one product needs cold storage; however, each may not need the same temperature for storage. Moisture requirements will also differ for each kind of item. This creates an issue as a single temperature setting will be beneficial for only a few things. For example, vegetables need to be stored at 13°C, meat at -2°C, dairy products at 1°C and ice creams at -23°C. Thus all items

don’t need to be frozen. Further, even the transportation requirements from the cold room may differ for each item. 3PL logistic services can be used to store different types of goods as they have such facilities.

3. **They may be energy inefficient**
   Many studies have proven that cold storage facilities are often energy inefficient. This is caused even by the slightest error in insulation. Doors need to be of high quality, or the entire cold room may become ineffective. This means that there has to be minimal exposure to the outside environment. Only if these requirements are met can the cold room work well. Thus, well-built walls and doors preferably made of puff panels will help make the cold room energy efficient.

Frequently Asked Questions (FAQs)

Q: Can I use my forklift inside the containers? +

Q. Can I store items after more processing occurs? +

Q: How spacious are the containers? +

Q. Are these rooms fireproof? +

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Grid-Scale Battery Storage

Frequently Asked Questions

What is grid-scale battery storage?

Battery storage is a technology that enables power system operators and utilities to store energy for later use. A battery energy storage system (BESS) is an electrochemical device that charges (or collects energy) from the grid or a power plant and then discharges that energy at a later time to provide electricity or other grid services when needed. Several battery chemistries are available or under investigation for grid-scale applications, including lithium-ion, lead-acid, redox flow, and molten salt (including sodium-based chemistries).[1] Battery chemistries differ in key technical characteristics (see *What are key characteristics of battery storage systems?*), and each battery has unique advantages and disadvantages. The current market for grid-scale battery storage in the United States and globally is dominated by lithium-ion chemistries (Figure 1). Due to technological innovations and improved manufacturing capacity, lithium-ion chemistries have experienced a steep price decline of over 70% from 2010-2016, and prices are projected to decline further (Curry 2017).

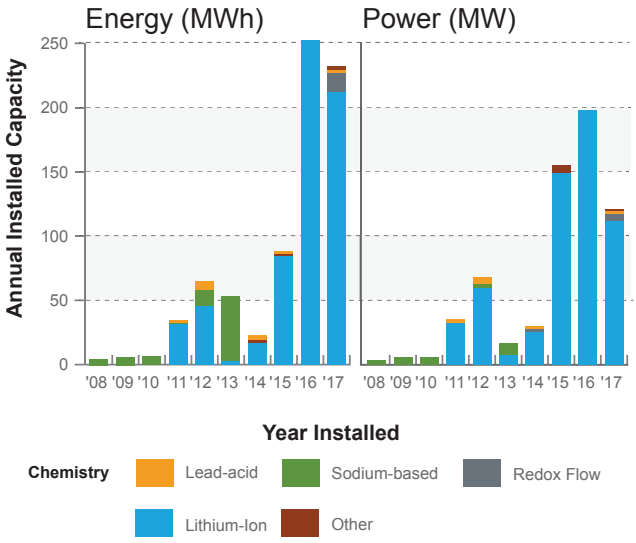

Figure 1: U.S. utility-scale battery storage capacity by chemistry (2008-2017). *Data source: U.S. Energy Information Administration, Form EIA-860, Annual Electric Generator Report*

Increasing needs for system flexibility, combined with rapid decreases in the costs of battery technology, have enabled BESS to play an increasing role in the power system in recent years. As prices for BESS continue to decline and the need for system flexibility increases with wind and solar deployment, more policymakers, regulators, and utilities are seeking to develop policies to jump-start BESS deployment.

Is grid-scale battery storage needed for renewable energy integration?

Battery storage is one of several technology options that can enhance power system flexibility and enable high levels of renewable energy integration. Studies and real-world experience have demonstrated that interconnected power systems can safely and reliably integrate high levels of renewable energy from variable renewable energy (VRE) sources without new energy storage resources.[2] There is no rule-of-thumb for how much battery storage is needed to integrate high levels of renewable energy. Instead, the appropriate amount of grid-scale battery storage depends on system-specific characteristics, including:

- The current and planned mix of generation technologies
- Flexibility in existing generation sources
- Interconnections with neighboring power systems
- The hourly, daily, and seasonal profile of electricity demand, and
- The hourly, daily, and seasonal profile of current and planned VRE.

In many systems, battery storage may not be the most economic resource to help integrate renewable energy, and other sources of system flexibility can be explored. Additional sources of system flexibility include, among others, building additional pumped-hydro storage or transmission, increasing conventional generation flexibility, and changing operating procedures (Cochran et al. 2014).

1. For information on battery chemistries and their relative advantages, see Akhil et al. (2013) and Kim et al. (2018).
2. For example, Lew et al. (2013) found that the United States portion of the Western Interconnection could achieve a 33% penetration of wind and solar without additional storage resources. Palchak et al. (2017) found that India could incorporate 160 GW of wind and solar (reaching an annual renewable penetration of 22% of system load) without additional storage resources.

What are the key characteristics of battery storage systems?

- **Rated power capacity** is the total possible instantaneous discharge capability (in kilowatts [kW] or megawatts [MW]) of the BESS, or the maximum rate of discharge that the BESS can achieve, starting from a fully charged state.
- **Energy capacity** is the maximum amount of stored energy (in kilowatt-hours [kWh] or megawatt-hours [MWh])
- **Storage duration** is the amount of time storage can discharge at its power capacity before depleting its energy capacity. For example, a battery with 1 MW of power capacity and 4 MWh of usable energy capacity will have a storage duration of four hours.
- **Cycle life/lifetime** is the amount of time or cycles a battery storage system can provide regular charging and discharging before failure or significant degradation.
- **Self-discharge** occurs when the stored charge (or energy) of the battery is reduced through internal chemical reactions, or without being discharged to perform work for the grid or a customer. Self-discharge, expressed as a percentage of charge lost over a certain period, reduces the amount of energy available for discharge and is an important parameter to consider in batteries intended for longer-duration applications.
- **State of charge,** expressed as a percentage, represents the battery's present level of charge and ranges from completely discharged to fully charged. The state of charge influences a battery's ability to provide energy or ancillary services to the grid at any given time.
- **Round-trip efficiency**, measured as a percentage, is a ratio of the energy charged to the battery to the energy discharged from the battery. It can represent the total DC-DC or AC-AC efficiency of the battery system, including losses from self-discharge and other electrical losses. Although battery manufacturers often refer to the DC-DC efficiency, AC-AC efficiency is typically more important to utilities, as they only see the battery's charging and discharging from the point of interconnection to the power system, which uses AC (Denholm 2019).

What services can batteries provide?

Arbitrage: Arbitrage involves charging the battery when energy prices are low and discharging during more expensive peak hours. For the BESS operator, this practice can provide a source of income by taking advantage of electricity prices that may vary throughout the day. One extension of the energy arbitrage service is **reducing renewable energy curtailment**. System operators and project developers have an interest in using as much low-cost, emissions-free renewable energy generation as possible; however, in systems with a growing share of VRE, limited flexibility of conventional generators and temporal mismatches between renewable energy supply and electricity demand (e.g., excess wind generation in the middle of the night) may require renewable generators to curtail their output. By charging the battery with low-cost energy during periods of excess renewable generation and discharging during periods of high demand, BESS can both reduce renewable energy curtailment and maximize the value of the energy developers can sell to the market. Another extension of arbitrage in power systems without electricity markets is **load-leveling**. With load-levelling, system operators charge batteries during periods of excess generation and discharge batteries during periods of excess demand to more efficiently coordinate the dispatch of generating resources.

Firm Capacity or Peaking Capacity: System operators must ensure they have an adequate supply of generation capacity to reliably meet demand during the highest-demand periods in a given year, or the peak demand. This peak demand is typically met with higher-cost generators, such as gas plants; however, depending on the shape of the load curve, BESS can also be used to ensure adequate peaking generation capacity. While VRE resources can also be used to meet this requirement, these resources do not typically fully count toward firm capacity, as their generation relies on the availability of fluctuating resources and may not always coincide with peak demand. But system operators can improve VRE's ability to contribute to firm capacity requirements through pairing with BESS. Pairing VRE resources with BESS can enable these resources to shift their generation to be coincident with peak demand, improving their capacity value (see text box below) and system reliability.

Firm Capacity, Capacity Credit, and Capacity Value are important concepts for understanding the potential contribution of utility-scale energy storage for meeting peak demand.

Firm Capacity (kW, MW): The amount of installed capacity that can be relied upon to meet demand during peak periods or other high-risk periods. The share of firm capacity to the total installed capacity of a generator is known as its **capacity credit (%)**.[3]

Capacity Value ($): The monetary value of the contribution of a generator (conventional, renewable, or storage) to balancing supply and demand when generation is scarce.

Operating Reserves and Ancillary Services: To maintain reliable power system operations, generation must exactly match electricity demand at all times. There are various categories of operating reserves and ancillary services that function on different timescales, from subseconds to several hours, all of which are needed to ensure grid reliability. BESS can rapidly charge or discharge in a fraction of a second, faster

3. See Mills and Wiser (2012) for a general treatment on the concept of capacity credit.

than conventional thermal plants, making them a suitable resource for short-term reliability services, such as Primary Frequency Response (PFR) and Regulation. Appropriately sized BESS can also provide longer-duration services, such as **load-following and ramping** services, to ensure supply meets demand.

Transmission and Distribution Upgrade Deferrals: The electricity grid's transmission and distribution infrastructure must be sized to meet peak demand, which may only occur over a few hours of the year. When anticipated growth in peak electricity demand exceeds the existing grid's capacity, costly investments are needed to upgrade equipment and develop new infrastructure. Deploying BESS can help defer or circumvent the need for new grid investments by meeting peak demand with energy stored from lower-demand periods, thereby reducing congestion and improving overall transmission and distribution asset utilization. Also, unlike traditional transmission or distribution investments, mobile BESS installations can be relocated to new areas when no longer needed in the original location, increasing their overall value to the grid.

Black Start: When starting up, large generators need an external source of electricity to perform key functions before they can begin generating electricity for the grid. During normal system conditions, this external electricity can be provided by the grid. After a system failure, however, the grid can no longer provide this power, and generators must be started through an on-site source of electricity, such as a diesel generator, a process known as black start. An on-site BESS can also provide this service, avoiding fuel costs and emissions from conventional black-start generators. As system-wide outages are rare, an on-site BESS can provide additional services when not performing black starts.

Table 1 below summarizes the potential applications for BESS in the electricity system, as well as whether the application is currently valued in U.S. electricity markets (Denholm 2018). Figure 2 shows the cumulative installed capacity (MW) for utility-scale storage systems in the United States in 2017 by the service the systems provide.

Most storage systems in the United States provide operating reserves and ancillary services. Despite this current focus, the total U.S. market for these services is limited, and utility-scale storage may begin providing more firm and peak capacity in the near future.

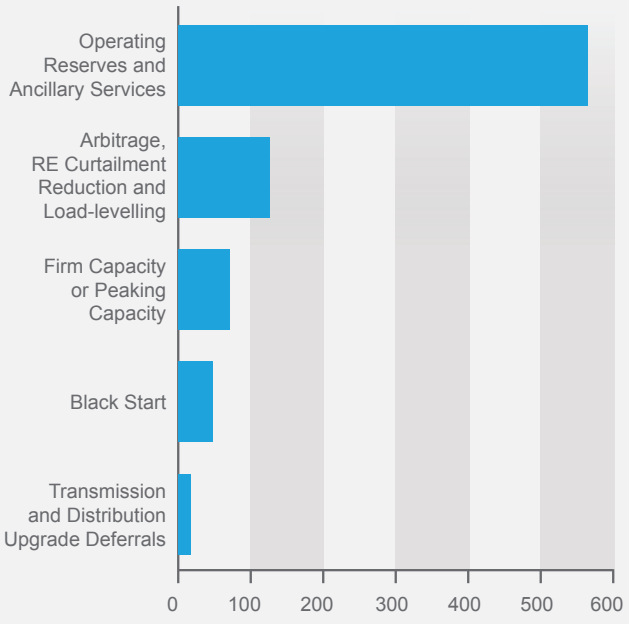

Figure 2: U.S. Utility-scale battery storage capacity by service. *Data source: U.S. Energy Information Administration, Form EIA-860, Annual Electric Generator Report*

Where should batteries be located?

Utility-scale BESS can be deployed in several locations, including: 1) in the transmission network; 2) in the distribution network near load centers; or 3) co-located with VRE generators. The siting of the BESS has important implications for the services the system can best provide, and the most appropriate location for the BESS will depend on its intended-use case.

In many cases, a BESS will be technically capable of providing a broad range of services in any of the locations described in the next section. Therefore, when siting storage, it is important to analyze the costs and benefits of multiple locations to determine the optimal siting to meet system needs. Considering all combinations of services the BESS can provide at each potential site will provide a better understanding of the expected revenue streams (see *What is value-stacking?*) and impact on the grid.

In the Transmission Network

BESS interconnected to the transmission system can provide a broad range of ancillary and transmission-related services. These systems can be deployed to replace or defer investments of peaking capacity, provide operating reserves to help respond to changes in generation and demand, or they can be used to defer transmission system upgrades in regions experiencing congestion from load or generation growth. Figure 3 below shows the configuration of a utility-scale storage system interconnected at the transmission substation level.

In the Distribution Network Near Load Centers

Storage systems located in the distribution network can provide all of the services as transmission-sited storage, in addition to several services related to congestion and power quality issues. In many areas, it may be difficult to site a conventional generator near load in order to provide peaking capacity, due to concerns about emissions or land use. Due to their lack of local emissions and their scalable nature, BESS systems can be co-located near load with fewer siting challenges than conventional generation. Placing storage near load can reduce transmission and distribution losses and relieve congestion, helping defer transmission and distribution upgrades. Distribution-level BESS systems can also provide local power quality services and support improved resilience during extreme weather events.

Table 1: Applications of Utility-Scale Energy Storage

Application	Description	Duration of Service Provision	Typically Valued in U.S. Electricity Markets?
Arbitrage	Purchasing low-cost off-peak energy and selling it during periods of high prices.	Hours	Yes
Firm Capacity	Provide reliable capacity to meet peak system demand.	4+ hours	Yes, via scarcity pricing and capacity markets, or through resource adequacy payments.
Operating Reserves			
• Primary Frequency Response	Very fast response to unpredictable variations in demand and generation.	Seconds	Yes, but only in a limited number of markets.
• Regulation	Fast response to random, unpredictable variations in demand and generation.	15 minutes to 1 hour	Yes
• Contingency Spinning	Fast response to a contingency such as a generator failure.	30 minutes to 2 hours	Yes
• Replacement/ Supplemental	Units brought online to replace spinning units.	Hours	Yes, but values are very low.
• Ramping/Load Following	Follow longer-term (hourly) changes in electricity demand.	30 minutes to hours	Yes, but only in a limited number of markets.
Transmission and Distribution Replacement and Deferral	Reduce loading on T&D system during peak times.	Hours	Only partially, via congestion prices.
Black-Start	Units brought online to start system after a system-wide failure (blackout).	Hours	No, typically compensated through cost-of-service mechanisms.

Co-Located with VRE Generators

Renewable resources that are located far from load centers may require transmission investments to deliver power to where it is needed. Given the variable nature of VRE resources, the transmission capacity used to deliver the power may be underutilized for large portions of the year. A BESS can reduce the transmission capacity needed to integrate these resources and increase the utilization of the remaining capacity by using storage to charge excess generation during periods of high resource availability and discharge during periods of low resource availability. The same BESS can be used to reduce the curtailment of VRE generation, either due to transmission congestion or a lack of adequate demand, as well as provide a broad range of ancillary services.

What is value-stacking? What are some examples of value-stacking opportunities and challenges?

BESS can maximize their value to the grid and project developers by providing multiple system services. As some services are rarely called for (i.e., black start) or used infrequently in a given hour (i.e., spinning reserves), designing a BESS to provide multiple services enables a higher overall battery utilization. This multi-use approach to BESS is known as **value-stacking**. For example, a BESS project can help defer the need for new transmission by meeting a portion of the peak demand with stored energy during a select few hours in the year. When not meeting peak demand, the BESS can earn revenue by providing operating reserve services for the transmission system operator.

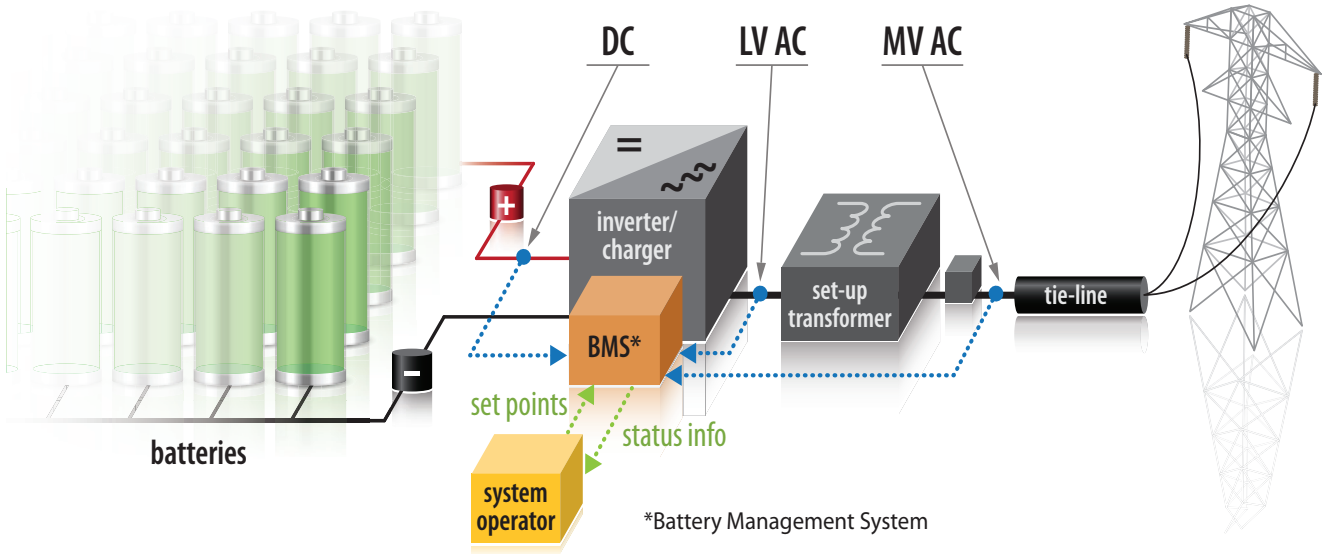

Figure 3: Key components of BESS interconnected at the transmission substation level. LV AC represents a low-voltage AC connection, while MV AC represents a medium-voltage AC connection.[4] *Source: Denholm (2019)*

Some system services may be mutually exclusive depending on the BESS design (e.g., a short duration storage device used to supply regulating reserves would have limited value for deferring transmission or distribution upgrades). Even if a BESS is technically capable of providing multiple services, the additional cycling of the battery (charging and discharging) may degrade the battery and shorten its lifetime and economic viability. Finally, a BESS can only provide a limited duration of any set of services before it runs out of charge, which means batteries must prioritize the services they provide.

Regulators have a variety of options to enable BESS to maximize its economic potential through value-stacking. For example, the California Public Utilities Commission (CPUC) developed categories of services BESS can provide based on their importance for reliability and location on the grid, as well as 12 rules for utilities when procuring services from BESS (CPUC 2018). The CPUC rules:

- Dictate that BESS projects can only provide services at the voltage level to which they are interconnected or higher, but not lower[5];
- Prioritize reliability services over non-reliability services and ensure storage cannot contract for additional services that would interfere with any obligation to provide reliability services;
- Require that a BESS project comply with all performance and availability requirements for services it provides and that noncompliance penalties be communicated in advance;
- Require that a BESS project inform the utility of any services it currently provides or intends to provide; and
- Take measures to prevent double compensation to BESS projects for services provided.

These CPUC rules are just one example of how regulators can help ensure BESS projects can select the most cost-effective combinations of services to provide without negatively impacting the reliability of the grid.

How are BESS operators compensated?

BESS operators can be compensated in several different ways, including in the wholesale energy market, through bilateral contracts, or directly by the utility through a cost-of-service mechanism. In a wholesale energy market, the BESS operator submits a bid for a specific service, such as operating reserves, to the market operator, who then arranges the valid bids in a least-cost fashion and selects as many bids as necessary to meet the system's demands. If the BESS operator's bid is selected and the BESS provides the service, the operator will receive compensation equal to the market price. This process ensures transparent prices and technology-agnostic consideration; however, many services are currently not available in the market, such as black start or transmission and distribution upgrade deferrals. Alternatively, BESS operators can enter into bilateral contracts for services directly with energy consumers, or entities which procure energy for end-consumers. This process does not ensure transparency and contracts can differ widely in both prices and terms. Finally, some BESS are owned directly by the utilities to whom they provide services, such as upgrade deferrals. In these cost-of-service cases, the utility pays the BESS operator at the predetermined price and recovers the payments through retail electricity rates. In some jurisdictions, however, BESS may be prevented from extracting revenues through both wholesale markets and cost-of-service agreements (Bhatnagar et al. 2013).

4. ANSI C84.1: Electric Power Systems and Equipment–Voltage Ratings (60 Hz) defines a low-voltage system as having a nominal voltage less than 1 kV and medium voltage as having a nominal voltage between 1 kV and 100 kV.
5. BESS interconnected at the distribution level can provide distribution or transmission level services, but BESS interconnected at the transmission level can only provide transmission-level services.

How does the value of batteries change with renewable energy deployment and increased VRE penetration?

The amount of renewable energy on the grid can influence the value and types of the services provided by a BESS. Increased levels of renewable energy may increase the need for frequency control services to manage increased variability and uncertainty in the power system. Increased levels of VRE penetration can also change the shape of the net load, or the load minus the VRE generation, influencing BESS projects that provide load following, arbitrage, peaking capacity, or similar services.

Models of the California system have shown a strong relationship between solar PV deployment and BESS' ability to replace conventional peaking capacity, also known as the BESS capacity credit (Denholm and Margolis 2018). As the shape of the load curve affects the ability of storage to provide peaking capacity, resources such as PV that cause load peaks to be shorter will enable shorter duration batteries, which are less expensive, to displace conventional peaking capacity.

Initially, low levels of PV penetration may flatten the load curve, reducing BESS' ability to cost-effectively offset the need for conventional peaking plants.[6] At higher levels of solar PV penetration, however, the net load curve becomes peakier, increasing the ability and value of BESS to reduce peak demand. Figure 4 illustrates how increasing levels of PV generation change the shape of the net load, causing it to become peakier. The shaded areas above and under the net load curves indicate BESS charging and discharging, while the text boxes show the amount of net load peak reduction (MW) and the total amount of energy met by BESS during the net load peak (MWh).

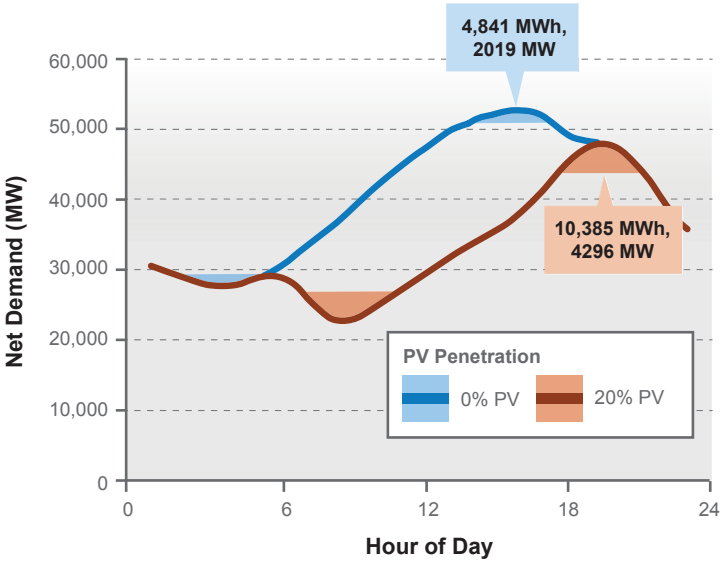

Figure 4: Change in California net load shape due to PV.
Adapted from Denholm and Margolis (2018)

What are the key barriers to BESS deployment?

Barriers to energy storage deployment can be broadly grouped into three different categories: regulatory barriers, market barriers, and data and analysis capabilities.

1. Regulatory Barriers

- **Lack of rules and regulations to clarify the role of BESS.** Although storage may be technically able to provide essential grid services, if no regulations or guidelines explicitly state that storage can provide these services, utilities and market operators may be unwilling to procure services from BESS. Furthermore, without a guarantee that services provided by a BESS project will be compensated, storage developers and financing institutions may be unwilling to make the necessary capital investments. Federal Energy Regulatory Commission (FERC) Order 841 addressed this issue in U.S. wholesale markets and directed market operators to develop rules governing storage's participation in energy, capacity, and ancillary service markets. Among other requirements, the rules must ensure open and equal access to the market for storage systems, taking into consideration their unique operating and technical characteristics (FERC 2018).

- **Restrictions or lack of clarity around if and how storage can be used across generation, transmission, and distribution roles.** The variety of different services storage can provide often cuts across multiple markets and compensation sources. For instance, frequency regulation may be compensated in a wholesale market, but transmission or distribution investment deferrals may be compensated as a cost of service by the utility or system operator. In some jurisdictions, providing services across different compensation sources is restricted by regulation. Limiting the services batteries can provide based on where the service is provided or how it is compensated can influence how often they are utilized and whether they remain an economic investment (Bhatnagar 2013).

2. Market Barriers

- **Lack of markets for system services.** A lack of markets for services that batteries are uniquely suited to provide can make it difficult for developers to include them as potential sources of income when making a business case, deterring investment. For example, in most U.S. Independent System Operator (ISO) markets, generators are currently expected to provide inertial and governor response during frequency excursions without market compensation. Although BESS can provide the same services, currently there is no way for BESS to seek market compensation for doing so. Furthermore, the price formation for a service may have evolved for conventional generators, meaning the presence

6. This is demonstrated by Denholm and Margolis (2018) for the California system.

of batteries in the market could distort prices, affecting storage systems and conventional generators alike (Bhatnagar 2013).

- **Lack of discernment in quality and quantity of services procured.** For some services, such as frequency regulation, the speed and accuracy of the response is correlated to its overall value to the system. Battery systems can provide certain services much faster and more accurately than conventional resources, which may not be reflected in compensation for the service. Markets can provide fair compensation to BESS by aligning compensation schemes with the quality of service provided, as is mandated by FERC Order 755, which requires compensation for frequency regulation that reflects "the inherently greater amount of frequency regulation service being provided by faster-ramping resources" (FERC 2011). Similarly, BESS can be uniquely suited to provide up- or down-regulation, given their larger operating range over which to provide regulating reserves (due to their lack of a minimum stable level and ability to provide up- and down-regulation in excess of their nameplate capacity, based on whether they are charging or discharging) (Denholm 2019). These unique features of BESS are not necessarily reflected in the procurement requirements and compensation of such services, diminishing BESS' economic viability.

3. *Data and Analysis Capabilities*

Battery storage systems are an emerging technology that exhibit more risk for investors than conventional generator investments. These risks include the technical aspects of battery storage systems, which may be less understood by stakeholders and are changing faster than for other technologies, as well as potential policy changes that may impact incentives for battery deployment. Given the relatively recent and limited deployment of BESS, many stakeholders may also be unaware of the full capabilities of storage, including the ability of a BESS to provide multiple services at both the distribution and transmission level. At the same time, traditional analysis tools used by utilities may be inadequate to fully capture the value of BESS. For example, production cost models typically operate at an hourly resolution, which does not capture the value of BESS' fast-ramping capabilities. The gaps in data and analysis capabilities and lack of adequate tools can deter investments and prevent battery storage from being considered for services that can be provided by better understood conventional generators (Bhatnagar et al. 2013).

What are some real-world examples of batteries providing services and value-stacking?

There are several deployments of BESS for large-scale grid applications. One example is the Hornsdale Power Reserve, a 100 MW/129 MWh lithium-ion battery installation, the largest lithium-ion BESS in the world, which has been in operation in South Australia since December 2017. The Hornsdale Power Reserve provides two distinct services: 1) energy arbitrage; and 2) contingency spinning reserve. The BESS can bid 30 MW and 119 MWh of its capacity directly into the market for energy arbitrage, while the rest is withheld for maintaining grid frequency during unexpected outages until other, slower generators can be brought online (AEMO 2018). In 2017, after a large coal plant tripped offline unexpectedly, the Hornsdale Power reserve was able to inject several megawatts of power into the grid within milliseconds, arresting the fall in grid frequency until a gas generator could respond. By arresting the fall in frequency, the BESS was able to prevent a likely cascading blackout.

Another example of value-stacking with grid-scale BESS is the Green Mountain Power project in Vermont. This 4 MW lithium-ion project began operation in September 2015 and is paired with a 2 MW solar installation. The installation provides two primary functions: 1) backup power and micro-grid capabilities; and 2) demand charge reductions. The solar-plus-storage system enables the utility to create a micro-grid, which provides power to a critical facility even when the rest of the grid is down. The utility operating the BESS also uses it to reduce two demand charges: an annual charge for the regional capacity market and a monthly charge for the use of transmission lines. Sandia National Laboratories estimated that reducing the annual demand charge for a single year saved the utility over $200,000 (Schoenung 2017).

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The Grid Integration Toolkit provides state-of-the-art resources to assist developing countries in integrating variable renewable energy into their power grids. Greening the Grid is supported by the U.S. Agency for International Development.

The USAID-NREL Partnership addresses critical challenges to scaling up advanced energy systems through global tools and technical assistance, including the Renewable Energy Data Explorer, Greening the Grid, the International Jobs and Economic Development Impacts tool, and the Resilient Energy Platform. More information can be found at: **www.nrel.gov/usaid-partnership**.

USAID FROM THE AMERICAN PEOPLE NREL Transforming ENERGY

REexplorer MAPPING OUR ENERGY FUTURE Greening the Grid I-JEDI Resilient Energy Platform

Reviewed By:	
Legal	■
Finance	☐
Engineer	☐
City Administrator	■
Community Development	■
Purchasing	☐
Police	☐
Public Works	☐
Parks and Recreation	☐

Agenda Item Number

Planning and Zoning Commission #3

Tracking Number

PZC 2023-14 & EDC 2023-37

Agenda Item Summary Memo

Title: PZC 2023-14 – Kendall County Petition 23-28 (7557 & 7583 Clubhouse Drive)

Meeting and Date: City Council – September 26, 2023

Synopsis: 1.5 Mile Review of a proposed plat of vacation.

Council Action Previously Taken:

Date of Action: PZC – 9/13/23 Action Taken: Moved forward to City Council agenda.

Item Number: PZC 2023-14 & EDC 2023-37

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Krysti J. Barksdale-Noble (Name) Community Development (Department)

Agenda Item Notes:

See attached memo.

Have a question or comment about this agenda item?
Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/320/City-Council

Memorandum

To: City Council
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: September 14, 2023
Subject: **PZC 2023-14 – 7557 & 7583 Clubhouse Drive (Whitetail Ridge)**
1.5 Mile Review (Plat of Vacation)

SUMMARY:

Staff has reviewed a request from Kendall County Planning and Zoning Department along with the subsequent documents attached. This property is located within one and a half miles of the planning boundary for Yorkville, allowing the City the opportunity to review and provide comments to Kendall County. The petitioners, Troy M. Williams and Ashley L. Rusch, are requesting approval of a Plat of Vacation to vacate the public easements between two (2) parcels (Lots 100 and 101) within the Whitetail Ridge subdivision. The purpose of the request is to construct a single detached home that will straddle the common lot line between the parcels. The real property is located at 7557 and 7583 Clubhouse Drive which is generally located at the north of the East Schoolhouse Road (IL Route 126) between Grove Road and Hopkins Road in unincorporated Kendall County.

PLANNING & ZONING COMMISSION ACTION:

The Planning and Zoning Commission reviewed the Petitioner's request at a meeting held on September 13, 2023 and made the following action on the motions below:

In consideration of the proposed mile and half review of Kendall County Petition 23-28 for a plat of vacation to vacate the public easements between two (2) parcels (Lots 100 and 101) within the Whitetail Ridge subdivision commonly known as 7557 and 7583 Clubhouse Drive, the Planning and Zoning Commission recommends the City Council to not to object to the request.

Action Item:

Vinyard– aye; Millen – aye; Williams – aye; Horaz – aye; Goins – aye.
5 ayes; 0 nay

ATTACHMENTS

1. Memo to Planning and Zoning Commission dated September 7, 2023
2. Application with Attachments

Memorandum

To: Planning and Zoning Commission
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Bart Olson, City Administrator
Date: September 7, 2023
Subject: **PZC 2023-14 – 7557 & 7583 Clubhouse Drive (Whitetail Ridge)** 1.5 Mile Review (Plat of Vacation)

SUMMARY:

Staff has reviewed a request from Kendall County Planning and Zoning Department along with the subsequent documents attached. This property is located within one and a half miles of the planning boundary for Yorkville, allowing the City the opportunity to review and provide comments to Kendall County. The petitioners, Troy M. Williams and Ashley L. Rusch, are requesting approval of a Plat of Vacation to vacate the public easements between two (2) parcels (Lots 100 and 101) within the Whitetail Ridge subdivision. The purpose of the request is to construct a single detached home that will straddle the common lot line between the parcels. The real property is located at 7557 and 7583 Clubhouse Drive which is generally located at the north of the East Schoolhouse Road (IL Route 126) between Grove Road and Hopkins Road in unincorporated Kendall County.

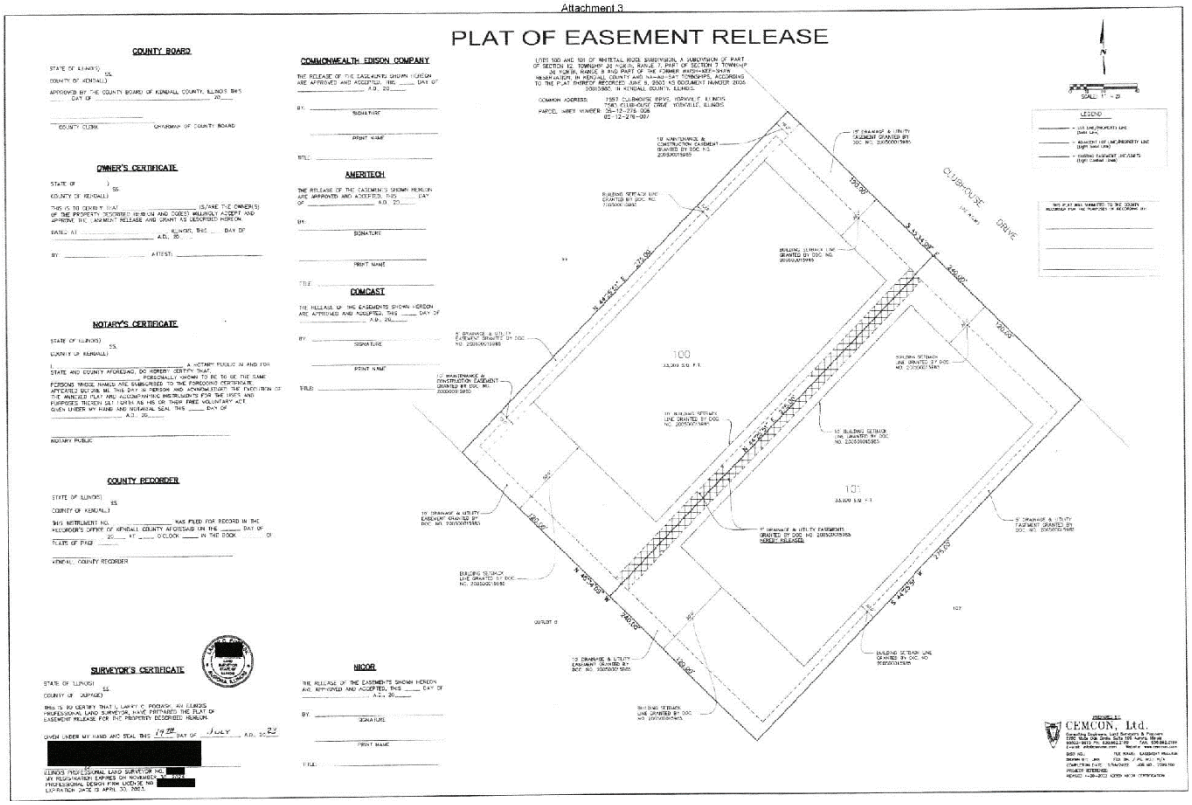
PROPERTY BACKGROUND:

The property is located at 7557 and 7583 Clubhouse Drive in unincorporate Kendall County. The approximately 1.5-acre property, original platted as two (2) separate parcels each totaling ~33,000 sq. ft., was consolidated into a single parcel in 2022. Currently, the property is unimproved. While the parcel is not immediately adjacent to incorporated Yorkville, it is approximately1.5 miles to the east of the Prestwick of Ashley Pointe subdivision.

REQUEST SUMMARY:

The petitioners are proposing to vacate the existing combined ten (10) foot drainage and utility easements between Lots 100 and 101 within the Whitetail Ridge for the purpose of constructing a new single-family detached home in the center of the recently consolidated parcel. As proposed, the home would straddle across the drainage easement which is not permitted per Kendall County subdivision regulations. The petitioner has prepared a grading plan for the proposed development of the property with the new home and the drainage patterns from the Whitetail Ridge subdivision plan with runoff directed around the home from the front of the property to the rear. Further, no additional stormwater runoff from the other lots is directed to the common property line. The County's engineering consultant, WBK

Engineering, reviewed the proposed grading plan and does not oppose the request to vacate the easements. The Whitetail Ridge Homeowners Association (HOA) also is agreeable to the request.



The home the petitioners want to construct is approximately 4,175 square feet with a circular driveway. The submitted plans appear to meet the zoning bulk regulations for the County's RPD-2 district. Therefore, no other zoning relief is being requested by the petitioners.

YORKVILLE COMPREHENSIVE PLAN:

Yorkville's 2016 Comprehensive Plan designation for this property is Estate/Conservation Residential. This future land use is intended to provide flexibility for residential design in areas in Yorkville that can accommodate low-density detached single-family housing but also include sensitive environmental and scenic features that should be retained and enhanced.

The current land use within a large lot residential golf course development and the proposed detached single-family home on a 1.5-acre lot is consistent with Yorkville's Comprehensive Plan land use designation for this property. If approved, the proposed plat of vacation does not alter the land use and maintains its consistency with the areas future land use plans.

STAFF COMMENTS

Staff has reviewed the request for easement vacation and generally does not oppose the request. It will not affect the existing drainage within the planned development and meets the current minimum bulk requirements of that district. Additionally, the land use is consistent with the City's Comprehensive Plan and the vacation of the drainage and utility easements will not affect the future use of the land as it will remain residential in nature.

Staff is seeking input from the Planning and Zoning Commission as the one-and-a-half-mile review allows for the City to make comments and requests to the petitioner and County prior to their public meetings. This review will also be brought to the City Council at the September 26, 2023 meeting. This item was delivered to the City on August 17, 2023.

PROPOSED MOTION

In consideration of the proposed mile and half review of Kendall County Petition 23-28 for a plat of vacation to vacate the public easements between two (2) parcels (Lots 100 and 101) within the Whitetail Ridge subdivision commonly known as 7557 and 7583 Clubhouse Drive, the Planning and Zoning Commission recommends the City Council to (object or not to object) to the request.

ATTACHMENTS

1. Application with Attachments

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 203
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

Petition 23-28
Troy M. and Ashley L. Williams
Plat of Vacation of a Drainage and Utility Easement in Whitetail Ridge Subdivision

INTRODUCTION
A ten foot (10') drainage and utility easement presently exists between Lots 100 and 101 in Whitetail Ridge Subdivision. Troy and Ashley Williams own the subject lots and would like to construct a home in the center of the combined lots.

The Petitioners previously combined the lots into one (1) parcel identification number.

SITE INFORMATION

PETITIONER	Troy M. and Ashley L. Williams
ADDRESS	7557 and 7583 Clubhouse Drive, Yorkville (Lots 100 and 101 of Whitetail Ridge)
LOCATION	Approximately 275 Feet Northwest of Legacy Circle on the West Side of Clubhouse Drive

TOWNSHIP	Kendall Township
PARCEL #	05-12-276-011
LOT SIZE	1.5 +/- Acres
EXISTING LAND USE	Residential/Vacant
ZONING	RPD-2

LRMP		
	Current Land Use	One-Family Residential and Vacant
	Future Land Use	Rural Residential (Max 0.65 Du/Acre)
	Roads	Clubhouse Drive is a Township Road classified as a Local Road
	Trails	None
	Floodplain/ Wetlands	None

REQUESTED ACTION: Vacate a Ten Foot (10') Drainage and Utility Easement Between Lots 100 and 101

APPLICABLE REGULATIONS: Section 7.06 (Subdivision Control Ordinance)

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Single-Family Residential	RPD-2	Rural Residential (Max 0.65 DU/Acre)	N/A
South	Single-Family Residential and Golf Course	RPD-2 and RPD-2 SU	Rural Residential	N/A
East	Single-Family Residential and Common Area	RPD-2	Rural Residential	N/A
West	Single-Family Residential and Golf Course	RPD-2 and RPD-2 SU	Rural Residential	N/A

The RPD-2 special use is for a golf course.

ACTION SUMMARY

KENDALL TOWNSHIP
Kendall Township was emailed information on August 17, 2023.

UNITED CITY OF YORKVILLE
The United City of Yorkville was emailed information on August 17, 2023.

BRISTOL-KENDALL FIRE PROTECTION DISTRICT
The Bristol-Kendall Fire Protection District was emailed information on August 17, 2023.

GENERAL
The application materials are included as Attachment 1. The plat for this area of Whitetail Ridge is included as Attachment 2. The plat of vacation is included as Attachment 3. The topographic information is included as Attachment 4. The grading plan information is included as Attachment 5.

On August 9, 2023, Greg Chismark sent an email stating that he had no objections to the vacation from a

drainage perspective. This email is included as Attachment 6.

On August 14, 2023, a representative from the Whitetail Ridge Homeowners' Association submitted an email stating the HOA was agreeable to the requested easement vacation. This email is included as Attachment 7.

The Petitioner contacted several of the utilities and no utilities would be impacted by vacating the easement. The Petitioner secured the signatures from the various utilities on the Mylar copies of the plat of vacation, which was not submitted as part of the application.

RECOMMENDATION
Staff recommends approval of the requested easement vacation provided that the Lots 100 and 101 remain under the same ownership.

ATTACHMENTS
1. Application Materials
2. Plat of Whitetail Ridge (The Subject Property Area Only)
3. Plat of Vacation
4. Topographic Information
5. Grading Information
6. August 9, 2023, Chismark Email
7. August 14, 2023, Whitetail Ridge Homeowners' Association Email

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME _____ **FILE #:**_____

NAME OF APPLICANT (Including First, Middle Initial, and Last Name)
Troy M. Williams

CURRENT LANDOWNER/NAME(s)
Troy & Ashley Williams

SITE INFORMATION	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
ACRES: 1.50	7557 Clubhouse Drive, Yorkville, IL 60560	05-12-276-011

EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
Vacant Lot	RPD-2	Rural Residential

REQUESTED ACTION (Check All That Apply):

____SPECIAL USE	___ MAP AMENDMENT (Rezone to ____)	___ VARIANCE
____ADMINISTRATIVE VARIANCE	___ A-1 CONDITIONAL USE for:_____	___ SITE PLAN REVIEW
___ TEXT AMENDMENT	___ RPD (___Concept; ___ Preliminary; ___ Final)	___ ADMINISTRATIVE APPEAL
___ PRELIMINARY PLAT	___ FINAL PLAT	X OTHER PLAT (Vacation, Dedication, etc.)
___ AMENDMENT TO A SPECIAL USE (____Major; _____Minor)		

[1]PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Troy Williams	[redacted]	[redacted]

PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER #(Cell, etc.)
[redacted]		

[2]ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
David J. Zientek	[redacted]	[redacted]

ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
[redacted]		

I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.

I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES. **THE APPLICANT ATTESTS THAT THEY ARE FREE OF DEBT OR CURRENT ON ALL DEBTS OWED TO KENDALL COUNTY AS OF THE DATE OF THE APPLICATION.**

SIGNATURE OF APPLICANT [redacted] **DATE** 08/11/2023

FEE PAID:$ 500.00
CHECK #: [redacted]

[1]*Primary Contact will receive all correspondence from County*
[2]*Engineering Contact will receive all correspondence from the County's Engineering Consultants*

Date Stamp Here If Checklist Is Complete

LEGAL DESCRIPTION OF EASEMENT RELEASE – LOT 100

THAT PART OF LOT 100 IN WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7; PART OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 8; AND PART OF THE FORMER WAISH-KEE-SHAW RESERVATION, IN KENDALL COUNTY AND NA-AU-SAY TOWNSHIPS, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT NUMBER 2005 00015985, IN KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

THE SOUTHEAST FIVE FEET, EXCEPTING
THEREFROM THE NORTHEAST FIFTEEN FEET AND
THE SOUTHWEST TEN FEET THEREOF.

COMMON ADDRESS: 7557 CLUBHOUSE DRIVE, YORKVILLE, ILLINOIS

PARCEL INDEX NUMBER: 05-12-276-006

LEGAL DESCRIPTION OF EASEMENT RELEASE - LOT 101

THAT PART OF LOT 101 IN WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7; PART OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 8; AND PART OF THE FORMER WAISH-KEE-SHAW RESERVATION, IN KENDALL COUNTY AND NA-AU-SAY TOWNSHIPS, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT NUMBER 2005 00015985, IN KENDALL COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

THE NORTHWEST FIVE FEET, EXCEPTING
THEREFROM THE NORTHEAST FIFTEEN FEET
AND THE SOUTHWEST TEN FEET THEREOF.

COMMON ADDRESS: 7583 CLUBHOUSE DRIVE, YORKVILLE, ILLINOIS

PARCEL INDEX NUMBER: 05-12-276-007

State of Illinois

Department of Financial and Professional Regulation

Division of Professional Regulation

LICENSE NO [redacted]

EXPIRES
04/30/2025

DESIGN FIRM - LAND SURVEYOR/PROF ENG [redacted]

CEMCON LTD [redacted]

[redacted] MARIO TRETO, JR. [redacted] CECILIA ABUMDIS

SECRETARY DIRECTOR

The official status of this license can be verified at IDFPR.illinois.gov

1733746

Cut on Dotted Line

For future reference, IDFPR is now providing each person/business a unique identification number, 'Access ID', which may be used in lieu of a social security number, date of birth or FEIN number when contacting the IDFPR. Your Access ID is [redacted]

20210013822
DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL
RECORDED: 6/1/2021 2:46 PM
REC FEE: 57.00 RHSPS: 10.00
STATE TAX: 150.00
COUNTY TAX: 75.00
PAGES: 2

WARRANTY DEED
Statutory (Illinois)

THE GRANTOR,
WHITETAIL DEVELOPMENT, LLC,
an Illinois Limited Liability Company

of the City of Yorkville
in the County of Kendall
and State of Illinois

for and in consideration of Ten and 00/100 Dollars in hand paid, **CONVEYS AND WARRANTS TO:**

Troy Williams and Ashley Rusch

Not as tenants in common but in Joint Tenancy,

whose address is: [redacted]

all interest in the following described Real Estate situated in the County of Kendall In the State of Illinois, to wit:

LOTS 99, 100 AND 101 OF WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7 PART OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 8 AND PART OF THE FORMER WAISH-KEE-SHAW RESERVATION, IN KENDALL AND NA-AU-SAY TOWNSHIPS, KENDALL COUNTY, ILLINOIS.

SUBJECT TO: Existing easements, covenants, and restrictions of record, and 2021 and subsequent years real estate taxes.

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Real Estate Index Number:	Address of Real Estate:
05-12-276-005	7533 Clubhouse Drive, Yorkville, Illinois 60560
05-12-276-006	7557 Clubhouse Drive, Yorkville, Illinois 60560
05-12-276-007	7583 Clubhouse Drive, Yorkville, Illinois 60560

Return to:
Wheatland Title Company
105 W. Veterans Parkway, Yorkville, IL 60560
[redacted] 1 of 1 pgs
5

WARRANTY DEED
Statutory (Illinois)

THE GRANTOR,
WHITETAIL DEVELOPMENT, LLC,
an Illinois Limited Liability Company

of the City of Yorkville
in the County of Kendall
and State of Illinois

for and in consideration of Ten and 00/100 Dollars in hand paid, **CONVEYS AND WARRANTS TO:**

Troy Williams and Ashley Rusch

Not as tenants in common but in Joint Tenancy,

whose address is: [redacted]

all interest in the following described Real Estate situated in the County of Kendall In the State of Illinois, to wit:

LOTS 99, 100 AND 101 OF WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7 PART OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 8 AND PART OF THE FORMER WAISH-KEE-SHAW RESERVATION, IN KENDALL AND NA-AU-SAY TOWNSHIPS, KENDALL COUNTY, ILLINOIS.

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05-12-276-007	7583 Clubhouse Drive, Yorkville, Illinois 60560

Return to:
Wheatland Title Company
105 W. Veterans Parkway, Yorkville, IL 60560
[redacted] 1 of 1 hds

Dated this 25th day of May, 20 21.

WHITETAIL DEVELOPMENT, LLC

BY: [redacted]
MATTHEW G. BLOCKER, Manager

Warranty Deed - Statutory

STATE OF ILLINOIS)
) SS.
COUNTY OF KENDALL)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT Matthew G. Blocker personally known to me to be the same persons whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered this instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal this 25th day of May, 20 21.

[redacted]
Notary Public

"OFFICIAL SEAL"
COLLEEN HANSON
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/18/2023

SEND SUBSEQUENT TAX BILLS TO:
Troy Williams and Ashley Rusch
[redacted]

THIS DOCUMENT PREPARED BY:
Law Offices of Daniel J. Kramer
[redacted]

~~AFTER RECORDING RETURN TO~~:
Attorney Patrick Clancy
[redacted]

MyDec

Declaration ID: [redacted]

Status: Closing Completed
Document No.: Not Recorded

State/County Stamp: Not Issued

PTAX-203
Illinois Real Estate Transfer Declaration

Step 1: Identify the property and sale information.

1 7533, 7557 AND 7583 CLUBHOUSE DR
Street address of property (or 911 address, if available)
YORKVILLE 60560-0000
City or village ZIP

Kendall
Township

2 Enter the total number of parcels to be transferred. 3

3 Enter the primary parcel identifying number and lot size or acreage

05-12-276-005	.6	Acres	No
Primary PIN	Lot size or acreage	Unit	Split Parcel

4 Date of instrument: 5/25/2021
Date

5 Type of instrument (Mark with an "X."): X Warranty deed
___ Quit claim deed ___ Executor deed ___ Trustee deed
___ Beneficial interest ___ Other (specify):

6 ___ Yes X No Will the property be the buyer's principal residence?

7 ___ Yes X No Was the property advertised for sale?
(i.e., media, sign, newspaper, realtor)

8 Identify the property's current and intended primary use.

	Current	Intended	
a	X	X	Land/lot only
b	___	___	Residence (single-family, condominium, townhome, or duplex)
c	___	___	Mobile home residence
d	___	___	Apartment building (6 units or less) No. of units: 0
e	___	___	Apartment building (over 6 units) No. of units: 0
f	___	___	Office
g	___	___	Retail establishment
h	___	___	Commercial building (specify):
i	___	___	Industrial building
j	___	___	Farm
k	___	___	Other (specify):

9 Identify any significant physical changes in the property since January 1 of the previous year and **enter the date of the change.** Date of significant change: ___
Date

___ Demolition/damage ___ Additions ___ Major remodeling
___ New construction ___ Other (specify):

10 Identify only the items that apply to this sale.

a ___ Fulfillment of installment contract
year contract initiated : ___
b ___ Sale between related individuals or corporate affiliates
c ___ Transfer of less than 100 percent interest
d ___ Court-ordered sale
e ___ Sale in lieu of foreclosure
f ___ Condemnation
g ___ Short sale
h ___ Bank REO (real estate owned)
i ___ Auction sale
j ___ Seller/buyer is a relocation company
k ___ Seller/buyer is a financial institution or government agency
l ___ Buyer is a real estate investment trust
m ___ Buyer is a pension fund
n ___ Buyer is an adjacent property owner
o ___ Buyer is exercising an option to purchase
p ___ Trade of property (simultaneous)
q ___ Sale-leaseback
r ___ Other (specify):
s ___ Homestead exemptions on most recent tax bill:
1 General/Alternative 0.00
2 Senior Citizens 0.00
3 Senior Citizens Assessment Freeze 0.00

Step 2: Calculate the amount of transfer tax due.

Note: Round Lines 11 through 18 to the next highest whole dollar. If the amount on Line 11 is over $1 million and the property's current use on Line 8 above is marked "e," "f," "g," "h," "i," or "k," complete Form PTAX-203-A, Illinois Real Estate Transfer Declaration Supplemental Form A. If you are recording a beneficial interest transfer, do not complete this step. Complete Form PTAX-203-B, Illinois Real Estate Transfer Declaration Supplemental Form B.

11 Full actual consideration	11	150,000.00
12a Amount of personal property included in the purchase	12a	0.00

MyDec

Declaration ID: 20210504727127

Status: Closing Completed **State/County Stamp:** Not Issued

Document No.: Not Recorded

12b	Was the value of a mobile home included on Line 12a?	12b	Yes X No
13	Subtract Line 12a from Line 11. This is the net consideration for real property	13	150,000.00
14	Amount for other real property transferred to the seller (in a simultaneous exchange) as part of the full actual consideration on Line 11	14	0.00
15	Outstanding mortgage amount to which the transferred real property remains subject	15	0.00
16	If this transfer is exempt, identify the provision.	16	b k m
17	Subtract Lines 14 and 15 from Line 13. **This is the net consideration subject to transfer tax.**	17	150,000.00
18	Divide Line 17 by 500. Round the result to the next highest whole number (e.g., 61.002 rounds to 62)	18	300.00
19	Illinois tax stamps — multiply Line 18 by 0.50.	19	150.00
20	County tax stamps — multiply Line 18 by 0.25.	20	75.00
21	Add Lines 19 and 20. **This is the total amount of transfer tax due**	21	225.00

Step 3: Enter the legal description from the deed. Enter the legal description from the deed.

LOTS 99, 100 AND 101 OF WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7 PART OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 8 AND PART OF THE FORMER WAISH-KEE-SHAW RESERVATION, IN KENDALL AND NA-AU-SAY TOWNSHIPS, KENDALL COUNTY, ILLINOIS.

Step 4: Complete the requested information.

The buyer and seller (or their agents) hereby verify that to the best of their knowledge and belief, the full actual consideration and facts stated in this declaration are true and correct. If this transaction involves any real estate located in Cook County, the buyer and seller (or their agents) hereby verify that to the best of their knowledge, the name of the buyer shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois. Any person who willfully falsifies or omits any information required in this declaration shall be guilty of a Class B misdemeanor for the first offense and a Class A misdemeanor for subsequent offenses. Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

Seller Information

WHITETAIL DEVELOPMENT, LLC

Seller's or trustee's name

Seller's trust number (if applicable - not an SSN or FEIN)

[redacted] Street address (after sale) [redacted] City [redacted] State [redacted] ZIP

[redacted] Seller's daytime phone Phone extension

[redacted] Country

[X] Under penalties of perjury, I state that I have examined the information contained on this document, and, to the best of my knowledge, it is true, correct, and complete.

Buyer Information

TROY WILLIAMS AND ASHLEY RUSCH

Buyer's trust number (if applicable - not an SSN or FEIN)

[redacted] Street address (after sale) [redacted] City [redacted] State [redacted]

[redacted] Buyer's daytime phone Phone extension

USA Country

[X] Under penalties of perjury, I state that I have examined the information contained on this document, and, to the best of my knowledge, it is true, correct, and complete.

Mail tax bill to:

[redacted] Name of company [redacted] Street address [redacted] City [redacted] State [redacted] ZIP

[redacted] Country

Preparer Information

DANIEL KRAMER - LAW OFFICES OF DANIEL J. KRAMER HC-2021KL-2443

MyDec

Declaration ID: [redacted]

Status: Closing Completed **State/County Stamp:** Not Issued

Document No.: Not Recorded

Preparer and company name [redacted]

Preparer's file number (if applicable) [redacted] Escrow number (if applicable) [redacted]

Street address [redacted] City State ZIP

[redacted] Preparer's email address (if available) [redacted] Preparer's daytime phone Phone extension [redacted] Country

[X] Under penalties of perjury, I state that I have examined the information contained on this document, and, to the best of my knowledge, it is true, correct, and complete.

Identify any required documents submitted with this form. (Mark with an "X.")

____ Extended legal description ____ Form PTAX-203-A

____ Itemized list of personal property ____ Form PTAX-203-B

To be completed by the Chief County Assessment Officer

1 ____ ____ ____ ____ ____ ____

County Township Class Cook-Minor Code 1 Code 2

2 Board of Review's final assessed value for the assessment year prior to the year of sale.

Land ____

Buildings ____

Total ____

3 Year prior to sale ____

4 Does the sale involve a mobile home assessed as real estate? ____ Yes ____ No

5 Comments

Illinois Department of Revenue Use	**Tab number**

MyDec

Declaration ID: [redacted]
Status: Closing Completed
Document No.: Not Recorded

State/County Stamp: Not Issued

Additional parcel identifying numbers and lot sizes or acreage

Property index number (PIN)	Lot size or acreage	Unit	Split Parcel?
05-12-276-006	.6	Acres	No
05-12-276-007	.6	Acres	No

Personal Property Table

Description of Item	Value	Type of Property

TRANSMITTAL FORM

Wheatland Title Company
105 W. Veterans Parkway
Yorkville, Illinois 60560
630-892-2323
Fax: 630-892-2390

09/30/2021

Attorney Patrick Clancy

[redacted]

WTG File Number: [redacted]
Customer Reference(s): Whitetail Development to Williams/Rusch

Please find the following documents attached to this transmittal:

Document(s): Owners Policy

Fidelity National Title
Insurance Company

Policy No.: [redacted]

OWNER'S POLICY OF TITLE INSURANCE

Issued by

FIDELITY NATIONAL TITLE INSURANCE COMPANY

Any notice of claim and any other notice or statement in writing required to be given the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, FIDELITY NATIONAL TITLE INSURANCE COMPANY, a Florida corporation, (the "Company") insures as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
   (a) A defect in the Title caused by
      (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
      (ii) failure of any person or Entity to have authorized a transfer or conveyance;
      (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
      (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
      (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
      (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
      (vii) a defective judicial or administrative proceeding.
   (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
   (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (a) the occupancy, use, or enjoyment of the Land;
   (b) the character, dimensions, or location of any improvement erected on the Land;
   (c) the subdivision of land; or
   (d) environmental protection
   if a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.
7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated Schedule A or being defective
   (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
   (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
      (i) to be timely, or
      (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.

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10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions

IN WITNESS WHEREOF, FIDELITY NATIONAL TITLE INSURANCE COMPANY has caused this policy to be signed and sealed by its duly authorized officers.

FIDELITY NATIONAL TITLE INSURANCE COMPANY

Wheatland Title Company

[redacted]

By: [redacted]

Randy R. Quirk

President

Attest: [redacted]

Marjorie Nemzura

Secretary

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions or location of any improvement erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters:
   (a) created, suffered, assumed, or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
   (a) a fraudulent conveyance or fraudulent transfer; or
   (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

CONDITIONS

1. DEFINITION OF TERMS

The following terms when used in this policy mean:

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09/30/2021

Fidelity National Title Insurance Company

POLICY OF
TITLE INSURANCE
ALTA OWNERS POLICY

ISSUING AGENT

[redacted]

09/30/2021

Fidelity National Title Insurance Company
A.L.T.A. OWNERS FORM
- SCHEDULE A -

Owner's Policy No.: [redacted]
Lender's Policy No.:
WTG File No.: [redacted]

Amount of Insurance: $150,000.00

Date of Policy: June 01, 2021

1. Name of Insured:

   Troy Williams and Ashley Rusch

2. The estate or interest in the Land that is insured by this policy is:

   Fee Simple

3. Title is vested in:

   Troy Williams and Ashley Rusch

4. The land referred to in the policy is described as follows:

   SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

ISSUED BY
Wheatland Title Company [redacted]

Law Offices of Daniel J. Kramer [redacted]

Agent for
Fidelity National Title Insurance Company

09/30/2021

Fidelity National Title Insurance Company
A.L.T.A. OWNERS FORM
- SCHEDULE A -

Owner's Policy No.: [redacted]
Lender's Policy No.:
WTG File No.: [redacted]

LEGAL DESCRIPTION

LOTS 99, 100 AND 101 OF WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7 PART OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 8 AND PART OF THE FORMER WAISH-KEE-SHAW RESERVATION, IN KENDALL AND NA-AU-SAY TOWNSHIPS, KENDALL COUNTY, ILLINOIS.

Permanent Tax Number: 05-12-276-005; 05-12-276-006; 05-12-276-007

ISSUED BY:
Wheatland Title Company [redacted]

Law Offices of Daniel J. Kramer [redacted]

Agent for:
Fidelity National Title Insurance Company

09/30/2021

Fidelity National Title Insurance Company
A.L.T.A. OWNERS FORM
- SCHEDULE B -

Owner's Policy No.: [redacted]
Lender's Policy No.:
WTG File No.: [redacted]

EXCEPTIONS FROM COVERAGE

Except as provided in Schedule B – Part II, this policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

PART I

1. The lien of all taxes for the year 2020 and thereafter.
   PERMANENT TAX NUMBER: 05-12-276-005

   PERMANENT TAX NUMBER: 05-12-276-006

   PERMANENT TAX NUMBER: 05-12-276-007

2. Rights or claims of parties in possession not shown by the public records.

3. Easements, or claims of easements, not shown by the public records.

4. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.

5. Any lien, or right to lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

6. Building setback line of 30 feet from the Northeasterly lot line; 50 feet from the Southwesterly and 10% of the lot width or 10 feet from the Northwesterly and Southeasterly lot line as shown on the Plat of Subdivision recorded June 9, 2005 as Document Number 200500015985.

7. Easement for Public Utilities and Drainage over and across the Northeasterly 15 feet; the Southwesterly 10 feet; and the Northwesterly and Southeasterly 5 feet of subject property as shown on the Plat of Subdivision recorded June 9, 2005 as

09/30/2021

Fidelity National Title Insurance Company
A.L.T.A. OWNERS FORM
- SCHEDULE B -

Owner's Policy No.:
Lender's Policy No.:
WTG File No.:

Document No. 200500015985.

8. Easement for Public Utilities over and across the Southeasterly 10 feet of subject property as shown on the Plat of Subdivision recorded June 9, 2005 as Document No. 200500015985.

Note: Affects Lot 99.

9. Easement for Public Utilities over and across the Northwesterly 10 feet of subject property as shown on the Plat of Subdivision recorded June 9, 2005 as Document No. 200500015985.

Note: Affects Lot 100.

10. Easements and Building Lines as shown on the Plat of Subdivision recorded June 9, 2005 as Document No. 200500015985.

11. Covenants, conditions, restrictions and easements contained in Declaration of Protective Covenants for Whitetail Ridge Subdivision Homeowners' Association recorded June 9, 2005 as Document No. 200500015992 in the Kendall County Recorder's Office.

Note: See copy for particulars.

12. Amendment to Declaration of Protective Covenants for Whitetail Ridge Subdivision Homeowners' Association recorded September 16, 2020 as Document Number 202000017966.

Note: See document copy for particulars.

13. By-Laws for Whitetail Ridge Subdivision Homeowners' Association recorded July 1, 2011 as Document No. 201100010720 in the Kendall County Recorder's Office.

14. Terms and conditions contained in Consent to Creation of Special Service Tax Area dated March 16, 2005 and recorded June 9, 2005 as Document No. 200500015986 made by Whitetail Development, LLC recorded in the Kendall

ISSUED BY:
Wheatland Title Company

Law Offices of Daniel J. Kramer

Agent for
Fidelity National Title Insurance Company

09/30/2021

Fidelity National Title Insurance Company
A.L.T.A. OWNERS FORM
- SCHEDULE B -

Owner's Policy No.: [redacted]
Lender's Policy No.:
WTG File No.: [redacted]

County Recorder's Office.

15. Terms and conditions contained in an Ordinance establishing a back-up Special Tax Service Area Number 2005-32 for Whitetail Ridge Subdivision recorded June 9, 2005 as Document No. 200500015987 recorded in the Kendall County Recorder's Office.

16. Terms and conditions contained in an Ordinance Establishing a back-up Special Tax Service Area Number 2005-33 recorded June 9, 2005 as Document No. 200500015988 made by the County of Kendall, recorded in the Kendall County Recorder's Office.

17. Terms and conditions contained in a Grant of Conservation Easement dated May 16, 2005 and recorded June 9, 2005 as Document No. 200500015993 made by Whitetail Development, LLC to Whitetail Ridge Homeowners Association LLC recorded in the Kendall County Recorder's Office.

18. Rights of the public, the State of Illinois, the County, the Township and the Municipality in and to that part of the land, if any, taken or used for road purposes.

19. Rights of way for drainage ditches, tiles, feeders and laterals, if any.

20. The Standard Endorsement is attached hereto and made a part hereof.

- End Schedule B -

[redacted]
Daniel J. Kramer, Authorized Signatory

ISSUED BY:
Wheatland Title Company
[redacted]

Law Offices of Daniel J. Kramer
[redacted]

Agent for:
Fidelity National Title Insurance Company

FIDELITY NATIONAL TITLE INSURANCE COMPANY

ENDORSEMENT - STANDARD

Attached to Policy No. [redacted]
File No. [redacted]
Effective Date: June 1, 2021

The Policy is hereby amended in the following manner:

Standard Exceptions 2 & 5 on Schedule B of this Policy are hereby waived.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

(a)"Amount of Insurance": The amount stated in Schedule A, as may be increased or decreased by endorsement to this policy, increased by Section 8(b), or decreased by Sections 10 and 11 of these Conditions.
(b)"Date of Policy": The date designated as 'Date of Policy" in Schedule A.
(c)"Entity": A corporation, partnership, trust, limited liability company, or other similar legal entity.
(d)"Insured": The Insured named in Schedule A.
(i) The term "Insured" also includes
(A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
(B) successors to an Insured by dissolution, merger, consolidation, distribution, or reorganization;
(C) successors to an Insured by its conversion to another kind of Entity;
(D) a grantee of an Insured under a deed delivered without payment of actual valuable consideration conveying the Title
(1)if the stock, shares, memberships, or other equity interests of the grantee are wholly-owned by the named Insured,
(2)if the grantee wholly owns the named Insured,
(3)if the grantee is wholly-owned by an affiliated Entity of the named Insured, provided the affiliated Entity and the named Insured are both wholly-owned by the same person or Entity, or
(4)if the grantee is a trustee or beneficiary of a trust created by a written instrument established by the Insured named in Schedule A for estate planning purposes.
(ii) With regard to (A), (B), (C), and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.
(e)"Insured Claimant": An Insured claiming loss or damage.
(f) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.
(g)"Land": The land described in Schedule A, and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways, but this does not modify or limit the extent that a right of access to and from the Land is insured by this policy.
(h)"Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.
(i) "Public Records": Records established under state statutes at Date of Policy for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge. With respect to Covered Risk 5(d), "Public Records" shall also include environmental protection liens filed in the records of the clerk of the United States District Court for the district where the Land is located.
(j) "Title": The estate or interest described in Schedule A.
(k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

2. CONTINUATION OF INSURANCE

The coverage of this policy shall continue in force as of Date of Policy in favor of an Insured, but only so long as the Insured retains an estate or interest in the Land, or holds an obligation secured by a purchase money Mortgage given by a purchaser from the Insured, or only so long as the Insured shall have liability by reason of warranties in any transfer or conveyance of the Title. This policy shall not continue in force in favor of any purchaser from the Insured of either (i) an estate or interest in the Land, or (ii) an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured shall notify the Company promptly in writing (i) in case of any litigation as set forth in Section 5(a) of these Conditions, (ii) in case Knowledge shall come to an Insured hereunder of any claim of title or interest that is adverse to the Title, as insured, and that might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if the Title, as insured, is rejected as Unmarketable Title. If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under the policy shall be reduced to the extent of the prejudice.

4. PROOF OF LOSS

In the event the Company is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, or other matter insured against by this policy that constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS

(a)Upon written request by the Insured, and subject to the options contained in Section 7 of these Conditions, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters

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insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those stated causes of action. It shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of those causes of action that allege matters not insured against by this policy.

(b)The Company shall have the right, in addition to the options contained in Section 7 of these Conditions, at its own cost, to institute and prosecute any action or proceeding or to do any other act that in its opinion may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it shall be liable to the Insured. The exercise of these rights shall not be an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under this subsection, it must do so diligently.

(c) Whenever the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court of competent jurisdiction, and it expressly reserves the right, in its sole discretion, to appeal any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

(a)In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured shall secure to the Company the right to so prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose. Whenever requested by the Company, the Insured, at the Company's expense, shall give the Company all reasonable aid (i) in securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement, and (ii) in any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title, or any other matter as insured. If the Company is prejudiced by the failure of the Insured to furnish the required cooperation, the Company's obligations to the Insured under the policy shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation, with regard to the matter or matters requiring such cooperation.

(b)The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos whether bearing a date before or after Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all of these records in the custody or control of a third party that reasonably pertain to the loss or damage. All information designated as confidential by the Insured Claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in this subsection, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY

In case of a claim under this policy, the Company shall have the following additional options:

(a)To Pay or Tender Payment of the Amount of Insurance.

To pay or tender payment of the Amount of Insurance under this policy together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay.

Upon the exercise by the Company of this option, all liability and obligations of the Company to the Insured under this policy, other than to make the payment required in this subsection, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

(b) To Pay or Otherwise Settle With Parties Other Than the Insured or With the Insured Claimant.

(i) To pay or otherwise settle with other parties for or in the name of an Insured Claimant any claim insured against under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or

(ii)To pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy, together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either of the options provided for in subsections (b)(i) or (ii), the Company's obligations to the Insured under this policy for the claimed loss or damage, other than the payments required to be made, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

8. DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by the Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy.

(a)The extent of liability of the Company for loss or damage under this policy shall not exceed the lesser of

(i) the Amount of Insurance; or

(ii)the difference between the value of the Title as insured and the value of the Title subject to the risk insured against by this policy.

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(b)If the Company pursues its rights under Section 5 of these Conditions and is unsuccessful in establishing the Title, as insured,

(i) the Amount of Insurance shall be increased by 10%, and

(ii)the Insured Claimant shall have the right to have the loss or damage determined either as of the date the claim was made by the Insured Claimant or as of the date it is settled and paid.

(c)In addition to the extent of liability under (a) and (b), the Company will also pay those costs, attorneys' fees, and expenses incurred in accordance with Sections 5 and 7 of these Conditions.

9. LIMITATION OF LIABILITY

(a)If the Company establishes the Title, or removes the alleged defect, lien or encumbrance, or cures the lack of a right of access to or from the Land, or cures the claim of Unmarketable Title, all as insured, in a reasonably diligent manner by any method, including litigation and the completion of any appeals, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused to the Insured.

(b)In the event of any litigation, including litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals, adverse to the Title, as insured.

(c)The Company shall not be liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.

10. REDUCTION OF INSURANCE; REDUCTION OR TERMINATION OF LIABILITY

All payments under this policy, except payments made for costs, attorneys' fees, and expenses, shall reduce the Amount of Insurance by the amount of the payment.

11. LIABILITY NONCUMULATIVE

The Amount of Insurance shall be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after Date of Policy and which is a charge or lien on the Title, and the amount so paid shall be deemed a payment to the Insured under this policy.

12. PAYMENT OF LOSS

When liability and the extent of loss or damage have been definitely fixed in accordance with these Conditions, the payment shall be made within 30 days.

13. RIGHTS OF RECOVERY UPON PAYMENT OR SETTLEMENT

(a)Whenever the Company shall have settled and paid a claim under this policy, it shall be subrogated and entitled to the rights of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person or property, to the extent of the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant shall execute documents to evidence the transfer to the Company of these rights and remedies. The Insured Claimant shall permit the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.

If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company shall defer the exercise of its right to recover until after the Insured Claimant shall have recovered its loss.

(b)The Company's right of subrogation includes the rights of the Insured to indemnities, guaranties, other policies of insurance, or bonds, notwithstanding any terms or conditions contained in those instruments that address subrogation rights.

14. ARBITRATION

Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is $2,000,000 or less shall be arbitrated at the option of either the Company or the Insured. All arbitrable matters when the Amount of Insurance is in excess of $2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction.

15. LIABILITY LIMITED TO THIS POLICY; POLICY ENTIRE CONTRACT

(a)This policy together with all endorsements, if any, attached to it by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy shall be construed as a whole.

(b)Any claim of loss or damage that arises out of the status of the Title or by any action asserting such claim shall be restricted to this policy.

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(c) Any amendment of or endorsement to this policy must be in writing and authenticated by an authorized person, or expressly incorporated by Schedule A of this policy.

(d) Each endorsement to this policy issued at any time is made a part of this policy and is subject to all of its terms and provisions. Except as the endorsement expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsement, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance.

16. SEVERABILITY

In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, the policy shall be deemed not to include that provision or such part held to be invalid, but all other provisions shall remain in full force and effect.

17. CHOICE OF LAW; FORUM

(a) Choice of Law: The Insured acknowledges the Company has underwritten the risks covered by this policy and determined the premium charged therefore in reliance upon the law affecting interests in real property and applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the jurisdiction where the Land is located.

Therefore, the court or an arbitrator shall apply the law of the jurisdiction where the Land is located to determine the validity of claims against the Title that are adverse to the Insured and to interpret and enforce the terms of this policy. In neither case shall the court or arbitrator apply its conflicts of law principles to determine the applicable law.

(b) Choice of Forum: Any litigation or other proceeding brought by the Insured against the Company must be filed only in a state or federal court within the United States of America or its territories having appropriate jurisdiction.

18. NOTICES, WHERE SENT

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at FIDELITY NATIONAL TITLE INSURANCE COMPANY, Attn: Claims Department, P.O. Box 45023, Jacksonville, FL 32232-5023.

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FIDELITY NATIONAL FINANCIAL
PRIVACY NOTICE

Effective August 1, 2021

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (*e.g.*, name, address, phone number, email address);
- demographic information (*e.g.*, date of birth, gender, marital status);
- identity information (*e.g.* Social Security Number, driver's license, passport, or other government ID number);
- financial account information (*e.g.* loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

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Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We may share your Personal Information with affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

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Choices With Your Information

If you do not want FNF to share your information among our affiliates to directly market to you, you may send an "opt out" request as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you without your consent.

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (https://fnf.com/pages/californiaprivacy.aspx) or call (888) 413-1748.

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888) 714-2710 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

Information From Children

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18).We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the

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mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice; Notice Changes

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

Accessing and Correcting Information; Contact Us

If you have questions, would like to correct your Personal Information, or want to opt-out of information sharing for affiliate marketing, visit FNF's Opt Out Page or contact us by phone at (888) 714-2710 or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

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Attachment 2

PLAT OF SUBDIVISION
WHITETAIL RIDGE

A SUBDIVISION OF PART OF SECTION 12-36-7, PART OF SECTION 7-36-8, AND PART OF THE FORMER WAISH-KEE-SHAW RESERVATION, IN KENDALL & NA-AU-SAY TOWNSHIPS, KENDALL COUNTY, ILLINOIS

SMITH ENGINEERING CONSULTANTS
CIVIL/STRUCTURAL ENGINEERS AND SURVEYORS
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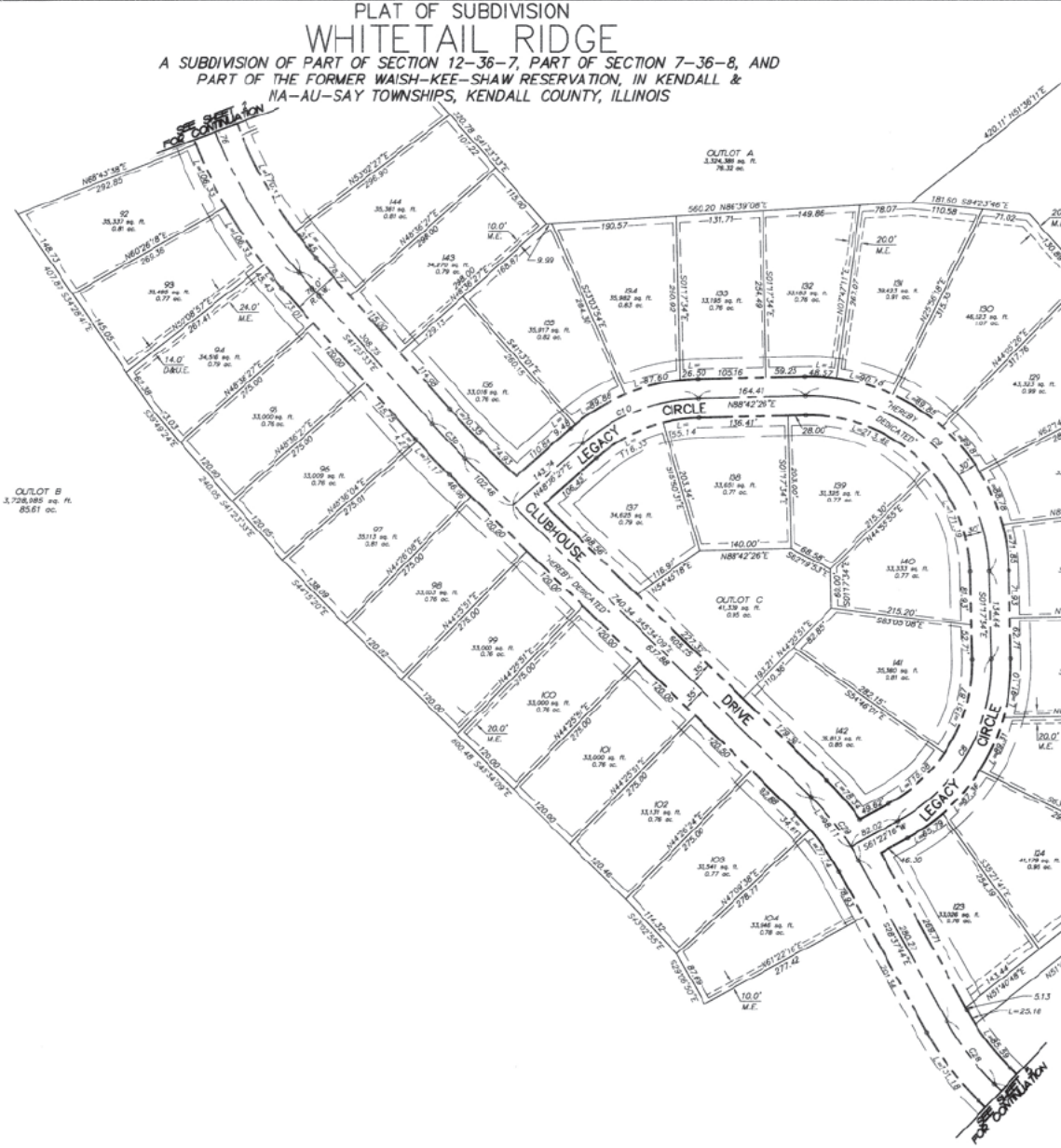
www.smithengineering.com E-Mail: mail@smithengineering.com
• McHENRY • HUNTLEY • YORKVILLE
ILLINOIS PROFESSIONAL DESIGN FIRM

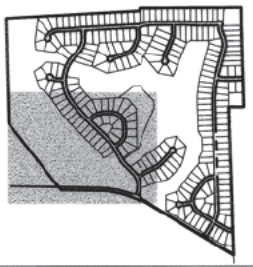
COMP. FILE: 0400J9-fp.dwg
PLOT FILE: STANDARD
VIEW: 0400J9-fp-03



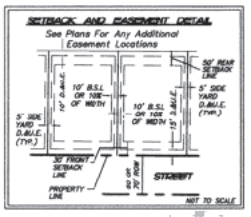
CURVE TABLE				
E	LENGTH	RADIUS	Bearing	Chord
C1	92.52	275.00	N53°36'23"E	92.09
C2	46.98	275.00	N39°04'27"E	46.92
C3	115.50	275.00	S76°39'14"E	114.65
C4	124.73	275.00	N09°49'47"E	123.66
C5	228.15	275.00	N46°35'27"E	221.66
C6	252.11	275.00	S61°56'53"W	243.38
C7	453.21	275.00	S11°31'43"E	403.64
C8	300.76	275.00	N30°02'21"E	286.00
C9	431.97	275.00	N46°17'14"W	388.91
C10	192.46	275.00	S68°39'26"W	188.56
C11	121.29	415.00	S83°24'55"E	120.86
C12	108.87	275.00	N11°05'20"E	108.16
C13	108.02	275.00	S11°10'19"W	107.33
C14	144.19	250.00	S75°15'34"E	142.20
C15	75.44	750.00	S87°22'17"E	75.41
C16	75.44	750.00	N87°22'17"W	75.41
C17	216.62	1000.00	S83°32'29"W	216.20
C18	82.91	500.00	N82°05'09"E	82.81
C19	181.86	250.00	S65°59'46"W	177.88
C20	95.16	100.00	S17°53'41"W	91.61
C21	239.36	415.00	N14°44'06"E	236.06
C22	63.85	415.00	S02°37'09"W	63.78
C23	57.45	415.00	S10°59'31"W	57.40
C24	302.34	415.00	N05°54'48"W	295.70
C25	192.07	415.00	S13°31'32"E	190.36
C26	515.73	415.00	N09°43'46"W	483.18
C27	120.97	415.00	S36°58'48"E	120.55
C28	122.70	415.00	N37°05'57"W	122.25
C29	72.90	1000.00	S43°28'51"E	72.88
C30	104.52	700.00	S01°28'40"W	952.48
C31	344.13	415.00	N20°35'32"E	334.36
C32	108.87	275.00	N11°05'20"E	108.16

GRAPHIC SCALE
100 0 50 100 200
(IN FEET)
1 inch = 100 ft.

LOCATION MAP



SETBACK AND EASEMENT DETAIL
See Plans For Any Additional Easement Locations



200600015985
Filed for Record in
KENDALL COUNTY, ILLINOIS
PAUL ANDERSON
06-09-2005 At 09:30 am.
PLAT OF SUB 72.00

Slot 1349

10.	CLD	06/07/05			
9.	CLD	05/25/05			
8.	CLD	05/13/05			
7.	JGS	04/19/05			
6.	JGS	04/07/05			

PLAT OF SUBDIVISION
WHITETAIL RIDGE
KENDALL COUNTY, ILLINO

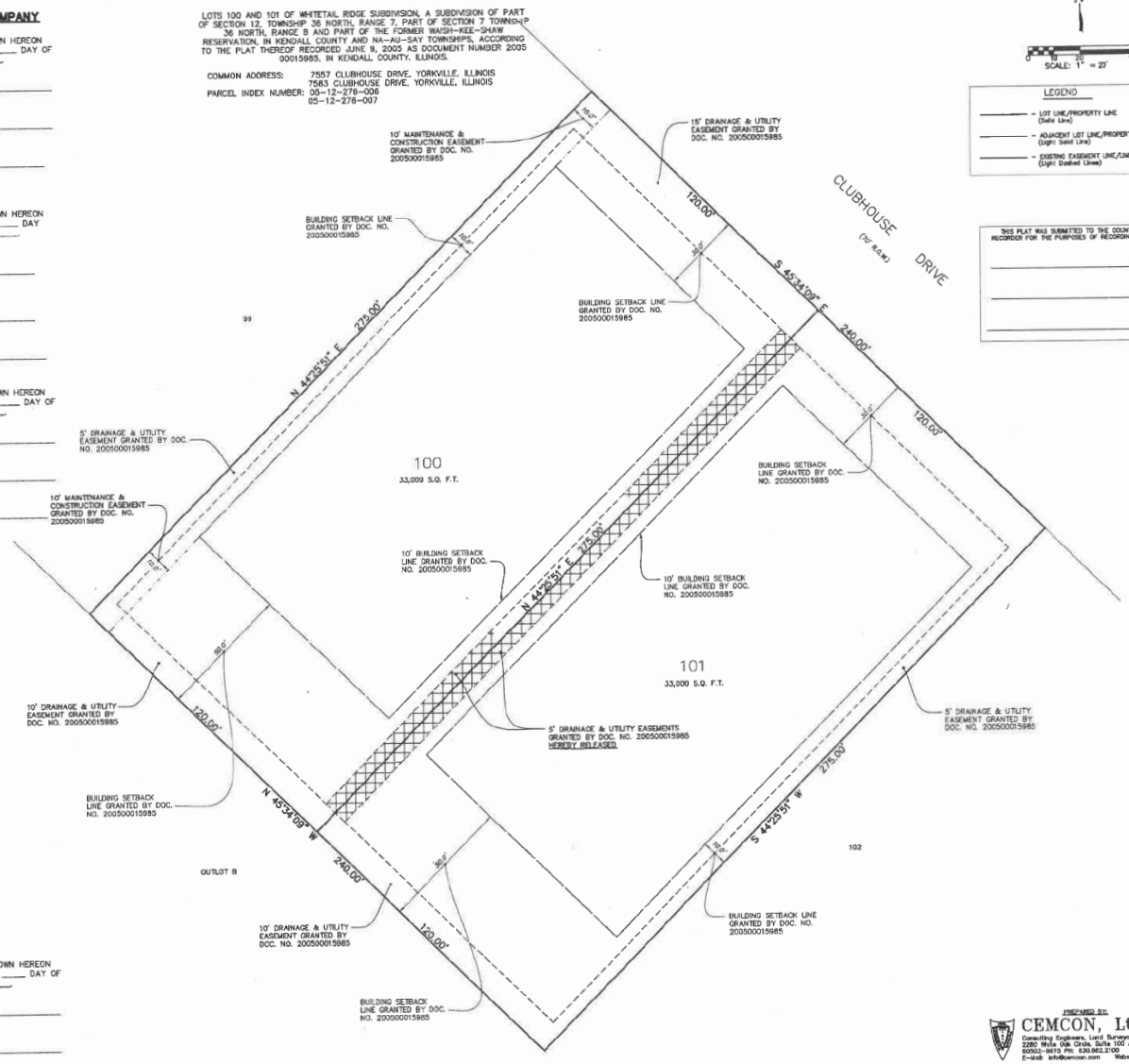
REVISIONS		DWN BY:	INT.	DATE:	PROJEC
1.	JGS 01/12/05	JGS		11/12/04	0400J
2.	JMP 01/28/05	DSN BY:	INT.	HORIZ SCALE: 1"=100'	SHEET
3.	DWS 02/16/05				
4.	DWS 02/18/05	CHK BY:	INT.	VERT SCALE: –	3 O
5.	DWS 03/07/05	CLD			

PLAT OF EASEMENT RELEASE

LOTS 100 AND 101 OF WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7, PART OF SECTION 7 TOWNSHIP 36 NORTH, RANGE 8 AND PART OF THE FORMER WASH-KEE-SHAW RESERVATION, IN KENDALL COUNTY AND NA-AU-SAY TOWNSHIPS, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT NUMBER 2005 00015985, IN KENDALL COUNTY, ILLINOIS.

COMMON ADDRESS: 7557 CLUBHOUSE DRIVE, YORKVILLE, ILLINOIS
7583 CLUBHOUSE DRIVE, YORKVILLE, ILLINOIS

PARCEL INDEX NUMBER: 05-12-276-006
05-12-276-007



COUNTY BOARD

STATE OF ILLINOIS)
SS.
COUNTY OF KENDALL)

APPROVED BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS THIS _____ DAY OF _____, 20____.

_____
COUNTY CLERK

_____
CHAIRMAN OF COUNTY BOARD

OWNER'S CERTIFICATE

STATE OF)
SS.
COUNTY OF KENDALL)

THIS IS TO CERTIFY THAT _____ IS/ARE THE OWNER(S) OF THE PROPERTY DESCRIBED HEREON AND DO(ES) WILLINGLY ACCEPT AND APPROVE THE EASEMENT RELEASE AND GRANT AS DESCRIBED HEREON.

DATED AT _____, ILLINOIS, THIS ____ DAY OF _____, A.D., 20____.

BY: _____ ATTEST: _____

NOTARY'S CERTIFICATE

STATE OF ILLINOIS)
SS.
COUNTY OF KENDALL)

I, _____, A NOTARY PUBLIC IN AND FOR STATE AND COUNTY AFORESAID, DO HEREBY CERTIFY THAT _____ PERSONALLY KNOWN TO BE TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THE EXECUTION OF THE ANNEXED PLAT AND ACCOMPANYING INSTRUMENTS FOR THE USES AND PURPOSES THEREIN SET FORTH AS HIS OR THEIR FREE VOLUNTARY ACT.
GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS ____ DAY OF _____, A.D., 20____.

_____
NOTARY PUBLIC

COUNTY RECORDER

STATE OF ILLINOIS)
SS.
COUNTY OF KENDALL)

THIS INSTRUMENT NO. _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF KENDALL COUNTY AFORESAID ON THE ____ DAY OF _____, 20____ AT _____ O'CLOCK ____ IN THE BOOK _____ OF PLATS OF PAGE _____.

_____
KENDALL COUNTY RECORDER

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
SS.
COUNTY OF DUPAGE)

THIS IS TO CERTIFY THAT I, LARRY C. POCIASK, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE PREPARED THE PLAT OF EASEMENT RELEASE FOR THE PROPERTY DESCRIBED HEREON.

GIVEN UNDER MY HAND AND SEAL THIS 19TH DAY OF JULY A.D. 2023

[redacted]

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. [redacted]
MY REGISTRATION EXPIRES ON NOVEMBER 30, 2024
PROFESSIONAL DESIGN FIRM LICENSE NO. [redacted]
EXPIRATION DATE IS APRIL 30, 2023.

COMMONWEALTH EDISON COMPANY

THE RELEASE OF THE EASEMENTS SHOWN HEREON ARE APPROVED AND ACCEPTED, THIS ____ DAY OF _____ A.D., 20____.

BY: _____
SIGNATURE

_____
PRINT NAME

TITLE: _____

AMERITECH

THE RELEASE OF THE EASEMENTS SHOWN HEREON ARE APPROVED AND ACCEPTED, THIS ____ DAY OF _____ A.D., 20____.

BY: _____
SIGNATURE

_____
PRINT NAME

TITLE: _____

COMCAST

THE RELEASE OF THE EASEMENTS SHOWN HEREON ARE APPROVED AND ACCEPTED, THIS ____ DAY OF _____ A.D., 20____.

BY: _____
SIGNATURE

_____
PRINT NAME

TITLE: _____

NICOR

THE RELEASE OF THE EASEMENTS SHOWN HEREON ARE APPROVED AND ACCEPTED, THIS ____ DAY OF _____ A.D., 20____.

BY: _____
SIGNATURE

_____
PRINT NAME

TITLE: _____

THIS PLAT WAS SUBMITTED TO THE COUNTY RECORDER FOR THE PURPOSES OF RECORDING BY:

_____

_____

_____

_____

PREPARED BY:
CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100 Aurora, Illinois 60502-9675 PH: 630.862.2100 FAX: 630.862.2199
E-Mail: info@cemcon.com Website: www.cemcon.com

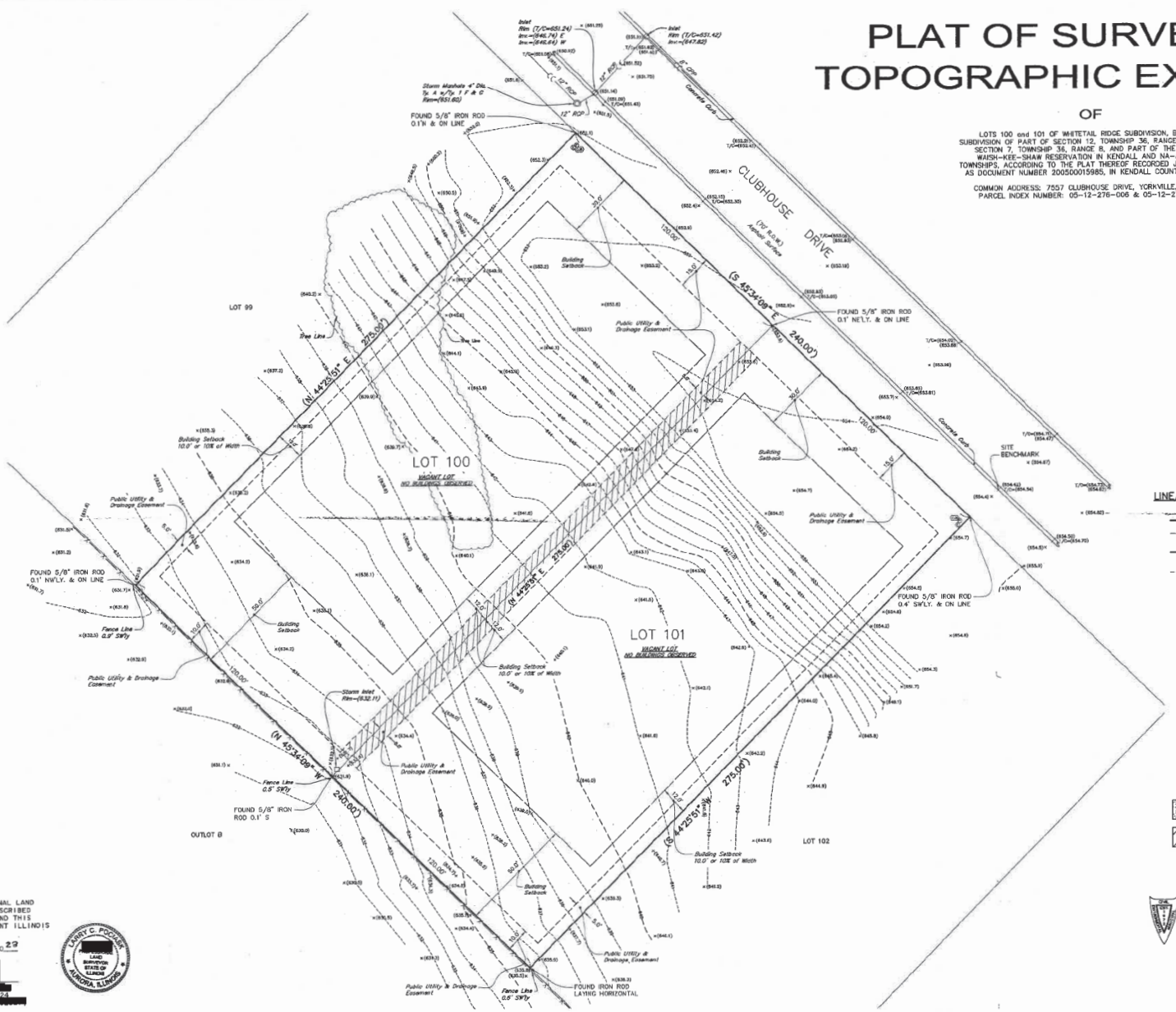
DESC NO.: FILE NAME: EASEMENT RELEASE
DRAWN BY: JMH FLD. BK. / PG. NO.: N/A
COMPLETION DATE: 3/14/2022 JOB NO.: 7596.100
PROJECT REFERENCE:
REVISED 4-29-2022 ADDED NICOR CERTIFICATION

PLAT OF SURVEY/ TOPOGRAPHIC EXHIBIT

OF

LOTS 100 and 101 OF WHITETAIL RIDGE SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36, RANGE 7, PART OF SECTION 7, TOWNSHIP 36, RANGE 8, AND PART OF THE FORMER WASH-KEE-SHAW RESERVATION IN KENDALL AND NA-AU-SAY TOWNSHIPS, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT NUMBER 200500015985, IN KENDALL COUNTY, ILLINOIS.

COMMON ADDRESS: 7557 CLUBHOUSE DRIVE, YORKVILLE, ILLINOIS
PARCEL INDEX NUMBER: 05-12-276-006 & 05-12-276-007



BENCHMARKS

ELEVATION REFERENCE MARKS

KENDALL COUNTY BM DK5241 – FLANGE ENCASED ROD LOCATED ALONG THE WESTERN RIGHT OF WAY OF ORCHARD ROAD BETWEEN OGDEN AVENUE AND THE FOX RIVER.

ELEVATION = 809.0 (NAVD 88)

PROJECT ELEVATION REFERENCE MARKS

SITE BENCHMARK:

CROSS CUT IN TOP OF CONCRETE CURB NEAR THE EASTERN MOST CORNER OF SUBJECT PROPERTY, AS SHOWN HEREON.

ELEVATION = 654.43 (NAVD 88)

SURVEYOR'S NOTES

REFER TO YOUR DEED, ABSTRACT, TITLE POLICY AND LOCAL BUILDING AND ZONING ORDINANCE FOR ITEMS NOT SHOWN HEREON.

THE BEARINGS SHOWN HEREON ARE BASED UPON A LOCAL COORDINATE SYSTEM.

MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DIMENSIONS ENCLOSED IN ( ) INDICATE RECORD OR DEED DATA. ALL OTHER DIMENSIONS ARE MEASURED OR RECORD EQUALS MEASURED.

SURVEYED AREA LOT 100 : 33,600± SQ. FT.
SURVEYED AREA LOT 101 : 33,000± SQ. FT.

FIELD WORK COMPLETED ON DECEMBER 28, 2022.

NOTES

BOUNDARY INFORMATION BASED ON BOUNDARY SURVEY PERFORMED BY CEMCON, LTD. ON DECEMBER 28, 2022.

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND DRAWINGS IN SURVEYOR'S POSSESSION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

LOCATING AND MEASURING INDIVIDUAL TREES ON THIS PROPERTY WERE NOT INCLUDED IN THE SCOPE OF OUR SERVICES.

STATE OF ILLINOIS}
SS.
COUNTY OF DU PAGE}

I, LARRY C. POCIASK, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECTION AND THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 4TH DAY OF AUGUST, A.D., 2023

[redacted]

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. [redacted]
MY REGISTRATION EXPIRES ON NOVEMBER 30, 2024
PROFESSIONAL DESIGN FIRM LICENSE NO. [redacted]
EXPIRATION DATE IS APRIL 30, 2023

LARRY C. POCIASK — LAND SURVEYOR — STATE OF ILLINOIS — AURORA, ILLINOIS

LINE/SYMBOL/ABBREVIATION LEGEND

- BOUNDARY LIMITS
- ADJACENT PROPERTY OR R.O.W. LINE
- BUILDING LINE (Long Dashed Lines)
- EASEMENT LINE/LIMITS OF EASEMENT (Short Dashed Lines)
- R.O.W. — RIGHT OF WAY
- (XXX.XX) — ELEV. TO HUNDREDTH IN PARENTHESIS INDICATES EXISTING LITHOIDAL SURFACE ELEVATIONS (UNLESS OTHERWISE INDICATED)
- (XXX.X) — ELEV. TO TENTH INDICATES EXISTING NON-LITHOIDAL SURFACE ELEVATIONS
- UNDERGROUND STORM LINE
- FENCE
- SIGN
- STORM MANHOLE
- CATCH BASIN
- INLET
- FLARED END SECTION
- GAS MARKER POST
- ELECTRIC PEDESTAL
- CABLE TV PEDESTAL
- TELEPHONE PEDESTAL
- CONCRETE SURFACE UNLESS OTHERWISE NOTED
- EASEMENT RELEASED PER DOCUMENT NO. _____

PREPARED BY:
CEMCON, Ltd.
Consulting Engineers, Land Surveyors & Planners
2280 White Oak Circle, Suite 100 Aurora, Illinois
60502-9675 PH: 630.862.2100 FAX: 630.862.2199
E-Mail: info@cemcon.com Website: www.cemcon.com

DISC NO.: FILE NAME: FILE NAME
DRAWN BY: RCC FLD. BK. / PG. NO.: BK./PG.
COMPLETION DATE: 01-04-23 JOB NO.: 7599.100
PROJECT REFERENCE:
REVISIONS: 1-10-23 PER LP REVIEW
CHECKED BY:

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COMING TOGETHER. TO OFFER YOU MORE. TWiG

August 7, 2023

Kendall County
111 W. Fox Street
Yorkville, IL 60560-1498

Attn: Matthew H. Asselmeier, AICP, CFM
Director, Kendall County Planning, Building and Zoning

Re: Lots 100 – 101 White Tail Ridge
Easement Vacation

Dear Mr. Asselmeier,

The owner/developer of lots 100 and 101 of White Tail Ridge is electing to build one house on both lots. The proposed home will be built across the common property line and therefore requires the two 5-foot (total 10 feet) drainage and utility easements to be vacated.

The grading plan prepared for the new home maintains the drainage patterns from the master development plan with runoff directed around the home from the front of the property to the rear. No additional storm water runoff from other lots is directed to the common property line. The design presented does not require the easements and continues to provide proper storm water runoff route for the specific lots as well as the subdivision.

If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

[redacted]

Joseph P. Hammer, PE

N:\Tech\2023\0579\KendallCo_LT_JPH_EasementVacation_08-07-23.docx

Main Address: 129 Capista Drive, Shorewood, IL 60404 | Phone: 815-744-6600 • Fax: 815-744-0101
Invoicing: 401 S. Carlton Avenue • Wheaton, IL 60187 | www.twigtechnologies.com

DETAILED GRADING PLAN

LEGAL DESCRIPTION

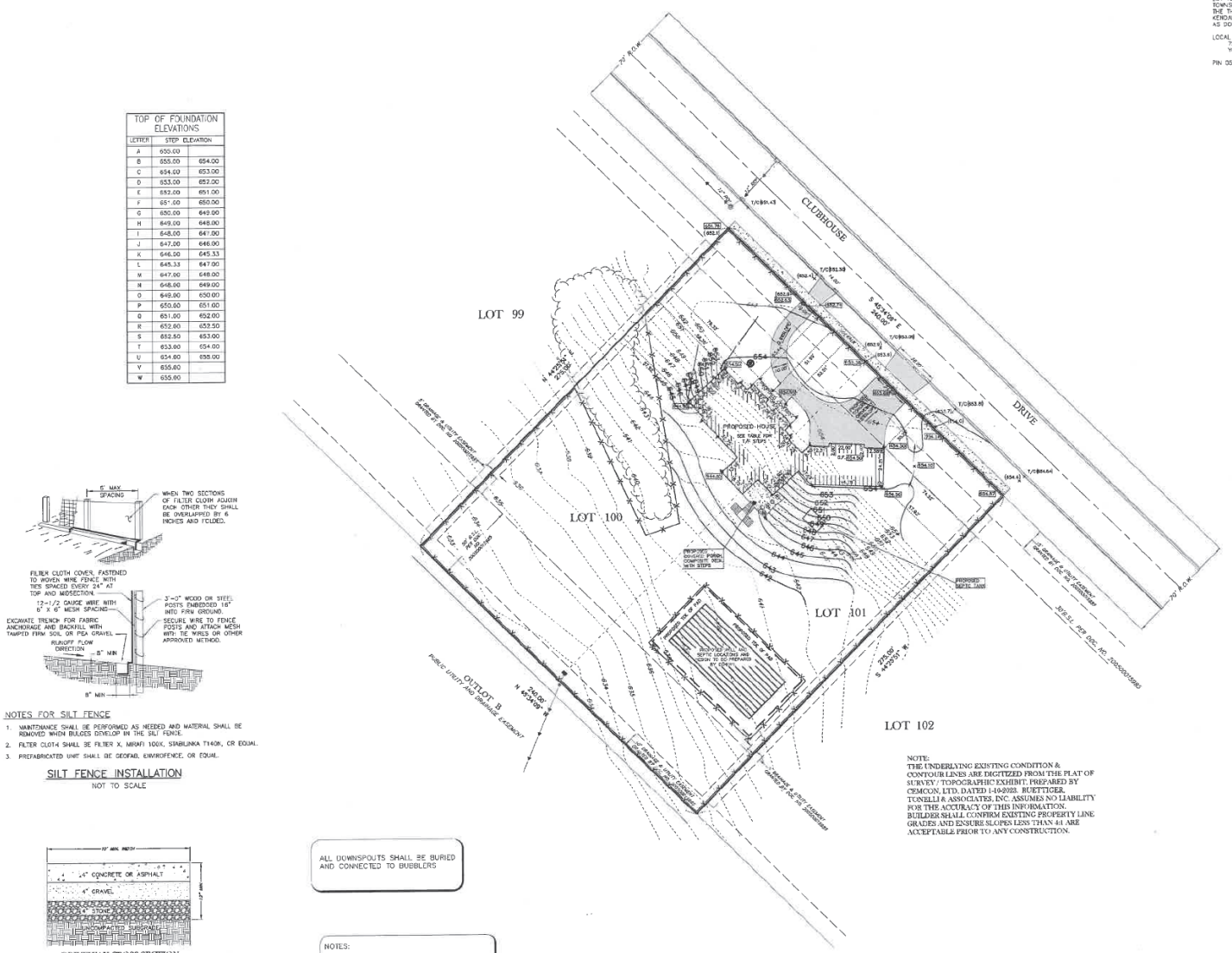
LOT 100 & 101 IN WHITETAIL RIDGE SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7, AND PART OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE FORMER WASH-HEE-SHAW RESERVATION, IN KENDALL AND WA-AU-SAY TOWNSHIPS, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 6, 2005 AS DOCUMENT NO. 200500019880, IN KENDALL COUNTY, ILLINOIS.

LOCAL MAILING ADDRESS:
7557 CLUBHOUSE DRIVE
YORKVILLE, ILLINOIS

PIN 05-12-276-011

GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft.

TOP OF FOUNDATION ELEVATIONS		
LETTER	STEP ELEVATION	
A	655.00	
B	655.00	654.00
C	654.00	653.00
D	653.00	652.00
E	652.00	651.00
F	651.00	650.00
G	650.00	649.00
H	649.00	648.00
I	648.00	647.00
J	647.00	646.00
K	646.00	645.33
L	645.33	647.00
M	647.00	648.00
N	648.00	649.00
O	649.00	650.00
P	650.00	651.00
Q	651.00	652.00
R	652.00	652.50
S	652.50	653.00
T	653.00	654.00
U	654.00	655.00
V	655.00	
W	655.00	



NOTES FOR SILT FENCE

1. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL SHALL BE REMOVED WHEN BULGES DEVELOP IN THE SILT FENCE.
2. FILTER CLOTH SHALL BE FILTER X, MIRAFI 100X, STABILINKA T140N, OR EQUAL.
3. PREFABRICATED UNIT SHALL BE GEOFAB, ENVIROFENCE, OR EQUAL.

SILT FENCE INSTALLATION
NOT TO SCALE

DRIVEWAY CROSS SECTION
NOT TO SCALE

ALL DOWNSPOUTS SHALL BE BURIED AND CONNECTED TO BUBBLERS

NOTES:
1. GRADE SLOPES NOT TO EXCEED 4 TO 1.
2. DROP FOOTINGS AS REQUIRED TO PROVIDE ADEQUATE FROST PROTECTION.
3. DROP SIDING OR BRICK AS REQUIRED TO A MINIMUM OF 0.5' ABOVE GRADE.
4. DRIVEWAY SLOPES NOT TO EXCEED 10%
5. EROSION CONTROL TO BE APPLIED PER THE ILLINOIS PROCEDURES FOR URBAN SOIL EROSION AND SEDIMENTATION CONTROL MANUAL, LATEST EDITION.

NOTE:
THE UNDERLYING EXISTING CONDITION & CONTOUR LINES ARE DIGITIZED FROM THE PLAT OF SURVEY/TOPOGRAPHIC EXHIBIT, PREPARED BY CEMCON, LTD, DATED 1-10-2023. RUETTIGER, TONELLI & ASSOCIATES, INC. ASSUMES NO LIABILITY FOR THE ACCURACY OF THIS INFORMATION. BUILDER SHALL CONFIRM EXISTING PROPERTY LINE GRADES AND ENSURE SLOPES LESS THAN 4:1 ARE ACCEPTABLE PRIOR TO ANY CONSTRUCTION.

LEGEND

meas.	MEASURED
rec.	RECORDED
calc.	CALCULATED
●	FOUND SURVEY MONUMENT
■	SET 5/8" REBAR UNLESS OTHERWISE NOTED
	SUBJECT BOUNDARY LINE
	ADJACENT BOUNDARY LINE
	EASEMENT LINE
B.S.L.	BUILDING SETBACK LINE
D.&U.E.	DRAINAGE & UTILITY EASEMENT
XXX	EXISTING CONTOUR
XXXX	EXISTING ELEVATION
	EXISTING TREE LINE
	STORM SEWER LINE
	STORM STRUCTURE
T/C	TOP OF CURB
T/F	TOP OF FOUNDATION
(XXX.X)	EXISTING ELEVATION PER PLAT OF SURVEY/ TOPOGRAPHIC EXHIBIT BY CEMCON, LTD. REVISED 01-10-2023
XXX.X	PROPOSED ELEVATION
	FLOW LINE
	PROPOSED SWALE LINE
	PROPOSED EROSION CONTROL FENCE
	PROPOSED CONTOUR
	PROPOSED GAS SERVICE LINE
	PROPOSED ELECTRIC SERVICE LINE
	PROPOSED WATER WELL (BY OTHERS)
	PROPOSED DOWNSPOUT

BENCHMARKS:
SITE BENCHMARK:
CUT "X" IN TOP OF CURB APPROXIMATE CENTER OF LOT 99.
ELEVATION: 649.37

CUT "X" IN TOP OF CURB APPROXIMATE CENTER OF LOT 101.
ELEVATION: 653.87

CUT "X" IN TOP OF CURB AT LOTS 133 AND 134.
ELEVATION: 658.90

LOTS 100 & 101 AREA = ±66,000 S.F.
BUILDING FOOTPRINT AREA = ±4,175 S.F.

REVISIONS			
No.	DATE	DESCRIPTION	BY
1	7-25-2023	REVISED PER NEW PIN AND ADDRESS.	ESM
2	7-26-2023	REVISED PER BUILDER COMMENT	CLD

I, DAVID J. ZIENTEK, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF ILLINOIS, HEREBY CERTIFY THAT THIS DETAILED GRADING PLAN HAS BEEN PREPARED UNDER MY SUPERVISION BY RUETTIGER, TONELLI & ASSOCIATES, INC. ILLINOIS PROFESSIONAL DESIGN FIRM No. [redacted]

DATED THIS 28TH DAY OF JULY, 2023

[redacted]
DAVID J. ZIENTEK, IL R.E. No. [redacted] (EXPIRES 11-30-2023)

REGISTERED PROFESSIONAL ENGINEER
STATE OF ILLINOIS

TO ENSURE AUTHENTICITY OF THIS DRAWING, IT MUST BEAR THE EMBOSSED SEAL OF THE DESIGN FIRM OR PROFESSIONAL ENGINEER WHO PREPARED THIS DRAWING.

Ruettiger, Tonelli & Associates, Inc.
Surveyors • Engineers • Planners • Landscape Architects • GIS Consultants
129 CAPETTA DRIVE - SHOREWOOD, ILLINOIS 60404
PH: (815) 744-6010 FAX: (815) 744-6101
website: www.ruettigertonelli.com

DATE: 7-19-2023	SCALE: 1" = 30'	DRAWN BY: ESM	CHECKED BY: DJZ
PREPARED FOR: KING'S COURT BUILDERS, INC. PO BOX 5070 NAPERVILLE, ILLINOIS 60567-5070		FIELD BOOK: PAGE	
		DRAWING No.: 323-0579-GP	
DRAWING TITLE: DETAILED GRADING PLAN			

ANY DISCREPANCY IN MEASUREMENT DISCOVERED UPON THE GROUND SHOULD BE PROMPTLY REPORTED TO THE SURVEYOR FOR EXPLANATION OR CORRECTION.

FOR BUILDING LINE AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR ABSTRACT, DEED, CONTRACTS AND ZONING ORDINANCES.

THIS IS NOT A BOUNDARY SURVEY

Matt Asselmeier

From: Greg Chismark <gchismark@wbkengineering.com>
Sent: Wednesday, August 9, 2023 11:37 AM
To: Matt Asselmeier
Cc: Seth Wormley
Subject: RE: [External]7557 Clubhouse Drive - Lot Consolidation

Matt,
I see no drainage issues with the consolidation of these lots. I reviewed the subdivision plans as well as County topo and have no objection to approving the request to vacate the easement.
Greg

Greg Chismark, PE
President
Direct: (630) 338-8527| Main: (630) 443-7755
gchismark@wbkengineering.com

WBK Engineering, LLC
116 W. Main Street, Suite 201, St. Charles, IL 60174
WBK is now a certified Disadvantaged Business Enterprise

Part of Bodwé Professional Services

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Monday, August 7, 2023 6:02 PM
To: Greg Chismark <gchismark@wbkengineering.com>
Cc: Seth Wormley <swormley@kendallcountyil.gov>
Subject: FW: [External]7557 Clubhouse Drive - Lot Consolidation

Greg:

The owners of the subject property would like to vacate the drainage and utility easement between the two lots and construct a new house in the middle of the combined lots.

From a drainage perspective, do you see any issues.

Thanks,

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

Matt Asselmeier

From: Debbie Mika [redacted]
Sent: Monday, August 14, 2023 5:09 PM
To: Matt Asselmeier
Subject: [External]Re: 7557 Clubhouse

CAUTION - This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

HI Matt,

No issues, thanks for checking!

Debbie Mika

From: Matt Asselmeier <masselmeier@kendallcountyil.gov>
Sent: Monday, August 14, 2023 10:21 AM
To: Debbie Mika [redacted]>
Subject: 7557 Clubhouse

Debbie:

The County received a request from Troy Williams to vacate a public utility and drainage easement between Lots 100 and 101 in Whitetail Ridge in order to be able to construct a house in the middle of the combined lots.

Does the HOA have any objections to this vacation?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Director
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

Reviewed By:	
Legal	■
Finance	☐
Engineer	☐
City Administrator	■
Community Development	■
Purchasing	☐
Police	☐
Public Works	☐
Parks and Recreation	☐

Agenda Item Number

Mayor's Report #3

Tracking Number

PZC 2023-09 & EDC 2023-36

Agenda Item Summary Memo

Title: Unified Development Ordinance Presentation

Meeting and Date: City Council – September 26, 2023

Synopsis: A presentation will take place.

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: None

Council Action Requested: Informational

Submitted by: Krysti J. Barksdale-Noble (Name) Community Development (Department)

Agenda Item Notes:

Have a question or comment about this agenda item?
Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/320/City-Council

Reviewed By:	
Legal	☐
Finance	☐
Engineer	☐
City Administrator	■
Community Development	☐
Purchasing	☐
Police	☐
Public Works	☐
Parks and Recreation	☐

Agenda Item Number

Mayor's Report #4

Tracking Number

CC 2021-04

Agenda Item Summary Memo

Title: City Buildings Updates

Meeting and Date: City Council – September 26, 2023

Synopsis:

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: None

Council Action Requested: Informational

Submitted by: Bart Olson (Name) Administration (Department)

Agenda Item Notes:

If new information is available at the time of the meeting, then a discussion will be held.

Have a question or comment about this agenda item?
Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/320/City-Council

Reviewed By:	
Legal	☐
Finance	☐
Engineer	☐
City Administrator	■
Community Development	☐
Purchasing	☐
Police	☐
Public Works	☐
Parks and Recreation	☐

Agenda Item Number

Mayor's Report #5

Tracking Number

CC 2021-38

Agenda Item Summary Memo

Title: Water Study Update

Meeting and Date: City Council – September 26, 2023

Synopsis:

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: None

Council Action Requested: Informational

Submitted by: Bart Olson (Name) Administration (Department)

Agenda Item Notes:

If new information is available at the time of the meeting, then a discussion will be held.

Have a question or comment about this agenda item?
Call us Monday-Friday, 8:00am to 4:30pm at 630-553-4350, email us at agendas@yorkville.il.us, post at www.facebook.com/CityofYorkville, tweet us at @CityofYorkville, and/or contact any of your elected officials at http://www.yorkville.il.us/320/City-Council