



**TABLE OF CONTENTS**

Text -

Introduction..... 3

Background ..... 5

General Goals ..... 6

Byron Township Comprehensive Plan ..... 8

Maps –

Half Mile Buffer Map ..... 14

Soil Limitations Map..... 15

Farm Land Classification ..... 16

Zoning Districts ..... 17

## **INTRODUCTION**

IT IS THE INTENT OF THE BOARD OF TRUSTEES OF THE BYRON TOWNSHIP TO HAVE A FAIR COMPREHENSIVE PLAN, AND TO WORK WITH THE OFFICIALS OF THE CITY OF BYRON AND THE OFFICIALS OF OGLE COUNTY TO PROMOTE AN ORDERLY GROWTH WHICH PROTECTS AGRICULTURAL LAND AND TAKES INTO CONSIDERATION ENVIRONMENTAL ISSUES SUCH AS WATER RUNOFF AND DRINKING WATER PROTECTION WITH A MINIMUM IMPACT OF TAX BURDENS TO THE PEOPLE.

Welcome to the Byron Township Comprehensive Plan. This Comprehensive Plan is the center-piece of the community development planning process, stating our community's development goals and outlining public policies for guiding future growth. It establishes an identifiable destination that allows both the governing body and private interests to plan and budget with an idea as to the direction the township may move in the future and helps to ensure that future growth is not only anticipated, but planned for. The Plan functions as a practical guide to coordinate day-to-day decisions so they make sense in the future.

Planning a township's future is a complex exercise. The process involves an existing township with a population of longtime residents, newcomers and business people; a government structure whose composition can change yearly; the regulations imposed by county, state and federal government agencies; the character of the township and the plan.

Planning for the future of a township can also be controversial. There are those who seek new development for the jobs and the revenue it will bring. Others oppose it, fearing traffic congestion and related expenditures. There are always those who feel that if you do nothing the lack of infrastructure improvements - sewers, water and roads will greatly discourage development. History has repeatedly shown that this is not the case. The fact remains that change will occur, and the only question is whether the public or private sector will shape that change.

BYRON TOWNSHIP CONSIDERS THE FOLLOWING COMPREHENSIVE PLAN THAT  
INCLUDES:

- 1.) The Byron Township has experienced exponential growth in the unincorporated areas of the township since the 1970's.
- 2.) The growth has resulted in many cul-de-sac and subdivision roads that the township is responsible to maintain. These include road surfaces, ditches and snow removal.
- 3.) Many of these subdivisions are far from water and sewer systems available from the City of Byron and could create future health risks.
- 4.) Developments in the unincorporated area of the township have appeared in a "leap frog" manner rather than in an orderly way. This growth has caused additional traffic on roads not designed for that traffic.
- 5.) There is a substantial amount of land that has been purchased with the possible intent of creating more subdivisions that are not contiguous to the city.
- 6.) Many comprehensive plans call for developments to be contiguous to current city boundaries and become part of the city where they would have city water and sewer and other city services.
- 7.) It is the intent of the Township of Byron to have a comprehensive plan that provides for orderly growth that would include that developers be responsible for the costs for any infrastructure that is needed for the development of that area.
- 8.) The development of land away from services is causing areas to be outside of prompt emergency services such as law enforcement, fire, medical services and possible risks for responders due to the increased response times.

The Comprehensive Plan is a key element in formulating the approach that a community will take in addressing the issues of land use, public policies toward development, and infrastructure requirements. The purpose of the Comprehensive Plan is to provide a framework for the township to ensure that a course, focused on a common goal, is maintained.

To achieve this, the Plan should be:

1. Comprehensive - The Plan must address all sections of the community as well as all activities associated with regulation development;
2. Flexible - The Plan must be structured to summarize policies and proposals and allow for flexibility to facilitate the ever-changing needs of the community.
3. Provident - The initial requirements of the Plan are to achieve solutions to short term issues, whereas, the ultimate goal of the Plan is to provide a perspective of future development and predict possible problems as far as 20 or more years into the future.

## **BACKGROUND**

A Comprehensive Plan is a policy guide for future growth and development. It considers not only the immediate needs and concerns, but also projects improvements and development 10 to 15 years into the future.

Byron Township has experienced some of the highest growth pressure in the County in recent years. In particular, Byron Township north of Highway 72 has seen significant development. Rockford to the north, the Chicago area to the east, the Rochelle transportation hub to the south and the increasing use of Interstate 39 all provide pressure for residential growth in Byron Township. Schools in Byron and proximity to Rockford and Chicago-Rockford Airport are attractions. State Routes 2, and 72, provides easy access to the Township. Developers from outside the area have discovered Ogle County as an attractive area to develop and have become increasingly active. If high-speed rail is extended from Chicago to Rockford, pressure for development can be expected to increase.

Data from the Ogle Comprehensive Plan (2004):

Byron Township population: 3,541 (1980); 5,840 (2000); 10,658 (2030 projected).

Highest number of single-family dwelling starts and percentage of total by township in unincorporated Ogle County (1990-2003): Byron—413 /19.0%; Rockvale —250 / 11.5%.

Population change for Byron Township, 1960 —2000: 8,255 / 29%

Population change and population % change, 1990—2000: Byron 633 /27.7%;

Stillman Valley 200 /23.6%; Marion Township 931 / 34.0%.

The City of Byron's 2002 Plan projects the Greater Byron Area to grow substantially by year 2020. Byron's plan states that it "can serve as a marketing tool to promote Byron's unique assets and it can be used to help attract new families, new business, and desirable new investment and development to the community." Byron plans a full service marina,

restaurants, lodging, recreation paths, public parks, and Community-cultural center with a river overlook and a wildlife sanctuary. Municipalities are given a voice in land-use decisions for land within 1.5 miles of their perimeter.

## **General Goals:**

1. Preserve quality of life, character and heritage of the area while anticipating growth and change in the future.
2. Protect and enhance the natural environment, open space and Rock River Valley as public amenities that contribute to the overall quality of life of the area.
3. Coordinate with the Plans of the City of Byron, and Ogle County so that the various entities are working toward common goals.
4. Preserve our productive farmland.

### **A. Residential**

Goal: Support current and future populations and maintain the quality of life and character of the area.

Objectives:

1. Maintain the predominantly rural single-family character of the area.
2. New development must take place in areas contiguous to and adjacent to existing residential areas, thus avoiding "leap frogging" and fragmented development patterns.
3. The county, township and city of Byron should cooperate in planning developments so they do not adversely impact adjacent properties.

### **B. Transportation**

Goal: Ensure the safe and efficient movement of vehicles, pedestrians and cyclists.

Objectives:

1. Ensure safe roads and intersections, including adequate capacities.
2. Ensure adequate resources for maintenance and improvement of roads and paths.
3. Cooperate with county and municipal plans for bicycle paths.
4. Commercial and business development should upgrade access roads to meet expected traffic loads.

### **C. Agriculture**

Goal: Agricultural land provides value to landowners, private citizens, communities, and society at large. Agricultural land not only produces food and fiber, but also provides flood control; improves water quality; maintains groundwater recharge ability; mitigates air pollution, ozone, and greenhouse gas emissions; provides community buffers or greenways; reduces traffic congestion and eases the financial burden to public services.

Objectives:

1. Maintain agricultural viability.
2. Preserve rural amenities/ecosystems.
3. Promote programs to protect prime farmlands encourage the growth and development of farm-related business.

#### D. Natural Environment

Goal: Seek to protect natural resources that enhance the quality of life, preserve the character of the township, and provide a balance between developed and natural areas.

Objectives:

1. Preserve and protect key natural features of the area including topography, open space, woodlands streams, ponds, flood plains and drainage ways.
2. Protect important hydrologic features such as the streams, ponds, flood plains and drainage ways, all of which affect other natural processes.
3. Special attention should be given to areas characterized by a number of overlapping key natural features, such as woodlands, unusual topography, wetlands, flood plains, streams and other features.
4. Emphasize the importance of preservation, new planting and replanting of trees along public and private yards.
5. Require a tree survey, and corresponding plan to protect this growth, as part of any development to identify and preserve existing trees and significant vegetation both during and after construction.
6. Using the general goals section of this document the Byron Township Planning Commission shall review all requests for rezoning and report recommendations to the Township Board.

#### E. Intergovernmental and Organizational Cooperation

Goal: Encourage the coordination and cooperation among federal, state, county, neighboring township and community agencies and organizations having an interest in Byron Township to ensure the greatest efficiency and effectiveness in the provision of services.

Objectives

1. Coordinate with the agencies and organizations having an interest in Byron Township to ensure continuity and consistency of planning and development activities.
2. Establish meaningful lines of communication with those entities to meet overall planning objectives and to coordinate participation in realizing mutual objectives.

#### F. Fiscal and Economic Development

Goal: Achieve economic prosperity and fairness by maintaining diversity.

Objectives:

1. Coordinate planning and economic development activities in a manner which provides regular opportunities for contact between business and development interests within the township.
2. Ensure that new development pays its fair share of public facilities and service costs that are attributable to the demand for additional facilities and services as a result of new development.
3. Use budgeting processes and procedures that provide necessary revenue for current periods, while allowing financial reserves for the future.
4. Provide resources for maintenance and upgrading of the Township's physical facilities and equipment.

G. Program Administration

Goal: Implement, monitor and update the Comprehensive Plan

Objectives:

1. Ensure that sufficient financial resources are available to implement the Comprehensive Plan.
2. Establish a process for the regular review and update of the Comprehensive Plan.
3. In the Comprehensive Plan review and amendment process, consideration should be given to input and involvement from all entities of the township.
4. Identify and engage agencies and organizations willing to share in the responsibility for active implementation of the Plan.
5. A semi-annual comprehensive planning commission meeting shall be held in April and September to review any new issues involving the township or if a need for review arises.

**Byron Township Comprehensive Plan**

Byron Township supports and adopts the following into the "Byron Township Comprehensive Plan."

1. Ogle County Amendatory Zoning Ordinance.
2. Ogle County Comprehensive Plan.

**Comment:** In order to grow and prosper, there must be a variety of choices for consumers in the residential market. There will be pressure to develop land that is currently in agricultural use, and based on the results of this study, the development of single-family homes will have an impact on the taxing districts within the County that must provide services to the residents of the homes.

However, requiring development to occur contiguous to existing municipalities and utilizing public sanitary sewer and water so that the land can be developed in a compact, efficient manner will reduce the costs to the taxing districts and ultimately, to the citizen tax payers.

It is much more costly and inefficient to provide services to scattered development. New residents in rural areas often demand better police, fire and ambulance protection as well as improved public sewers, public water, trash service and better roads which they have typically received in urban areas. Concentrating development, by contrast, is less expensive to build and maintain, more efficient, protects farm land and reduces conflicts between incompatible uses. Development should be required to develop in a manner that minimized its impact on the budgets of the taxing districts that are required to provide public services and on the tax burden of the citizens of the County.

**A. RESIDENTIAL:**

WITH EXCEPTIONS IN THE FOLLOWING AREAS: RESIDENTIAL: A-1, 1A, R-1, R-2, R-3, R-4 and PD. As defined by the County's Comprehensive Plan dated 8/08.

1. Any new residential development must be contiguous to the City of Byron.
2. As a part of the City of Byron, it will be subject to the city ordinances and have city water and sewer.
3. The county, township and city of Byron should cooperate in planning developments so they do not adversely impact adjacent properties.
4. Assure that new development does not increase the drainage hazards to others, or create unstable conditions susceptible to erosion.

**Rational:**

1. Stated desire by residents to preserve farmland (see zoning map, page 14 )
2. Quality of farmland –(see farmland soils map, page 13 )
3. Limited septic performance-(see soils and septic fields maps, page 12 )
4. Past failures of private well and septic sub-divisions.
5. Arterial roads are best maintained and improved outward from the city.
6. Water runoff has adversely impacted adjacent properties.

## **B. Transportation**

- a. All new roads and new residential developments require:
  - i. New road right of ways should be 78 feet in width or more.
  - ii. Road surface 22 feet wide with 3 foot gravel edge shoulders
  - iii. Topography of land to decide width of right of way for ditches etc.
  - iv. Bike paths and utility easements must not be on the road right of way.
- b. New road stub outs or “driveways” to more than one house must meet all right of way rules.
  - i. Stub outs in a development require a turnaround for trucks
  - ii. All cul-de-sacs that are less than 150 feet must be completely hard surfaced.
  - iii. Shared driveways must be built to county/township specifications.
  - iv. All final plats for subdivisions and stub outs with right of way must be built 100% to county specifications.
- c. Replace/rebuild roads to type of road as determined by traffic study of said road to the closest arterial road.
  - i. All underground work needs to be complete before road base is installed.
- d. Mailbox installation must be 4 feet off the road and 4 feet from the entrance of Cul-de-sacs. Mailboxes are not permitted in cul-de-sac circles.
  - i. Street lights are required at entrances and major intersections of a development.
    - ii. Developer must file covenants with the first plat to establish homeowner associations with the responsibility for maintenance of items such as street lights or mail box huts.
- e. No structures within the road right of way.
- f. Certain types of roads will require stabilizer mesh and type of mesh will be determined by Road Commissioner’s recommendation.

### **Rational:**

1. Lighting measures for security.
2. Road design and setbacks for safety, maintenance and to insure durability.

## **C. Fiscal and Economic Development**

### **Commercial Wind Farm Performance Standards**

A summary of the recommended setbacks and key motions for commercial wind farms are as follows:

1. Turbines shall be setback a distance of at least 1.5 miles from any incorporated municipality boundaries unless that municipality chooses to exercise its siting authority pursuant to Illinois law.
2. Turbine Height shall not exceed 425 feet anywhere in Byron Township for any WECS project. Turbines should be set in an irregular (not in a straight line where more than 3 consecutive towers are in a direct line) pattern to mitigate compounding effect of noise and low frequency vibrations.
3. Turbines shall have a variable setback from any residence located on a non-participating parcel. The WECS Developer is encouraged to negotiate a Setback Easement Agreement with the non-participating resident to create a setback from zero up to 2,640 feet. If the WECS Developer does not negotiate a Setback Easement Agreement, then the setback shall be 2,640 feet from the foundation of the non-participating residence.
4. Turbines shall be a variable setback from the property lines of the parcel upon which the turbine is to be placed. The WECS Developer is encouraged to negotiate a Setback Easement Agreement with the adjacent property owner to create a setback from zero up to 1,300 feet. If the WECS Developer does not negotiate a Setback Easement, then the setback shall be 1,300 feet from the property line of the landowner on which the turbine is placed.
5. Turbines shall be setback a distance of at least 1,300 feet from the property line of adjacent commercial, industrial, schools, public buildings and churches located outside of an incorporated municipality. No Setback Easement Agreement is provided to the WECS Developer for these adjacent land owners.
6. Turbines shall be set back a distance of at least 1.10 times the WECS Tower Height from public roads, third party transmission lines, and communication towers.
7. Participating land owner's setback to their residential structure on a Project Parcel is waived in these standards. All other setbacks must be complied with.
8. Turbines shall be setback not less than at least 2640 feet from the property line of any Illinois Natural Areas Inventory Site (NLI) site. Nature Conservancy (TNC) site, public forest preserve, or public park.
9. The use of eminent domain shall not be exercised in the design and installation of a WECS Project.
10. Sound level limit standards.
  - a. The sound level limits identified below shall apply, as measured at a location within 100 feet of the residence or structure occupied a majority of

the time on non-participating properties and using the procedures outlined herein that account for ambient sound contributions.

Receiving Property	Hours of Operation	Sound Level Limits
Residential	10:00 P.M. -7:00 A.M.	45 dB(A)
Residential	7:00 A.M.-10:00 P.M.	55 dB(A)
Other Non-Residential	24 hours	60 dB(A)
Industrial	24 hours	65dB(A)

- b. Where residential dwellings are existing at the time of application, no WECS(s) shall operate with an average sound level more than 5 dB(A) above the non-operational ambient level. Measurement shall be taken on the non-participating property within 100 feet from the dwelling.
- c. To limit the level of low frequency sound, the average C-weighted sound level during WECS operation shall not exceed the A-weighted ambient sound level by more than 20 dB on any residentially zoned or used property. Measurement shall be taken on non-participating property within 100 feet from the dwelling.

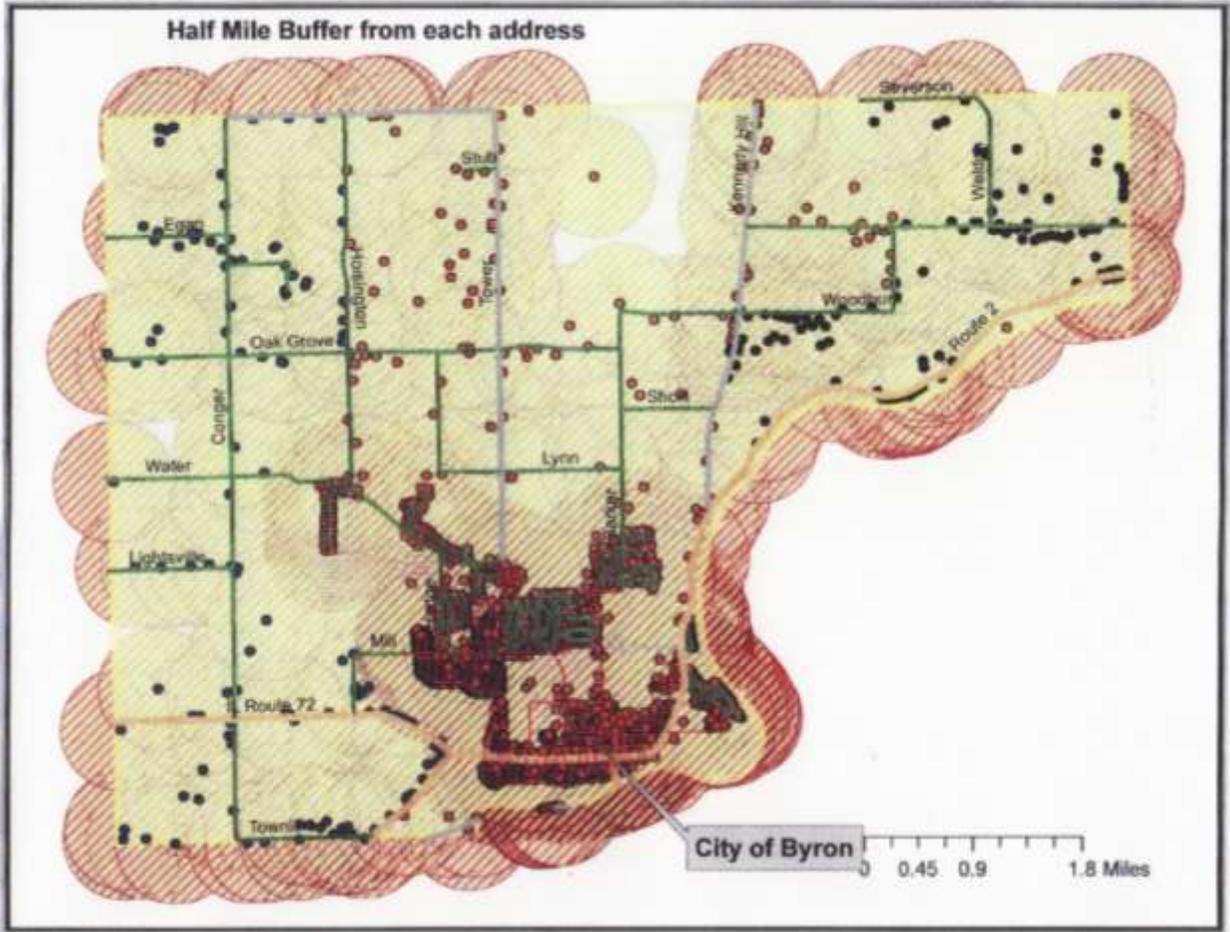
**Rational:**

The Setback Easement Agreement concept is intended to allow and encourage the WECS Developer to negotiate and execute Setback Easement Agreements. These agreements will have the following benefits:

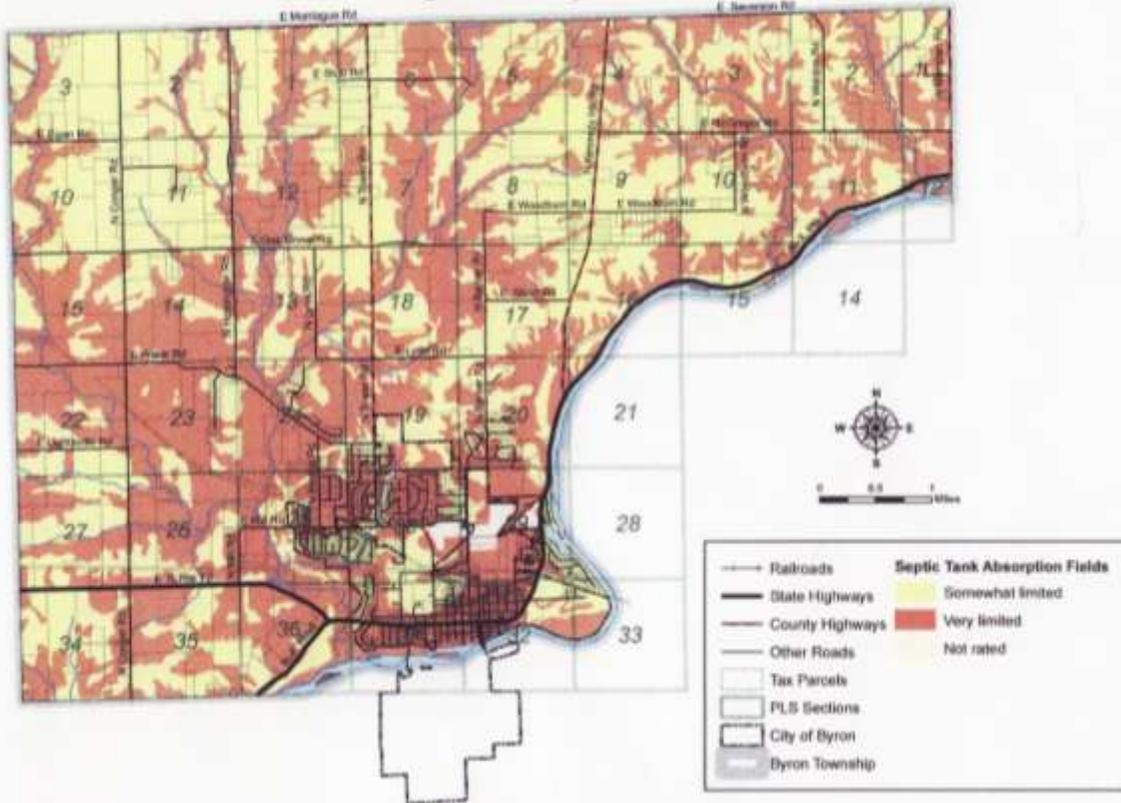
- a) Places responsibility for managing setback distances to the WECS Developer who is able to enter into Setback Easement Agreement which should open up more available land for WECS development.
- b) Provides monetary inducement for Non-Participating Parcel landowner who may like to receive compensation for giving up some of their property right through reduced setbacks.
- c) WECS Developers are generally quoted that if people are compensated for their loss of rights such as the Home Protection Plan. Flicker and Noise Release Contract, TV & Communication Release Contract and other forms of settlements and agreements then the Non-Participating Landowner generally has no or further complaints regarding living among the commercial wind turbines. Generally stated, people don't complain when they are getting paid for their inconvenience or loss of rights.

- d) The WECS Developers may be able to secure more land leases and concentrate development in specific areas by selective use of the Setback Easement Agreement. This concentration helps the WECS Developer with less interconnect costs, road accesses, construction setups, buried cable connections, permitting problems, etc.
- e) Setback Easement Agreements are to be an arms length negotiation for any value, lump sum or annual payments, agreed upon between the parties.
- f) An executed Setback Easement Agreement can provide the Non-Participating Parcel landowner with monetary value and negotiating leverage. It also protects their right to make decisions which may impact their property.
- g) Monetary payments to Non-Participating Parcel landowner will help protect or reduce the possible negative property value losses their property due to adjacent wind turbines. Setback Easement Agreement payments would be sold with their property if the landowner wants or needs to move.
- h) Helps protect the air rights between two separate property owners who both may want to enter into lease agreements with different wind farm developers.
- i) Helps protect Participating Parcel landowner from tall adjacent structures and the possible reduced wind flow causing less electrical generation. Helps prevent arguments and possible lawsuits between competing landowners for loss of wind rights.
- j) Will help eliminate the animosity between participating and non-participating landowners involved in the wind farm development area.

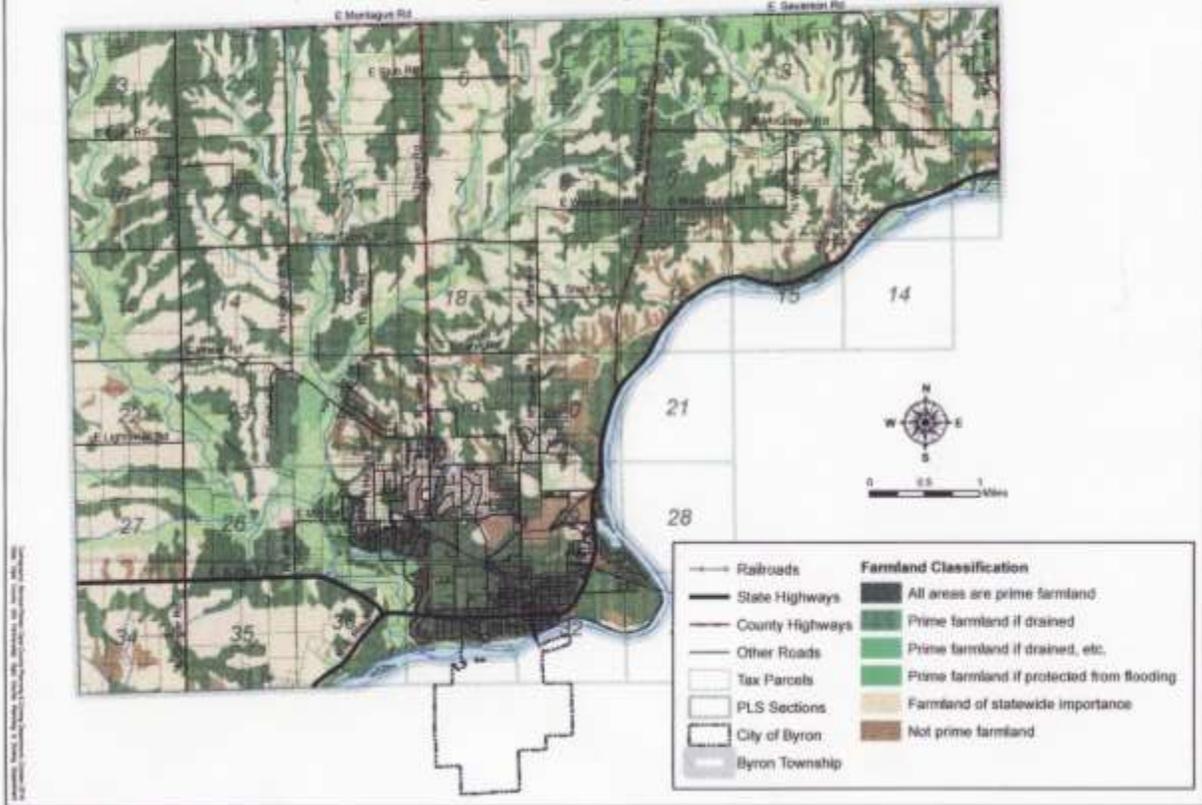
The intent of these Performance Standards for setbacks and sound levels is to protect the health and safety of rural residents while providing the opportunity to the WECS developer to negotiate Setback Easement Agreements to open up available acreage for turbine locations,(see buffer map, page 11).



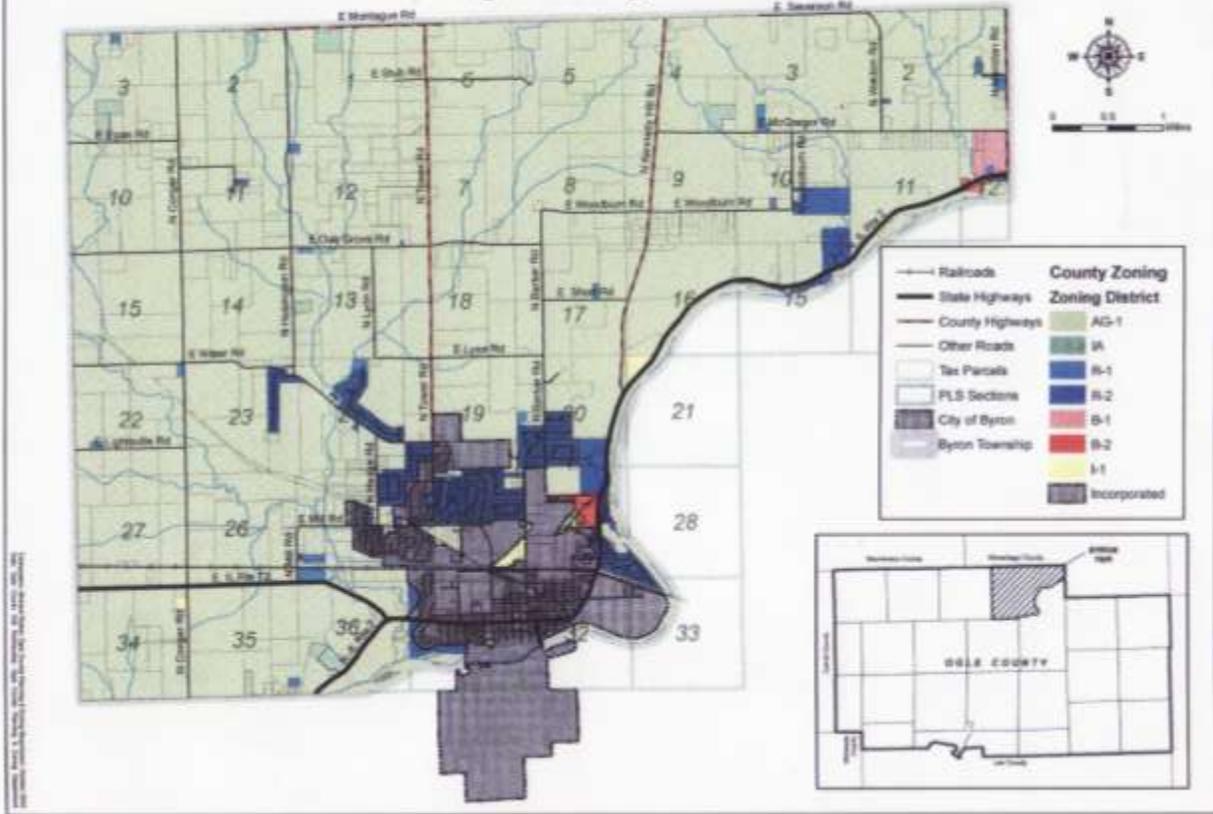
## Limitations of Soils for Septic Fields in Byron Township Ogle County, Illinois



## Farmland Classification of Soils in Byron Township Ogle County, Illinois



## Ogle County Zoning Districts in Byron Township Ogle County, Illinois



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