

Riley Township - A New Crop Beginning



Riley Township Plan – 2018 Adopted

Prepared by the Riley Township Plan Commission

Adopted by:

Riley Township Board of Trustees

Adopted -

Amended:

None

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Introduction

The rights of Township Government to exercise influence on County zoning actions is authorized both by the [Illinois Compiled Statutes Ch. 55 ILCS 5/5-12007 & 12009](#) and the [Unified Development Ordinance](#) (Article 5.1.D.2.b.iv and 5.2.E.3.g.ii.C), provided that the Township has a Plan Commission. The Riley Township Board of Trustees adopted the Riley Township Land Use Plan on June 2, 1998.

The Riley Township Land Use Plan (RTLUP) is a general guide for development with significant impact in the land use decision-making process. While the 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 contained in the [Unified Development Ordinance](#) (Zoning and Subdivision), the [McHenry County Stormwater Management Ordinance](#), and the decisions of the [County Zoning Board of Appeals](#) and County Board regarding zoning and planning matters.

Persons interested in pursuing a zoning change or variance in Riley Township are encouraged to meet with the Plan Commission as early in their parcel acquisition or site planning efforts as possible. The Riley Township Plan Commission will provide insight as to how a proposed zoning activity may or may not comply with the Riley Township Land Use Plan.

For zoning actions that the Plan Commission determines to be compatible with the Riley Township Land Use Plan, the Plan Commission will submit their findings to the Township Board. The Township Board will then inform the petitioner and the McHenry County Planning and Zoning Department indicating:

- That there is no Township objection to the proposed activity,
- Or, in certain situations, that the Township Board activity supports the proposed activity.

If the Plan Commission determines that a proposed zoning petition is incompatible with the Riley Township Land Use Plan, the Plan Commission will present its findings to the Riley Township Board. If the Township Board supports the position of the Plan Commission, the Township will pass and file a resolution of formal objection to the proposed zoning. Copies of this resolution are sent to the petitioner, their attorney, and the appropriate parties at McHenry County. The filing of the Township formal objection resolution results in a super-majority (75%) vote of the County Board being required to approve the proposed zoning activity.

It should be noted that the legislation authorizing the Township Planning process does not give Townships the authority to officially act upon proposed Conditional Use Permits (CUP), or to file a formal objection with the County Board. However, due to the

significant land use changes that are still possible under the CUP process, the Plan Commission conducts a review of all CUP requests, and submits a recommendation to the Township Trustees expressing its opinion as to whether the proposed activity is compatible with the Riley Township Land Use Plan.

Background

In 2014, McHenry County adopted the [Unified Development Ordinance](#) (UDO) and published the [McHenry County 2030 Comprehensive Plan](#). The purpose of the UDO is to guide development activities and land and resource conservation in the County. The [Unified Development Ordinance](#) follows the criteria set forth in adopted goals and objectives resulting from County staff and public input.

[Riley Township](#) is thirty-six square miles and is located in the south west corner of the County. Riley Township lies south of the City of Marengo, East of Boone County and North of DeKalb County. The County Land Use Plan identifies Riley Township as primarily agriculture with growth coming from annexations by the City of Marengo (the only municipality in the Township).

What Makes Riley Township Unique?

Riley Township is a unique area in which little urban / suburban development has taken place. The vast majority of the west and southern sections of the Township are rural and active farmland. The farms are a mix of crops – primarily corn and soybean production, and livestock production primarily consisting of cattle, hogs, poultry and sheep. Many of the estate lots have horses and it is not unusual to see riders on the side of the road.

The soil makeup of the Township makes it an ideal water recharge area, one of the most productive recharge areas in McHenry County. This also makes the area suitable for gravel pits and as such the Township contains a number of earth extraction sites.

The Township also contains a number of watershed features. These include:

Part of the Greater Kishwaukee Watershed
Coon Creek
Riley Creek
The Grimm Fen Area
Various wetlands



The Riley Township Plan

This Land Use Plan is a guide for development and preservation and will be periodically updated. The basic assumption of the Plan is that wise use of the land is in the public interest of Township residents and landowners. To that end the Plan Commission has adopted guidelines for use in modifying any existing land use.

While it is desirable for the undeveloped land in the Township to remain undeveloped, it is recognized that it is not always practical. Development will only be considered for land adjoining existing developments.

The basic guidelines for lot sizes for any development that does not adjoin an existing development will include a minimum lot size. The lot size is the actual individual lot size and not an average over the entire development area.

To maintain the rural nature and feel, the minimum lot size is 5 acres, unless the development adjoins an existing subdivision at which point the lot size minimum may, upon a recommendation of approval, be reduced to the same as the existing subdivision.

Commercial and light industrial is focused around the Route 23 and I90 corridor. Some of this land is currently under Conditional Use Permits (CUPs) from the county for earth extraction sites while some is already commercial.

It is desirable that the protected areas along the creeks and Fen be restricted to recreational and open space uses.

Examples:

If a development of 30 acres is proposed in an undeveloped portion of the Township, then each lot will be a minimum of 5 acres (not including common areas, roads, etc).

If a development of 30 acres adjoins a subdivision where the average lot size is 2 acres, then the lot size for that development may, upon recommendation of approval, be 2 acres (or the nearest average lot size for mixed size lots).

These land use guidelines will help to restrict higher density developments that would tax the water use and recharge areas that are so critical to the region. Higher density developments should be positioned adjoining the existing municipalities who can bring the required infrastructure to the development (water, storm water, sewage).

Goals

The Land Use Plan goals are the foundation of the Plan from which policy directives are developed. The directives are then used to implement the goals through ordinances, regulations, laws and education. The goals recognize the need to obtain a balance between accommodating a broad range of human activities and preserving the environment and natural resources. The main objective of the Land Use Plan is to encourage compact and orderly growth in appropriate areas, while at the same time preserving contiguous agricultural areas, environmentally sensitive areas, and large open spaces.

- **Agricultural uses.** Agriculture has a long history as the dominant land use in Riley Township, and is expected to continue as such for the foreseeable future. Prime agricultural soils should be preserved for agricultural purposes, or restored to their pre-disturbance native plant community. It is desired to maintain a wide variety of agricultural uses within the Township. Any other land uses proposed for the Township shall not impede or conflict with the continuation of environmentally responsible agricultural practices. Any efforts at implementing farmland preservation through voluntary buy-outs transfer / purchase of development rights (TDR/PDR), or through appropriate land use development should be strongly encouraged.
- **Natural resources.** Protect and restore groundwater, wetlands, woodlands, natural areas, fish and wildlife habitat, threatened and endangered species and

- water quality of the township's wetlands, ponds, rivers, streams and water recharge areas. Prevent dramatic grade changes and grading or excavation of natural springs and potholes. Encourage renewal of oak, hickory and maple woodlands.
- **Historic and cultural features.** Protect historic, unique and cultural features in the township, including early settlements, cemeteries, farmsteads, buildings, bridges, native woodlands, and other remnants of native vegetation. Encourage creative reuse of existing structures.
 - **Economic development.** Allow commercial, light industrial and recreational development within the Township in a way that maintains the rural character of the area, diversifies the property tax base, and minimizes the burden on schools, township roads, services and the environment.
 - **Transportation systems.** Maintain the smooth flow of traffic on major arterials and township roads, prevent new highways that encourage premature development and encourage development of alternative forms of transportation such as bicycle trails and equestrian trails.
 - **Drainage systems.** Maintain existing drainage systems and properly manage storm water to avoid damaging, overloading and clogging of natural or artificial waterways.
 - **Residential development.** Protect the rural character of the Township and the country crossroad features of the Township.
 - **Fiscal responsibility.** Assure that new developments do not place an undue burden on roads, public services, schools, and taxpayers in the Township.
 - **Intergovernmental cooperation.** Pursue intergovernmental coordination and communication with other public and private agencies and organizations involved with planning for the use of land in the Township, including the county, other townships, municipalities, regional planning commission, the Illinois Department of Transportation and the Illinois Toll Highway Authority.

Specific Riley Township Land Use Directives

While not directly part of land use - in keeping with Land Use Plan best practices, listed are the general goals and directives that the Plan Commission will apply to any changes or to submissions for development.

A. General Planning Directives

Any Land Use Change proposal for Riley Township **shall not:**

- Adversely impair or conflict with existing agricultural uses
- Create entering wedges of conflicting land uses
- Impact or fragment environmentally sensitive areas
- Impact archaeologically significant areas
- Cause a nuisance to existing local land use practices in the Township, whether by noise, dust, odor, excessive lighting, drainage, impacts, a potential for surface or groundwater pollution, or other environmental degradation

Any Land Use Change proposed for Riley Township **shall:**

- Minimize development in prime farmland soils
- Avoid impacts to agricultural preservation areas
- Avoid impacting existing agricultural drainage improvements
- Avoid structural development in floodplain areas
- Avoid structural development in hydric soil areas
- Minimize and phase mass grading of soils, particularly in sloped areas
- Minimize visual impacts to the rural “view shed” of Riley Township
- Utilize recommendations provided by the [McHenry County Soil & Water Conservation District](#) in any [Natural Resource Inventory Report](#) prepared for the subject property.
- Adhere to the maximum extent possible with any watershed protection recommendations and in the [Kishwaukee River Watershed Plan](#).
- Avoid development proposals that will result in impacts to stream corridors, wetlands, ponds, oak/hickory woodlands, or prairie remnants that do not result in demonstrable environmental enhancement of the resource(s).
- Provide an ecologically appropriate buffer between any portions of a given parcel to be developed and any existing streams, wetlands, and ponds, and provide long-term protection and restoration / enhancement opportunities for existing natural areas.
- Incorporate any and all [Best Management Practices](#) (BMPs) related to storm water management, surface and groundwater protection, soil erosion and sediment control, and non-point pollution control.

B. Historic Preservation

The Riley Township Land Use Plan promotes and encourages:

1. The preservation of historic buildings, sites and vistas.
2. The creative reuse of existing structures while preserving their historic integrity.
3. Increasing public knowledge of the significance of historic preservation and its impact on the quality of life in the township.
4. The maintenance and rehabilitation projects of historic areas and buildings.

C. Open Space, Environmental and Natural Resource Land Use

The Riley Township Land Use Plan promotes and encourages:

1. That any area identified on the McHenry [Unified Development Ordinance](#) as an environmentally sensitive area, or on the [McHenry County Advanced Identification \(ADID\) Maps](#), be protected by creation of a permanent conservation easement held by a not-for profit land trust or unit of government. Deed restrictions or covenants are not considered an acceptable alternative unless a homeowner's association is formed and maintained to enforce the deed restrictions in perpetuity, and to fund any legal action required to enforce the deed restrictions.
2. That any other natural areas be protected and managed.
3. The continued acquisition, development, and management of areas for passive and active recreation throughout the Township.
4. That a system of environmental corridors should be established and managed to connect sensitive environmental areas and to allow for the movement of wildlife populations.
5. The creation and management of open space areas within the design of any type of development.
6. That greenway area should be established as permanent buffers between developments. Passive open space, environmentally sensitive areas, and agriculture are the preferred land uses within the greenway areas.
7. That investigation of the quantity and quality of groundwater resources in the Township be conducted. Such investigations should include an examination of the adequacy of the [McHenry County 2030 Comprehensive Plan](#), subsequent [County Land Use Plans](#), and County ordinances for the protection of groundwater.
8. The provision of functional passive open space within golf courses and parks to protect existing / restored natural areas, and to minimize water quality impacts.

D. Agriculture Land Use

The Riley Township Land Use Plan promotes and encourages that:

1. Existing farm operations should be protected from conflicts with proposed non-farm land use activities in areas designated as "Agriculture" in the [McHenry County 2030 Comprehensive Plan](#).
2. Efforts to create residential parcels within agriculture areas should only be on large enough parcels to avoid conflict with existing local agricultural uses to the greatest extent possible, and to ensure compatibility with surrounding areas.
3. Prime farmland soils beyond potential municipal service areas shall be maintained as farmland.
4. The expansion of agricultural production should be through sustainable methods, and uncropped areas within be managed to increase plant and animal species diversity, and wildlife habitat.

E. Residential Land Use & Agriculture/ Rural Land Use

The Riley Township Land Use Plan promotes and encourages that:

1. Timely development of Riley Township occur by the infilling of existing vacant buildable platted lots within existing subdivisions, or on parcels already approved / eligible for single family residences under current County zoning requirements.
2. Residential zoning changes through the current McHenry County A-2 zoning process in the Township be avoided, for the following reasons:
 - a. The only way for a proposed A-2 parcel to achieve a low enough Land Evaluation and Site Assessment (LESA) score to be eligible for A-2 zoning is for it to be unsuitable for, or contain barriers for agricultural purposes. This process does not recognize that these unsuitable / barrier areas often contain stream corridors, wetlands, woodlands, or other natural areas of high or restorable environmental quality, and unless properly protected, can result in their fragmentation and degradation.
 - b. The A-2 zoning category can create an opening wedge of incompatible zoning in agricultural / rural areas.

3. A-2 zoning requests within Riley Township:
 - Should only be approved sparingly within the Township.
 - Should be allowed as a way for existing landowners whose legally constructed residence was destroyed by fire or natural causes, and need to rezone the parcel to re-build because it is now non-conforming (< 40 acres).
 - Should only be allowed where the barriers / unsuitable areas for agriculture on the subject parcel are comprised of highly disturbed areas (ex. dominated by weedy / nonnative trees), with little potential of environmental quality /restoration.
 - Where they will not bisect or disturb stream corridors, wetlands, or remnant native plant communities that could be restored to a higher environmental quality.
 - Should only be approved if environmentally sensitive areas are identified, avoided, and protected by permanent conservation easements
 - Should only be allowed to create a maximum of two (2) A-2 parcels from any given parcel of land, and, should not be used as a way of subdividing land into more than two (2) parcels without going through the more stringent County subdivision zoning process, and

If allowed in Riley Township, A-2 parcels must be carefully configured to remain developed compatible with the surrounding area, and to protect and enhance the natural resources of the surrounding area.

5. Compact Development, as described in the [McHenry County 2030 Comprehensive Plan](#), is not planned for Riley Township, as these concepts promote and perpetuate urban sprawl.
6. Any proposed subdivision shall create a homeowners association as a means of generating perpetual funding for the management of open space areas and other infrastructure within their development as required.
7. The development of a range of high-quality, locally appropriate housing is encouraged, provided that adequate acreage, open space, and other quality of life conditions are met to minimize the impact on the unique features of Riley Township.

F. Industrial and Commercial Land Use

The Riley Township Land Use Plan promotes and encourages that:

1. Heavy industry and landfills, or any other land uses that would create a nuisance to local existing land uses, are inappropriate in Riley Township.
2. Clustering of light industrial and commercial activities in or adjacent to compatible developed areas.
3. Light industrial and commercial activities should be accessible to transportation facilities (rail, road or sidewalk, depending on type and needs of activity).
4. Proposed industrial or commercial land uses shall provide adequate setbacks, buffers, and/or screening to shield adjoining land uses from noise, light, and visual impacts.

G. Transportation

The Riley Township Land Use Plan promotes and encourages that:

1. Transportation planning should minimize the impact of transportation improvements on the character of the Township.
2. A bicycle, pedestrian and equestrian trail system is encouraged in conjunction with new transportation facilities and existing utility and railroad right-of-ways in accordance with the Countywide Trail Plan.

H. Recreational and Conservation Land use

The McHenry County Conservation District owns a substantial number of acres in Riley Township and has indicated an interest in acquiring more land in the Township. The [Chicago Metropolitan Agency for Planning](#) (CMAP) calls for contiguous greenbelts along the Kishwaukee waterways. The Township has no public land dedicated to active recreational use. Dedication of land to conservation, greenbelt and outdoor, non-motorized and primarily daytime recreational uses is encouraged, including through Township-owned facilities.

I. Environmentally Sensitive Areas

The Township contains a number of Environmentally Sensitive areas including the various woodlands, the Coon Creek waterway, and the very porous water recharge areas

of the western portion of the Township. These areas need to be protected, and any planned development must take these areas into account.



Implementation

Riley Township is a unique area in which little urban / suburban development has taken place. Development that does occur must conform to the character of the Township, including but not limited to its rural landscape and natural features. Any proposed plan should be able to show a sustainable design taking into account land, road and water use.

New land uses should enhance or improve on the character of the Township by avoiding impacts on environmentally sensitive areas, and preserving contiguous open space for agricultural and conservation uses. Additionally land uses must take into account the Road Districts management of the Township roadways. Clustered developments, along with appropriate commercial uses, would not be inconsistent with the goals of this Plan.

Riley Township believes that the goals and objectives of the County Ordinances support and reinforce the efforts of the Township in providing a local voice in the land use process. More importantly, Riley Township believes that the implications of all applicable County, State, and Federal regulations should be considered and evaluated as early in the zoning process as possible.

For this reason it is critical that any petitioner contact the various agencies that have jurisdiction in the Township including (but not limited to):

- Fire Protection District
- Road Commissioners Office
- School District

McHenry County Reference Documents and Stated Purpose:

McHenry County [Unified Development Ordinance](#) (Adopted October 22, 2014)

1. To promote the public health, safety, morals, comfort and general welfare;
2. To conserve the values of property throughout the County;
3. To lessen or avoid the congestion in the public streets and highways;
4. To lessen or avoid the hazards to persons and damage to property resulting from the accumulation or runoff of storm or flood waters;
5. To preserve and maintain the unique and irreplaceable natural resources within McHenry County;
6. To promote the preservation of the environmental benefits of open space, clean air, groundwater recharge and wildlife preservation;
7. To direct the timely and orderly development of McHenry County;

8. To preserve and maintain the unique and irreplaceable historic resources of McHenry County; and
9. To implement the policies of the [McHenry County 2030 Comprehensive Plan](#).
10. To implement the policies of the [McHenry County Water Resources Action Plan](#).
11. To implement the policies of the [McHenry County Green Infrastructure Plan](#).
12. To implement the policies of watershed plans that have been accepted or adopted by the County Board.
13. To implement the policies of the [McHenry County 2040 Long Range Transportation Plan](#).

McHenry County Stormwater Management Ordinance **(Amended April 5, 2016)**

The purpose of this Ordinance is to establish reasonable rules and regulations for development of watershed integrity in order to:

1. Protect and preserve the quality and environmental values of land and water resources in McHenry County;
2. Encourage development in a manner that promotes the orderly, sustainable and cost-effective utilization of land and water resources;
3. Assure that development does not increase flood and drainage hazards, create unstable conditions susceptible to erosion or reduce water quality at or downstream of the site;
4. Minimize the need for additional expenditure of public funds for flood control projects, repairs to flood damaged public facilities and utilities, and flood related emergency operations;
5. Prevent additional disruption of governmental services and the economy due to flooding and drainage problems;
6. Maintain eligibility for the [National Flood Insurance Program](#) (NFIP) by equaling or exceeding Federal Floodplain development regulations [Federal Floodplain Development Regulations](#) thereby making federally subsidized flood insurance available to residences in participating communities;
7. Protect the hydrologic, hydraulic, water quality and other beneficial functions of streams, lakes, wetlands, floodplains and flood prone areas;

8. Meet the requirements of The [Rivers, Lakes and Streams Act, 615 ILCS 18g](#);
9. Prevent additional harm due to periodic flooding including loss of life and property and threats and inconveniences to public health, safety and welfare; and,
14. Protect buildings and improvements to buildings from flood damage.

One way that the preceding Ordinances can and should protect environmental quality is by:

- adhering to their requirements to avoid impacts to environmentally sensitive areas
- providing protective buffers and protecting them by placing them into common open space or under the protection of a perpetual conservation easement.

The provision of protective buffers and conservation easements is also a typical requirement of any project requiring regulatory approval from the [U.S. Army Corps of Engineers under Section 404 of the Clean Water Act](#).

The Riley Township Land Use Plan should be used to guide requests for zoning changes, and should be used as a whole; no one part is meant to be used alone. The plan provides for the orderly development of commercial, light industrial and residential land uses while protecting the resources of Riley Township. Without the plan, unrestrained private development could result in a haphazard patchwork of incompatible uses and inappropriate development. Development consistent with the plan will be in harmony with the character of Riley Township and enhance the beneficial aspects of its uniqueness.

While the McHenry County [Unified Development Ordinance](#) must be referenced to determine allowable uses and rezoning requirements for property in Riley Township, the ability to comply with all of the County zoning requirements in that document does not guarantee that the proposed zoning action will be deemed compatible with the Riley Township Land Use Plan.

In its review process, Riley Township refers to, including (but not limited to) the following documents:

- McHenry County [Unified Development Ordinance](#)
- [McHenry County Stormwater Management Ordinance](#)
- [McHenry County 2030 Comprehensive Plan](#)
- Natural Resource Inventory reports from the [McHenry County Soil & Water Conservation District](#)
- The [McHenry County Conservation District Natural Areas Inventory](#)
- [McHenry County Advanced Identification \(ADID\) Wetland Maps](#)
- Technical information from regulatory / natural resource agencies, including the [U.S. Army Corps of Engineers](#), [U.S. Fish & Wildlife Service](#), [Illinois Department of Natural Resources](#), [Federal Emergency Management Agency](#), and [Chicago Metropolitan Agency for Planning](#)
- The [Greater Marengo-Union Area Watershed Planning Project](#)
- [McHenry County 2040 Long Range Transportation Plan](#)
- Any relevant, verifiable information generated / submitted by potential zoning change petitioner, or any Township resident who wishes to provide input on a proposed zoning change.
- [McHenry County Groundwater Recharge Map](#)
- [Groundwater Protection Action Plan](#)

Riley Township will attempt to provide internet links to available planning document and maps on its website at www.rileytownship.com/plan.

Glossary of Terms

Agriculture - The growing of farm crops, truck garden crops, animal and poultry husbandry, apiculture, aquaculture, dairying, floriculture, horticulture, NURSERIES, tree farms, sod farms, pasturage, viticulture and wholesale GREENHOUSES when such agricultural purposes constitute the principal activity on the land, in accordance with the Counties Code [55 ILCS 5/5-12001](#). AGRICULTURE includes the wholesale and retail sale of products produced on the site, including FARMSTANDS, U-PICK OPERATIONS, and COMMUNITY SUPPORTED AGRICULTURE operations. AGRICULTURE also includes GAME BREEDING and HYDROPONICS. AGRICULTURE also includes, without limitation, the growing, developing, processing, conditioning, and selling of hybrid seed corn, seed beans, seed oats, or other farm seeds. AGRICULTURE does not include EARTH EXTRACTION even if such activity is related to an agricultural purpose.

Agricultural Protection And Conservation Areas - An area of land of not less than 350 acres designated by the County Board with the owner's consent in accordance with the Agricultural Areas Conservation and Protection Act [505 ILCS 5/5](#) where no land shall be used for other than agricultural production, as described within Sections 3.01 and 3.02 of the act.

Agricultural\Rural - is a land use category identified in the Land Use Plan which includes agricultural land, agricultural related activities, rural residences (individual parcels) and privately owned natural areas that do not meet the criteria of environmental corridors.

Centralized Node Concept - a classification of growth areas where adjacent growth should occur based upon various planning principals which identify three basic classifications: Primary Centers, Secondary Nodes, and Unique Areas.

Cluster\Clustering - Grouping of structures and building sites is required when possible and shall be determined by designing lots, structures, and sites around open space areas, where preference is given to land, not necessarily undisturbed, which either retains or has been substantially restored to its original native character.

CMAP-[Chicago Metropolitan Agency for Planning](#) – Comprehensive regional planning agency for Metropolitan Chicago. Comprised of 284 municipalities and seven counties collaborating to ensure sustainable prosperity and quality of life. Focus on Livable Communities, Human Capital, Efficient Governance, and Regional Mobility.

Compact Contiguous Development – Development that is located near existing development and that occurs at an efficient density (see below) in order to minimize the conversion of agricultural and rural land to developed uses and maximize the use of available infrastructure. Compact contiguous development is the antithesis of sprawl and leap frog development, which are defined in section 2 of the 2030 Plan.

Compact Development - generally contiguous development radiating out from a node, including feathered residential development beyond municipal boundaries. This concept is not endorsed by Riley Township as it promotes urban sprawl.

Compatibility Overlay Process - a process which attempts to minimize future conflicts in land use through examination of planning factors such as current municipal plans, zoning and existing land use in plan formation. The process utilizes data recorded on maps that are then physically overlaid to compile data for specific areas.

Conservation Design - (Cluster Development) is a type of “Planned Unit Development” in which the underlying zoning and subdivision ordinances are modified to allow buildings (usually residences) to be grouped together on part of the site while permanently protecting the remainder of the site from development. The preserved land may be owned and managed by a homeowners association, a land trust or the township.

Conservation Easement - a legal agreement between a landowner and conservation organization or government agency that permanently limits the type of land use that can occur within a specific area, in order to protect its conservation, agricultural, historic, environmental, or scenic values. A conservation easement does not allow anyone but the landowner to utilize the conservation easement area (no public access allowed / required unless granted by the landowner), and can be specifically

negotiated to allow the landowner to continue to use the area for activities that would not impact the values being protected. Conservation Easements or Deed Restrictions are typically required by existing government regulations dealing with land development, including the U.S. Army Corps of Engineers, and the McHenry County Stormwater Ordinance.

Economically Viable Farmland - lands regardless of soil quality which have the location, productive capacity and which contribute to the local economy of the County.

Environmental Corridors - linear areas in the landscape that contain concentrations of natural resources, cultural features, and open space, and allow for movement of wildlife populations.

Environmentally Sensitive Areas - a land use category identified in the Riley Township Land Use Plan including, but not necessarily limited, to:

- groundwater recharge areas
- flood hazard areas
- wetlands
- natural areas
- stream corridors
- mature oak / hickory woodlands
- outstanding geologic features
- habitat for Threatened & Endangered species
- soils rated severe or very severe for septic installation
- McHenry County Conservation District existing and priority acquisition sites.

Greenway Areas - containing minimal development designed to buffer and delineate municipalities or developments within the County. Open space, agriculture, and environmentally sensitive areas are preferred land uses in greenway areas ([Chicago Metropolitan Agency for Planning](#)).

High Density Residential Development - less than one acre of land area per dwelling unit.

Infilling - the process of building upon existing vacant lots within existing subdivisions in unincorporated areas and the municipalities.

Land Use Plan - a generalized policy document and plan map which identify goals and objectives with regard to future growth, development and land use.

LESA - an acronym for the [Land Evaluation and Site Assessment](#) (LESA) Quarter Section analysis which is used to determine areas to be protected from non-farm uses. The LESA quarter section analysis was the primary consideration in determining agricultural areas on the land use map and is used in determining agriculturally significant areas.

Lots - a lot of record that is part of a subdivision, the plat of which has been duly authorized and recorded in the office of the recorder of deeds of McHenry County, Illinois and are in conformance with the McHenry County Subdivision Ordinance and/or the State Plats Act.

Low Density Residential Development - 3 or more acres of land area per dwelling unit.

Medium Density Residential Development - 1.0 to 2.9 acres of land area per dwelling unit.

Neighborhood Conservation Districts - created by [70 ILCS 410/1](#), and used to preserve existing local character and ensure new developments are compatible with the established character of an area.

NeoTraditional Planning - an alternative to conventional patterns of suburban development, which utilizes the principals of mixed uses, reduced street widths and increased densities in the design of new developments. This promotes compact development, efficient provision of infrastructure and preservation of open space.

Non-Prime Soils - land which contains soils other than those considered prime by the U.S. Department of Agriculture.

Open Space - land or water in either public or private ownership that is free from buildings and structures where the landowner has typically made some type of commitment to maintain this open condition. Open spaces include but are not necessarily limited to municipal parks,

Conservation District sites, lakes & waterways, hunt clubs, golf courses, private parks, etc.

Parcels - an area of land described by measures (metes) and direction (bounds) which is not part of a recorded subdivision and which may make reference to the original government survey and/or may be exempted from platting requirements via the State Plats Act.

Planned Unit Development (PUD)- a form of development typically characterized by a mix of building types and land uses, unified site design, clustering of buildings and preservation of natural features and open space.

Prime Farmland - The United States Department of Agriculture - Soil Conservation Service ([USDA-NRCS](#)) describes Prime Farmland as "land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is also available for these uses (the land could be cropland, pastureland, rangeland, forest land or other land, but not urban built-up land or water). It has the soil quality, growing season, and moisture supply needed to produce economically, sustained high yields of crops when treated and managed, including water management, according to acceptable farming methods. In general, prime farmlands have an adequate and dependable water supply from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, acceptable salt and sodium content, and few or no rocks. They are permeable to water and air. Prime farmlands are not excessively erodible or saturated with water for a long period of time, and they either do not flood frequently or are protected from flooding."

Currently, the [USDA-SCS](#) identifies Prime Farmland in Illinois with the following criteria:

- A. The soils have sufficient available water capacity within the depth of 40 inches, or in the root zone if it is less than 40 inches deep, (a minimum of 4 inches of available water in the upper 40 inches), to produce the commonly grown crops 7 or more years out of 10.

- B. The soils have a mean annual soil temperature at a depth of 20 inches higher than 32 degrees Fahrenheit. In addition, the mean summer temperature at 20 inches is higher than 59 degrees.
- C. The soils have a pH between 4.5 and 8.4 in all horizons within a depth of 40 inches or in the root zone if the root zone is less than 40 inches deep.
- D. The soils have no water table or a water table that is maintained at a sufficient depth to allow crops common to the area be grown.
- E. The soils have in all horizons within a depth of 40 inches or in the root zone if the root zone is less than 40 inches deep, an exchangeable sodium percentage of less than 15.
- F. The soils flood less often than once in two years during the growing season.
- G. The soils have a product K (erodibility factor) X percent slope of less than 2.0.
- H. The soils have a permeability rate of at least 0.06 inches per hour in the upper 20 inches.
- I. Less than ten percent of the surface layer in these soils consists of rock fragments coarser than three inches.

Primary Centers - growth areas identified by the centralized node concept and having diverse land uses, dense residential population, significant influence on surrounding growth, access to multiple transportation modes, complete municipal services and utilities, diverse employment opportunities and an established commercial district.

Primary Rural Centers - a sub-category of the primary center classification that may offer fewer services and a less diverse employment base.

Primary Urban Centers - a sub-category of the primary center classification having greater population densities, spillovers on outlying areas, larger service areas and more employment opportunities than Primary Rural Centers.

Rural Character - those unique attributes found in the county including historic, environmental and aesthetic characteristics and containing features such as agriculture, open spaces and natural areas usually associated with the country as opposed to the city.

Rural Residences - residences located on individual parcels but not within subdivisions. Such development generally occurs under the requirements of the "A-1" or "A-2" zoning districts.

Secondary Nodes - identified growth areas of the County composed primarily of residential land use centered around a municipality but with limited services and utilities and few or non-diverse employment opportunities. Such areas may be reclassified with significant improvements to municipal services, infrastructure, transportation and employment opportunities.

Sustainable Agriculture - an integrated system of plant and animal production practices having a site-specific application that will, over the long term:

- satisfy human food and fiber needs
- enhance environmental quality and the natural resource base upon which the agricultural economy depends
- make the most efficient use of non-renewable resources and on-farm resources and integrate, where appropriate, natural biological cycles and controls
- sustain the economic viability of farm operations
- enhance the quality of life for farmers and society as a whole.

TDR\PDR - acronyms for transfer of development rights and purchase of development rights. Both techniques serve to separate development rights from the land in an area targeted for limited development and permit them to be sold for use in an area where development is desirable.

Unique Areas - an identified area per the centralized node concept, describing existing areas of the County which are residential in nature, have generally poor access, may be a rural crossroads or an area with a specific homogeneous character, have few or no employment opportunities and are unique by site or situation.

Urban Sprawl - a land use pattern characterized by low density and/or uneven physical development occurring at the fringe of the urbanized area, as well as disinvestments and abandonment of older urbanized areas.

Resource Mapping

To help those interested in the resources of Riley Township, maps have been prepared through the courtesy of the [McHenry County Soil & Water Conservation District](#).

These maps, and other similar resources, should be reviewed by anyone looking to purchase or develop property in Riley Township. **However, these maps should not be used as the final determination on the land development concerns on any given parcel of land.** Other investigations by soil scientists, professional engineers, surveyors, wetland scientists, attorneys, or other professionals may be needed to properly identify the existing characteristics of the parcel, as well as its potential uses.

Prospective landowners should exhaustively investigate all of the potential issues of a given parcel of land **prior to purchasing it**. Existing landowners seeking a zoning change to develop their property should also investigate these issues as early in their planning process as possible.

These issues can include, but are not limited to:

- The existing zoning of the subject parcel
- The zoning and existing land uses on adjoining or nearby parcels
- The septic system suitability of the subject parcel
- The potential presence of wetlands subject to the jurisdictional authority of the U.S. Army Corps of Engineers and/or McHenry County, and their regulatory implications
- The presence of depression flood prone areas, regulatory flood plain and floodway areas subject to the jurisdictional authority of the Illinois Department of Natural Resources . Office of Water Resources and/or McHenry County, and their regulatory implications
- The requirement for permanently protected buffer areas to be established along the edge of wetlands and stream channels.

These, and other resources maps, will be made available on the Riley Township Planning Commission website at: www.rileytownship.com/plan

The McHenry County Soil & Water Conservation District can also create these types of maps for specific parcels or areas. Information on this

service, and other land planning information, can be obtained at www.mchenryswcd.org

Appendix A: Zoning Districts

(From the County Zoning Document)

Zoning District PURPOSE – Article 8 – 13 of Unified Development Ordinance

The purpose of this Article is to outline the different zoning districts within this Unified Development Ordinance and establish the Official Zoning Map - [Unified Development Ordinance](#)

ZONING DISTRICTS

In order to carry out the purpose and intent of this Ordinance, the unincorporated area of McHenry County, Illinois, is divided into the following zoning districts:

A. Agricultural Zoning Districts

A-1 Agriculture District

A-2 Agriculture District

B. Residential Zoning Districts

E-5 Estate District

E-3 Estate District

E-2 Estate District

E-1 Estate District

R-1 Single-Family Residential District

R-2 Two-Family Residential District

R-3 Multifamily Residential District

C. Commercial Zoning Districts

B-1 Neighborhood Business District

B-2 Alcoholic Beverage Business District

B-3 General Business District

D. Office and Industrial Zoning Districts

O Office/Research District

I-1 Light Industrial District

I-2 Heavy Industrial District

E. Overlay Zoning Districts

Sensitive Aquifer Recharge Areas (SARA) Overlay District

Class III Special Resource Groundwater Protection Areas Overlay District

Legacy Waterfront Neighborhood Overlay District

ZONING DISTRICT USES – see matrix on Article 8.6 - [Unified Development Ordinance](#)

Table 8-1: Zoning District Uses lists permitted, conditional, and temporary uses for the zoning districts of this Ordinance.

8.6.A. A “P” indicates that a use is permitted within that district.

8.6.B. A “C” indicates that a use is a conditional use in that district and must obtain a conditional use permit approval.

8.6.C. A “T” indicates that a use is a temporary use in that district and must obtain a temporary use permit approval.

8.6.D No letter, or the absence of the use from the table, indicates that use is not permitted within that district.

8.6.E. Certain uses are defined to be inclusive of many uses in order to eliminate an overly detailed lists of uses. When a use meets a specific definition, it is regulated as such and it shall not be regulated as a generic use. A use that is not specifically listed in a zoning district, does not fall within a use definition, or is interpreted pursuant to Section 5.7 (Zoning Interpretations) as not part of a use definition, is prohibited.

**1) AGRICULTURAL ZONING DISTRICTS PURPOSE STATEMENTS-
Article 9 [Unified Development Ordinance](#)**

A. Purpose of A-1 Agriculture District

The intent of the A-1 Agriculture District is to permit agricultural purposes and activities. Residences are allowed on large agricultural parcels within the County. The standards of the A-1 District promote the continuation of farming and protect agricultural land uses from the encroachment of incompatible uses.

B. Purpose of A-2 Agriculture District

The intent of the A-2 Agriculture District is to permit individual single-family residences within agricultural portions of the County. All residences within this district must be compatible with surrounding agricultural operations, and must maintain, preserve, and enhance agricultural activities. Any zoning map amendments to the A-2 District must meet the standards of Section

C. A-2 DISTRICT REZONING STANDARDS

In addition to meeting the standards for a map amendment in Section 5.1 (Zoning Map and Text Amendment), all rezonings to the A-2 District must meet the following additional requirements:

-Only property in the A-1 District is eligible for rezoning to the A-2 District.

-The subject property shall have an existing lawfully constructed residential dwelling on the property.

-The zoning petition shall be restricted to a single existing or proposed parcel.

- The subject property shall meet one (1) of the following three (3) relevant exemptions from the Plat Act [765 ILCS 205 Plat Act](#) as amended. In the event that the Plat Act is amended, the provisions of the Illinois Compiled Statutes shall control.

- The division or subdivision of land into parcels or tracts of five (5) acres or more in size which does not involve any new streets or easements of access.

-The sale or exchange of parcels or tracts of land following the division into no more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access.

- The sale of a single lot of less than five (5) acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor, provided that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land.

AGRICULTURAL ZONING DISTRICTS USES

A. Table 8-1 section 9.3: [Unified Development Ordinance](#)

Zoning District Uses lists permitted, conditional, and temporary uses for the agricultural zoning districts of this Ordinance.

B. Development in these districts must meet McHenry County Department of Health requirements for septic suitable soils or other wastewater disposal systems approved by the Department of Health.

C. As a condition of approval of a building permit for a new residential structure for any lot or parcel of land not subdivided, a developer is required to comply with the requirements of Section 19.10 (School Donation Requirements) as if the lot or parcel were subdivided.

2) RESIDENTIAL ZONING DISTRICTS PURPOSE STATEMENTS –

Article 10 : [Unified Development Ordinance](#)

A. Purpose of the E-5 Estate District

The intent of the E-5 Estate District is to accommodate single-family residences on a minimum of five (5) acres that, due to topography and location, are well suited for single-family use. The E-5 District is intended to be located in close proximity to municipalities or historic town centers where infrastructure and services are readily accessible, to encourage the compact and contiguous development policy of the 2030 Plan, and shall take into consideration the densities of the adjacent municipality.

B. Purpose of the E-3 Estate District

The intent of the E-3 Estate District is to accommodate single-family residences on a minimum of three (3) acres that, due to topography and location, are well suited for single-family use. The E-3 District is intended to be located in close proximity to municipalities or historic town centers where infrastructure and services are readily accessible, to encourage the compact and contiguous development policy of the [McHenry County 2030 Comprehensive Plan](#), and shall take into consideration the densities of the adjacent municipality.

C. Purpose of the E-2 Estate District

The intent of the E-2 Estate District is to accommodate single-family residences on a minimum of two (2) acres that, due to topography and location, are well suited for single-family use. The E-2 District is intended to be located in close proximity to municipalities or historic town centers where infrastructure and services are readily accessible, to encourage the compact and contiguous development policy of the [McHenry County 2030 Comprehensive Plan](#), and shall take into consideration the densities of the adjacent municipality.

D. Purpose of the E-1 Estate District

The intent of the E-1 Estate District is to accommodate single-family residences on a minimum of one (1) acre that, due to topography and location, are well suited for single-family use. The E-1 District is intended to be located in close proximity to municipalities or historic town centers where infrastructure and services are readily accessible, to encourage the compact and contiguous development policy of the [McHenry County 2030 Comprehensive Plan](#), and shall take into consideration the densities of the adjacent municipality.

E. Purpose of the R-1 Single-Family Residential District

The intent of the R-1 Single-Family Residential District is to accommodate a single-family residential use on lots a minimum of one-half (½) acre in size.

The R-1 District is for areas of higher residential density, located in close proximity to municipalities or historic town centers where services are available and more accessible.

F. Purpose of the R-2 Two-Family Residential District

The intent of the R-2 Two-Family Residential District is to accommodate both single-family and two-family residential uses on lots a minimum of one (1) acre in size. The R-2 District is for areas of higher residential density, located in close proximity to municipalities or historic town centers where services are available and more accessible.

G. Purpose of the R-3 Multifamily Residential District

The intent of the R-3 Multifamily Residential District is to provide for multifamily residential use in areas where central utilities, facilities, and services exist. The R-3 District is for areas of higher residential density, located in close proximity to municipalities or historic town centers where services are available and more accessible.

RESIDENTIAL ZONING DISTRICTS USES

- A. Table 8-1: Zoning District Uses lists permitted, conditional, and temporary uses for the residential zoning districts of this Ordinance.
- B. Development in these districts must meet [McHenry County Department of Health-Environmental Health](#) requirements for septic suitable soils or other wastewater disposal systems approved by the Department of Health.
- C. As a condition of approval of a building permit for a new residential structure for any lot or parcel of land not subdivided, a developer is required to comply with the requirements of Section 19.10 (School Donation Requirements) as if the lot or parcel were subdivided.

3) **COMMERCIAL ZONING DISTRICTS PURPOSE STATEMENTS –
Article 11 Unified Development Ordinance**

A. Purpose of the B-1 Neighborhood Business District

The intent of the B-1 Neighborhood Business District is to provide access to commercial uses for adjacent residential areas, satisfying the basic shopping or service needs of residents. Dwellings are permitted above or behind the ground floor commercial uses to allow for a mixeduse environment.

B. Purpose of the B-2 Alcoholic Beverage Business District

The intent of the B-2 Alcoholic Beverage Business District is to accommodate businesses that serve alcoholic beverages for consumption

on-site, as well as package liquor sale. The district also allows additional commercial uses to satisfy the basic shopping or service needs of adjacent residential areas. Dwellings are permitted above or behind the ground floor commercial uses to allow for a mixed-use environment.

C. Purpose of the B-3 General Business District

The intent of the B-3 General Business District is to accommodate commercial uses that cater to the needs of the population from the larger region. The B-3 District allows more intense nonresidential uses, which are often larger in scale and typically generate truck traffic.

COMMERCIAL ZONING DISTRICTS USES

Table 8-1: Zoning District Uses lists permitted, conditional, and temporary uses for the commercial zoning districts of this Ordinance.

4) **OFFICE AND INDUSTRIAL ZONING DISTRICTS PURPOSE STATEMENTS – Article 12 - [Unified Development Ordinance](#)**

A. Purpose of the O Office/Research District

The intent of the O Office/Research District is to accommodate office and research facilities and other related non-manufacturing activities in a campus-like environment. The O District is generally located near or adjacent to municipalities.

B. Purpose of the I-1 Light Industrial District

The purpose of the I-1 Light Industrial District is to provide for a wide variety of light manufacturing, fabricating, processing, research, wholesale distributing, and warehousing uses. Light industrial uses are enclosed low-intensity, non-nuisance light fabrication, and assembly-type manufacturing, as well as research facilities with little to no outside impacts. The industrial zoning districts are generally located away from residential development and near transportation facilities and municipalities.

C. Purpose of the I-2 Heavy Industrial District

The purpose of the I-2 Heavy Industrial District is to provide for a wide variety of general manufacturing, fabricating, processing, wholesale distributing, and warehousing uses. General industrial uses include fabrication, warehousing, and assembly-type manufacturing, as well as office and research facilities, which may result in some moderate external effects such as smoke, noise, glare, or vibration, and typically include outdoor storage and related outdoor activities. The industrial zoning

districts are generally located away from residential development and near transportation facilities and municipalities.

OFFICE AND INDUSTRIAL ZONING DISTRICTS USES

Table 8-1: Zoning District Uses lists permitted, conditional, and temporary uses for the office and industrial zoning districts of this Ordinance.

5) **OVERLAY ZONING DISTRICTS - ARTICLE 13. - [Unified Development Ordinance](#)**

1 PURPOSE

Overlay zoning districts create special controls in certain areas of the County that have special characteristics or development issues. The intent of an overlay district is to provide common controls over areas that require a specific type of zoning control in addition to the regulations of the base zoning district.

2 REGULATIONS OF THE BASE ZONING DISTRICT

Unless modified by the overlay district regulations, the regulations of the base zoning district apply.

3 [SENSITIVE AQUIFER RECHARGE AREA \(SARA\) OVERLAY DISTRICT](#)

A. Purpose

As aquifers are the only source of potable water supply in McHenry County, the County desires to protect this sensitive natural resource through the creation of the Sensitive Aquifer Recharge Area (SARA) Overlay District. The intent of the SARA Overlay District is to provide development standards that protect, preserve, and maintain the most sensitive recharge areas within the unincorporated County. The SARA Overlay District implements the *Water Resources Action*

Appendix B: Land Use Plan Maps

The basic [Land Use Map](#) shows the Township based on the color codes the various zoning districts. These are planned districts where development has not taken place yet, or where a CUP is in place, but is not consistent with the plan. Gravel Pits are an example of current land use that will eventually revert back to the plan.

The Map is broken into 4 quadrants of the Township.

North East

South East

North West

South West

The Colors on the Map indicate the various Riley Zoning Districts. As the districts can cross the County's Districts, it is up to the Township Board (and Plan Commission) to get a healthy mix of the districts. As an example – We have a zoning for 2 to 3 Acres that match the County's 2 districts for Estate 2 and Estate 3. The Township Board will ensure that there is a mix of 2 and 3 acre lots for the developments approved.

The areas that are not colored are left as Agriculture Space and not zoned for residential or commercial purposes. This is in keeping with the intent to maintain open space and agriculture in the area.

Earth Extraction sites (Gravel Pits)

While we do not zone gravel pits, we do have them in the Township as they are allowed by the County through Conditional Use Permits. It is intended that these areas will eventually fall back into the planning of the Township and will as such in this plan, those areas are zoned for their final disposition (not current use). For clarity purposes, those areas as marked on the map.

Map Disclaimer:

Information in this web application may contain inaccuracies or typographical errors. Information may be changed or updated without notice and is provided "as-is" without warranty of any kind, either expressed or implied, including (without limitation) any implied warranties of merchantability or fitness for a particular purpose. In no event will McHenry County be liable to you or to any third party for any direct, indirect, incidental, consequential, special, or exemplary damages or lost profit resulting from any use or misuse of this information. Information has been reproduced from original sources and should not be used in place of a survey or legal documents.

The attached map is from the Counties GIS mapping system and is included as a reference only. To view the current map, go to:

[McHenry County GIS](#) and navigate to the parcel or area in question.