

E1-22598

Karen Kenney
LeRoy Township Trustee
Belvidere Scoping Mtg
Apr 19, 2016

Leroy Township Comprehensive Land Use Plan

Introduction

Illinois Compiled Statutes Chapter 60, gives townships the right to develop comprehensive plans through townships' planning commissions. The residents of Leroy Township began this process in 2102 at the annual meeting on April 10. By a majority vote, they decided to establish a Leroy Township Comprehensive Land Use Plan.

As stated in the Boone County Comprehensive Plan, "Comprehensive Plans are very effective in achieving a future which best fulfills the desires of the community".

The Land Use Plan is a general guide for development with significant impact in the land-use decision making process. While this Plan is a policy document and does not directly regulate the use of land in the Township, it is generally implemented through the enforcement of ordinances, such as the Boone County zoning ordinances, and the decisions of the County Zoning Board of Appeals and the County Board on planning and zoning matters. The Boone County Zoning Ordinance should be referenced to determine allowable uses and rezoning requirements for property in Leroy Township. This Land Use Plan does not preclude an individual from requesting rezoning. However, a rezoning request which is out of conformity with this Land Use Plan may require an extraordinary majority for ultimate approval in Boone County. Thus, this Plan should be used to guide requests for zoning changes.

In 1999, Boone County adopted the Boone County Comprehensive Land Use Plan: (updated in 201x). The purpose of the 1999 Plan is to guide development activities and land conversion in the County. The Boone County 1999 Plan follows the criteria set forth in adopted goals and objectives. In general, the Leroy Land Use Plan adopts the Boone County Land Use Plan but builds upon it.

This Plan is used as a whole; no one part is meant to be used alone. This Land Use Plan provides the direction for the orderly development of land uses while supporting the protection of the resources of Leroy Township. Without this Plan, unrestrained private development could result in a haphazard patchwork of incompatible uses and inappropriate development. Development consistent with this Plan will be in harmony with the character of Leroy Township and enhance the beneficial aspects of its uniqueness.

This Plan will be revised as necessary to address issues which were unforeseen during plan development.

Purpose and Intent

It is intended that this Plan present the unique characteristics, qualities, and vision of the Township. It should supplement the Boone County Comprehensive Plan and provide guidance to residents, township and county officials with special emphasis on conditions and issues in LeRoy Township.

History and Background of LeRoy Township

LeRoy Township is located in the far northeast corner of Boone County. Township borders along the north and east are shared with neighbors in the state of Wisconsin and McHenry County respectively. No villages are present within the Township but the Village of Sharon, WI shares our northern border and is the nearest population center. The township covers approximately 23,000 acres and had a population of 485 as of the 2010 Official Census. (See attached LeRoy Township Density Map.) In 2012, the County Assessor assessed taxes on 215 residential and farm residential parcels within LeRoy Township as well as 483 farm parcels and 3 commercial properties.

The topography of the Township is relatively flat. We are located at 1,000 ft. which is the highest part of the County. The tributary source for drainage of Boone County, Beaver Creek, begins in LeRoy Township. (See attached LeRoy Township Waterways and Watershed Map.) Agriculture is by far the dominant land use within the township. Of LeRoy Township's 23,000 acres, 86% of the parcels are related to small and large farms and contribute 77% of our tax base. The non-farm residences amount to 13% of the parcels and contribute 21% of our tax base. 1% is attributed to commercial property in the Township.

Historic Land Sites in the Township include early settlements, schools, cemeteries, farmsteads, a church and more. (See attached map)

Objectives

The development of objectives is an important step in the planning process of a Comprehensive Plan. These statements represent and support the basic values and needs of the community, in addition to serving as a strategic guide for plan realization.

The Objectives of LeRoy Township are:

- Enhance the Quality of Life, Preserve the Heritage and Natural Resources, and Maintain the Rural and Aesthetic Character of the Township
- Promote the Safety of the Township Residents
- Promote the Preservation of Agricultural Land
- Encourage the Preservation of the Township's Natural Environment
- Encourage the Protection of the Existing Oil Pipeline
- Support Boone County's AE Agricultural Easement District
- Support Local Tourism Development
- Honor the Existing Special Uses within LeRoy Township that have been granted by the County
- Protect and preserve the LeRoy Township monies and local government status should the State of Illinois decide to dissolve Township Status
- Evaluate the LeRoy Township Comprehensive Plan, Text Amendments, and Special Use Requests by asking the following Review Criteria Questions and using a Formal Evaluation Form

Enhance the Quality of Life, Preserve the Heritage and Natural Resources, and Maintain the Rural and Aesthetic Character of the Township

- Seek to protect the natural resources and areas that enhance the quality of life and preserve the character of the township. (See attached LeRoy Township Waterways and Floodplains Map)
- Support and encourage the preservation of the unique history and historical areas of the township.
- Restrict any development in Flood Plain areas of the township, as stated in the Boone County Comprehensive Plan.
- Preserve and Protect Environmental Corridor features such as surface water, floodplains, wetlands, woodlands.
- Maintain the rural and aesthetic character of the township and preserve and prevent the permanent loss of the townships visual character, scenic roadways and countryside views and the amenities that define the townships desirable and attractive features. (See attached Highway Map of LeRoy Township.)
- Ensure that conflicts between neighboring land uses are minimized and support land use compatibility as stated in the County's Comprehensive Plan.
- Support a "good neighbor" policy with bordering Townships and Counties. Our borders are shared by Manchester, Poplar Grove and Boone Townships in Boone County and Dunham Township in McHenry County, Illinois as well as the Village of Sharon and Sharon Township in Walworth County, Wisconsin and Clinton Township in Rock County, Wisconsin.

Promote the Safety of the Township Residents

- LeRoy Township has a unique situation in that it is represented by several fire districts. (See attached County Jurisdictional Boundaries Map.) The first responders for Fire District #4 come from Sharon, WI and Harvard, IL both of which are located outside of Boone County. Special training and equipment that may be required for a special use within LeRoy Township, which would affect the ability of these Fire Departments to do their job in the Township, should be required before the special use is approved at the County level.
- LeRoy Township residents depend on the services of Lifeline and have used them many times during the past five years. The residents support keeping open roadways so that they can continue to benefit from this service in the future.
- LeRoy Township supports the zoning precedence in the County's Zoning Ordinance that placement of new development should be set back from property lines.
- Promote safe roads and adequate resources for road maintenance and improvements and upgrading of the Township's equipment. (See attached Highway Map of LeRoy Township.)
- Place special emphasis on the maintenance of a safe living environment for residents as stated in the Boone County Comprehensive Plan, protecting the water and air quality and encouraging the cleanup of contaminated sites that could threaten the public health, safety and welfare.

Promote the Preservation of Agricultural Land

- According to the County Assessor's Office who base their definition of farmland on the Illinois Department of Revenue (35 ILCS 200/1-60), in 2012 LeRoy Township had 483 parcels of farm land of which 143 parcels had farm residences on them. These parcel numbers include both full time and part time farms. The township also has 72 residential parcels.
- According to the Internal Revenue Code, the term "farm" includes stock, dairy, poultry, fruit, furbearing animals and truck farms, plantations, ranches, nurseries, ranges, greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities and orchards and woodlands.
- According to the Illinois Department of Revenue (35 ILCS 200/1-60), a farm is defined as:
- Sec. 1-60. Farm. When used in connection with valuing land and buildings for an agricultural use, any property used solely for the growing and harvesting of crops; for the feeding, breeding and management of livestock; for dairying or for any other agricultural or horticultural use or combination thereof; including, but not limited to, hay, grain, fruit, truck or vegetable crops, floriculture, mushroom growing, plant or tree nurseries, orchards, forestry, sod farming and greenhouses; the keeping, raising and feeding of livestock or poultry, including dairying, poultry, swine, sheep, beef cattle, ponies or horses, fur farming, bees, fish and wildlife farming. The dwellings and parcels of property on which farm dwellings are immediately situated shall be assessed as a part of the farm. Improvements, other than farm dwellings, shall be assessed as a part of the farm and in addition to the farm dwellings when such buildings contribute in whole or in part to the operation of the farm. For purposes of this Code, "farm" does not include property which is primarily used for residential purposes even though some farm products may be grown or farm animals bred or fed on the property incidental to its primary use. The ongoing removal of oil, gas, coal or any other mineral from property used for farming shall not cause that property to not be considered as used solely for farming.
- Promote the preservation of agricultural lands in LeRoy Township as they relate to the Farm Nuisance Suit Act or "Right to Farm" act which was adopted in 1981 and was written with the purpose of stopping urban expansion into prime agricultural land. This protects farmland and reduces conflicts between incompatible uses.
- Recognize that farmland provides value to land owners, private citizens, the community and the society at large. Agricultural land not only produces food and fiber, but also provides flood control; improves water quality; maintains ground water recharge; mitigates air pollution, ozone and greenhouse gas emissions; provides community buffers or greenways; reduces traffic and eases the financial burden to public services.
- Remember "Every minute of every day another acre of farmland is lost."
- Continue using the LESA system to effectively control land use change within the Township.
- Encourage the growth and development of farm-related businesses and protect those that are already established within the township.
- Prohibit Industrial and limit Commercial land uses in classified agricultural areas.

Encourage the Preservation of the Township's Natural Environment

- Preserve and protect key natural features of the township including topography, open space, woodlands, streams, ponds, flood plains and drainage ways. Attached is LeRoy Township Waterways & Floodplains Map

- Protect important hydrologic features such as the streams, ponds, flood plains and drainage ways, all of which affect other natural processes. (See attached LeRoy Township Waterways and Watershed Map.)
- Preserve the rural ecosystem of the Township, protecting its natural topography and existing wildlife.
- Discourage the practices of slant drilling.

Encourage the Protection of the Existing Oil Pipeline

- LeRoy Township supports the protection of the oil pipeline in our Township.
- The line located in our Township is a crude oil line transporting tar sands crude oil from Alberta, Canada. This oil is heavy crude that is diluted with a toxic mix of hydrocarbons (typically toluene and benzene) to “lighten” up the oil so it can flow.
- If the pipeline would rupture, the Township would not only have an oil spill but a spill of highly toxic hydrocarbons which can leach into the groundwater. The pipeline is buried approximately 4-5 ft. deep which may be adequate for some land uses but inadequate for others. The pipeline is also a magnet for stray voltage which can cause premature pipeline deterioration.

Support Boone County’s AE Agricultural Easement District

- For the individual who wishes to build an additional residence on the family farm or the individual wishing to build in LeRoy Township and has adequate acreage, the Township encourages the use of the county’s AE Agricultural Easement District. Briefly, this ordinance preserves farmland in the County in exchange for a residence that the current County zoning would not permit.

Support Local Tourism Development

- We support the County’s desire to promote tourism. Since LeRoy Township has a history of Annual Tourism Events and Tourist Destinations including but not limited to: the Blaine Folk Festival, June Dairy Breakfast, Roun’da Manure Bicycle Tour, Alpaca Farm Days, Horse Drawn Pioneer Disc Days, Antique Tractor Club Ride, Kid’s Days at Beaver Creek Garden Organic Farm, Farm Tours and numerous events at the Beaver Creek Golf Course.

Honor the Existing Special Uses within LeRoy Township that have been granted by the County

- Since the 1960s and the establishment of zoning laws, the people of this country are legally protected from a nuisance that could be imposed upon them by their neighbor.
- LeRoy Township supports the zoning process which has ALWAYS allowed neighbors to weigh in on zoning requests. The code is intended to protect the people who are currently living in the county.
- LeRoy Township supports the zoning code that is intended to minimize the conflicts between any special uses and existing uses and to promote the public health, safety, and welfare of its citizens.
- LeRoy Township honors the special use permits that have been granted by the County and issued to properties within the Township including the RLAs.

Protect and preserve the LeRoy Township monies and local government status should the State of Illinois decide to dissolve Township Status

- LeRoy Township supports township government in Boone County. Should the County or State of Illinois desire to eliminate townships, LeRoy Township supports a referendum for residents to vote on returning to our historical roots as the town of LeRoy and transferring township monies to the town of LeRoy.

Evaluate the LeRoy Township Comprehensive Plan, Text Amendments, and Special Use Requests by asking the following Review Criteria Questions and using a Formal Evaluation Form

- This Land Use Plan is a guide for development and preservation and should be updated. The basic assumption of this Plan is that protecting the property is in the publics' best interest when it supports the health, safety and general welfare of the residents of Leroy Township.
- The following includes, but is not limited to, a point analysis that should be used to ensure a consistent evaluation of land use in LeRoy Township.
- When evaluating text amendments and special use requests or when updating the LeRoy Township Comprehensive Land Use Plan, the following review criteria questions should be used by the LeRoy Planning Commission and Township Board.
 1. Will the land use be beneficial to the general welfare, safety, and health of the residents on the immediate area and the general population of Leroy Township?
 2. Does the land use fulfill a significant need in Leroy Township?
 3. Will the land use encourage local business opportunity for the community and is compatible with the area?
 4. Will the land use promote and encourage a farmer friendly environment?
 5. Will the land use overburden the natural resources of Leroy Township?
 - i. Farm land
 - ii. Ground water
 - iii. Watershed(s)
 6. Will the land use adversely influence living conditions due to a type of pollution?
 7. Will the land use create an isolation of the special land use?
 8. Will the land use create additional environmental problems due to soils, vegetation, slope, or floodplain?
 9. Is the subject property physically suitable for the purposes of the land use?
 10. Will the land use diminish the rural character in the Township?

Note: The Evaluation Forms should be kept on file with the Township Clerk.

Note: Current LeRoy Township Land Use maps should be on file with the Township Clerk and periodically updated to reflect the Townships current Land Use status.