

# Green Garden Township Comprehensive Land Use Plan

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# Green Garden Township Comprehensive Land Use Plan

## I. Introduction

The following Comprehensive Land Use Plan is the result of the efforts of the Green Garden Township Planning Commission (the Plan Commission) and the Comprehensive Plan Committee following extensive interaction with the Green Garden Township Board, the Will County Land Use Department and the electors of Green Garden Township. The basis for much of this plan came from the 2002 Survey of the Green Garden Township Electors [Appendix D]. Much of the structure and organization of this document was adopted from other Comprehensive Plan documents.<sup>1</sup>

In formulating the Plan, the Township has attempted to incorporate the desires of the residents of the Township with a vision for its future in a manner which maintains the area's rural historical characteristics while recognizing its needs and the reality of development pressure and infrastructure demands. The Township Plan is intended to be a document which will serve the Township into the future and, as such, is intended to be flexible and dynamic rather than inflexible and static, all the while serving the objectives and goals set forth herein.

The Township reserves the right to amend and revise this Township Plan as it deems appropriate, including following a revision or amendment to the County's plan, or any land use plan adopted by the County as a replacement for the plan.

## II. Will County Land Resource Management Plan.

Will County's Land Resource Management Plan (LRMP) is an award-winning document. It was adopted by vote of the County Board on April 18, 2002, after 18 months of citizen input and professional consultation. The plan exists in a three-part format: Policy Gateway; Forms and Concepts; and Open Space Element.

Township officials and interested citizens attended meetings and workshops during the planning process. The Township hosted one of the review meetings before the plan was adopted. Suggestions from Township residents were considered. Amendments to the plan were made to accommodate the request for "Rural" form and to document the inclusion of equestrian uses within agriculture and open space concepts.

Green Garden Township accepts the Will County Land Resource Management Plan as the general framework within which the Green Garden Township Comprehensive Land Use Plan will function. Since the County views its role as providing guidance and oversight to various entities involved in the land use decision process, holds the legal right to make zoning and design decisions for unincorporated areas, and invites the townships to specify their priorities, Green Garden Township will state priorities and

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<sup>1</sup> The Comprehensive Land Use Plan for Campton Township, Kane County [circa August 1, 2000]

79 concerns. Some points of strong agreement exist. Some points of disagreement and  
80 dissatisfaction exist as well.

81  
82 Green Garden Township is in complete agreement with the County's goal that growth  
83 and development should be managed so that the environmental integrity of the County  
84 is respected and preserved. Further agreement is expressed for the goal to respect and  
85 preserve each community's unique character and "sense of place," as well as for the  
86 vision that the open space system will preserve "overall rural character." Green Garden  
87 also specifically supports the right-to-farm principle and an extension of the concept to  
88 include horse-keeping and related endeavors in order to protect the Township's large  
89 horse population and related enterprises. The Township agrees with the County's  
90 statement that in the Rural Development Form, "the challenge will be to balance the  
91 pressure for growth with a desire to maintain agriculture viability and a rural character."  
92

93 While the Township's plan is in fundamental agreement with the County's provisions for  
94 Open Space, there are disagreements related to the implementation techniques of the  
95 "Conservation Design" type of development for subdivisions. While LRMP lacks a  
96 supporting conservation design ordinance, the Township believes an ordinance may  
97 help establish consistency and clarity. As part of a Conservation Design ordinance for  
98 the rural form, the Township further urges continued, rather than curtailed, estate or  
99 estate type zoning. Because of its related agricultural privileges, such as horsekeeping,  
100 which are compatible with numerous already established uses in the Township along  
101 with the overall desire to retain rural character, estate zoning is valuable to the  
102 Township. Development plans for parcels could reserve permanent open space  
103 features, such as greenways, trails and creek buffers, while allowing individual lots large  
104 enough for estate privileges. Buffers in new developments along adjacent established  
105 estate/agricultural uses will be included in designs. Such provisions would serve to  
106 transition existing to new development.

107  
108 The LRMP Open Space Element recommends that the Park Donation Ordinance be  
109 amended to divert park donation funds from townships to the County. The Township  
110 opposes any amendment to the Park Donation Ordinance that would divert park  
111 donation funds from the Township to the County. The Township firmly believes it should  
112 retain the right to receive and disburse these funds for the purchase of park property as  
113 necessary within the Township. Further, the Township believes the County should  
114 increase the amount of the required donations.

115  
116 While the LRMP supports the development of the South Suburban Airport in Will  
117 County, the Township is opposed. The reasons for opposition include: increased traffic  
118 and congestion; noise, water, and air pollution; water supply and runoff concerns;  
119 historical and archeological concerns; the proliferation of growth inconsistent with the  
120 infrastructure and service deficiencies within the Township which are incapable of  
121 supporting the presence of the airport and its attendant development; environmental  
122 impacts; and destruction of aquifer recharge.

123

124 Also, while the LRMP supports the development of the I-355 Tollway, the Township  
125 opposes an I-355 expansion within Green Garden. The added traffic and disruptions to  
126 the rural character are not consistent with the goals this comprehensive plan. Additional  
127 reasons include: unnatural segmentation of the Township; noise and air pollution;  
128 destruction of agricultural land; destruction of relatively new residential developments;  
129 and the burden on infrastructure of the Township.

130  
131 In light of the foregoing, the County's Plan shall serve as the foundational document  
132 upon which the Township Plan is based. The Township Plan sets forth those areas  
133 where the LRMP needs emphasis or is at odds with the best interests of the Township.  
134 As such, except as otherwise stated, the Township Plan is intended as a supplement to  
135 the County's plan, which is otherwise adopted as the Plan of the Township.

### 136 137 **III. Organization**

138  
139 The following two sections, Overall Land Use and Open Space Goals and Policies and  
140 Zoning Classifications Goals and Policies seek to set forth the Township's vision for the  
141 future. The Goal subsections form the foundation for the associated Policy subsections.  
142 Together they provide the basis for which the Plan Commission will render decisions on  
143 zoning cases. In the Overall Land Use and Open Space Goals and Policies section,  
144 general goals and policies that for the most part apply to any zoning changes in the  
145 Township are provided. In the Zoning Classifications Goals and Policies section, goals  
146 and policies specific to residential, commercial, industrial, and agricultural/agribusiness  
147 are provided. The end of the document contains appendices that were referenced  
148 within this document. Appendix A, the Planning Map, sets forth a land use plan for  
149 future zoning decisions in light of the foregoing.

### 150 151 **IV. Overall Land Use and Open Space Goals and Policies**

#### 152 153 **A. Open Space/Rural Character**

##### 154 Goals

##### 155 **1. Preservation of Rural Character**

156 Will County's Land Resource Management Plan and Green Garden Township's  
157 Comprehensive Land Use Plan both emphasize the importance and high priority  
158 placed on preserving rural character. What is rural character? The following  
159 quotes and comments are found in the responses to the Green Garden 2002  
160 Planning Survey.

161  
162 According to Green Garden electors, some of the qualities and features which  
163 are admired and/or should be preserved in the Township include: open spaces;  
164 estate lot property sizes; minimal commercial and industrial development; farm  
165 lands and farming; not much traffic; keeping horses; wildlife and habitats; clean  
166 air; close to nature; quiet; peace and tranquility; own well; dark skies and stars at  
167 night; low population density; good neighbors; reasonable taxes; no village rules  
168 and regulations; no townhouses or apartment complexes; safe environment;  
169 trees; privacy; able to have family pets of all sizes; small town feeling; creeks and  
170 waterways; beautiful - no matter the season.

171  
172 It is the vision of the Township that it will retain its overall rural character well into  
173 the future. The Township believes the above qualities and features represent the  
174 rural character of Green Garden Township. A visitor to the Township should be  
175 impressed with areas of large lots, ample green space, preserved natural  
176 features, ubiquitous native plants and wildlife, as well as a vibrant agricultural  
177 environment which ties the Township of the modern era to its historical roots.  
178 Any changes coming to the Township should strive to enhance and maximize  
179 public and private open space and to preserve natural features of the land while  
180 creating safe areas free from environmental and public health hazards.

#### 181 Policy

182 Please see various development classifications in the Zoning Classification  
183 Goals and Policies section. In addition, trees and attractive landscaping are  
184 essential to rural character preservation. There shall be a preference for green  
185 vistas rather than for privacy fences, especially along roadways. Landscaping  
186 with native species is encouraged. Architectural design and materials shall be  
187 encouraged for their contribution to rural character preservation in all  
188 development.  
189

### 190 **2. Open/Green Space**

191 The heart of Green Garden Township's rural character is based on its abundance  
192 of perceived open space<sup>2</sup>. It is the number one feature emphasized in  
193 describing the Township's identity and firmly establishes its rural character and  
194 "sense of place." It is the reason why most people who live here came here. In  
195 the Green Garden 2002 Planning Survey, respondents overwhelmingly listed  
196 open space as the single feature most admired about living in the Township. As  
197 such, preservation of open space ranks high in priority for future planning of the  
198 Township. Preserving open space may include, but is not limited to, preservation  
199 of riparian corridors, environmentally sensitive resources, and areas of active and  
200 passive agricultural and equestrian land use that contributes to the overall rural  
201 character.  
202

203  
204 The Open Space Element of Will County's Land Resource Management Plan  
205 establishes policies and strategies designed to establish and maintain a  
206 permanently protected network of open spaces. The Township passionately  
207 supports the fundamentals of The Open Space Element. Building upon this plan,  
208 the vision of the Township includes an Open/Green Space Policy that creates a  
209 balanced pattern of land use conducive to the preservation of open and green  
210 space. The goals and policies herein are intended to help the County achieve  
211 their goals for permanent preservation of open space. These mechanisms may  
212 include, but are not limited to, conservation type residential developments,  
213 agricultural & conservation easements, private landowner conservation, and  
214 public acquisition.  
215

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<sup>2</sup> Open Space, for the purposes of this document, is defined in this section and again in Appendix B

## 216 Policy

217 For the purposes of this document, Open Space is defined as: that land which is  
 218 permanently conserved from development. Mechanisms for declaration of  
 219 perpetuity shall include, but are not limited to: 1) protected areas within  
 220 conservation design development; 2) conservation easements established for  
 221 private owners; and 3) agricultural easements established through government  
 222 programs.

223  
 224 Developers will establish dormant Special Service Areas (SSA) for common open  
 225 space whereby the SSA can be activated should the primary maintenance  
 226 responsibility by the Homeowners' Association fail to provide adequate  
 227 maintenance.

228  
 229 The vision of the Township incorporates guidelines to direct future development  
 230 for sensible growth patterns, with high priority on enhancing the open spaces and  
 231 biodiversity that characterize our community. The ultimate goal is to create a  
 232 balanced environment with agricultural uses, nature, wildlife, and future growth.

233  
 234 The following initiatives are intended to preserve open and green space in  
 235 support of our goal:

- 236 a. Identify and protect lands along creek systems, floodplains, and wetlands in  
 237 the Township for potential open space. These systems include, but are not  
 238 limited to, Jackson Creek, Prairie Creek, Forked Creek, and South Branch  
 239 Forked Creek.
- 240 b. Establish riparian buffers around all creek systems to protect water quality and  
 241 prevent erosion.
- 242 c. Protect environmentally sensitive lands and ecosystems. These may include,  
 243 but are not limited to, upland and floodplain forests, established wooded areas,  
 244 fine textured soil and sand savanna, and marshes and fens.
- 245 d. Establish greenway and trail corridors that connect individual open space  
 246 features into a continuous and cohesive network throughout the Township.  
 247 Coordinate the local greenway and trail network with the regional networks  
 248 established by other municipalities and organizations, such as Will County,  
 249 IDNR<sup>3</sup>, FPDWC<sup>4</sup>, NIPC<sup>5</sup>, and the Openlands Project. Consideration should be  
 250 given for pedestrian, biking, hiking, and equestrian use of the trail corridors.
- 251 e. Focus acquisition in areas under the highest threat of loss of open space and  
 252 to ensure equitable distribution of open space throughout the Township. This  
 253 capability is provided in Illinois statutes<sup>6</sup>. Green Garden Township would be  
 254 set on a course to obtain publicly owned open space under these statutes with

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<sup>3</sup> IDNR Illinois Department of Natural Resources

<sup>4</sup> FPDWC Forest Preserve District of Will County

<sup>5</sup> NIPC Northeastern Illinois Planning Commission

<sup>6</sup> Illinois statutes, Township Code 60 ILCS1/115 - 5 through 125, define and detail Township Open Space, Open Space Plan, referendum and methods for achieving same. The process is initiated upon filing with the township clerk a petition signed by not less than 5% or 50, whichever is greater, of the registered voters in the township recommending that the board commence preparation of an open space plan.

255 the filing of such a petition. Please see Policy for Residential development for  
256 additional open space policy.

257

## 258 **B. Interplay Between Water and Sewer Availability and Planning**

### 259 **Goal**

260 Facility Planning Areas [FPA] are established by the Illinois Environmental  
261 Protection Agency [IEPA] for the purpose of designating which organization is  
262 authorized to provide public sewer. We recognize that the areas designated as  
263 being within an FPA could have different growth potentials and characteristics than  
264 those areas that are not supported with an FPA. Appendix B contains a map of the  
265 designated FPAs, to date, within the Township.

266

267 Areas within an FPA could experience a higher density of growth. Areas outside of  
268 a designated FPA have less density. Specific densities supported by this plan are  
269 designated in the Policies section.

270

### 271 **Policy**

272 Where sewer and water is available R1, R2, R2A, and Estate zoning classifications  
273 shall be acceptable contingent on specific policies set forth later in this plan.

274

275 Where conventional septic field and well is the intended infrastructure A1, E1 and E2  
276 are the acceptable zoning classifications contingent on specific policies set forth  
277 later in this plan.

278

279 Sewer/septic and water services on other classifications shall be at the discretion of  
280 the Will County Health Department.

281

## 282 **C. Planning and Profit**

### 283 **Goal**

284 The Township recognizes that the area has become desirable for potential new  
285 residents and, in turn, for developers. Opportunities to live on larger lots, or in cluster  
286 design projects with significant associated open space, are limited. Such an  
287 environment forms the essential identity of the Township that can be preserved while  
288 providing sufficient opportunities for landowners and developers. The ability of a  
289 business entity to turn a profit over the development and sale of land will not be a  
290 factor considered by the Township. Further, the development of property shall not  
291 cause any increased financial burden to existing taxpayers. In other words, existing  
292 residents should not suffer increased taxes as a result of development causing  
293 increased demand for services. Preserving the quality of life in Green Garden  
294 Township and maintenance of compatible pattern of land use shall take precedence  
295 over any such financial concerns in all of the Township's decisions.

296

297 The Township states that their decisions will strive to preserve quality of life in Green  
298 Garden Township and maintain a consistent pattern of land use. Profits to  
299 developers and landowners will not be factors in Township decisions. Green

300 Garden's emphasis will be on appropriate transition between the existing community  
301 in the Township and new development.

302

303 Green Garden Township encourages Will County to institute ordinances that would  
304 create or allow State of Illinois programs and any other incentives, which provide  
305 continuation of agriculture while allowing landowners to obtain cash for their land, to  
306 be effective within the County.

307

#### 308 Policy

309 The Township shall review cases objectively through adherence to adopted  
310 procedures and through this Plan. A decision on a zoning case shall not be  
311 determined based on a developer's desire to obtain more profit than is possible with  
312 the restriction set forth in this document. Developer's claim of burdensome, including  
313 but not limited to infrastructure costs needed to support this plan, shall not be  
314 considered as cause to reduce the expectations set forth by this plan.

315

#### 316 **D. Roadways and Infrastructure**

317 The goals and policies of Green Garden Township Highway Department are under  
318 the discretion of the Green Garden Highway Commissioner. Requirements are  
319 determined on a case by case basis.

320

321

#### 322 **E. Institutional Uses**

323

##### 323 **1. Schools**

324

##### 324 Goal

325 Will County, Peotone School District 207U services Green Garden Township.  
326 Many feel that this school district has been doing well overall. The philosophy of  
327 the district leadership is to create small schools in multiple sites, as necessary,  
328 rather than create a very large school complex in a single or a few sites.

329

330 As the district experiences residential development, the schools face  
331 tremendous pressure to accommodate new students. If additional revenue from  
332 development covers instructional expenditure, there still are the operating costs  
333 plus capital expenditures, such as new schools or additions, to recover through  
334 property taxes. A school district often loses money for years, sometimes more  
335 than a decade, after a subdivision is built until tax revenues catch up.

336

337 Area schools cannot continue to provide high quality education in the face of  
338 uncontrolled growth, particularly without repeated tax increases. Educational  
339 concerns and the inability of the schools to handle a continuing influx of students  
340 while maintaining traditionally high standards must, therefore, be a paramount  
341 concern in any development and land use decision.

342

##### 343 Policy

344 K-8 schools and High Schools shall be acceptable within all residential zoning  
345 classifications. Surrounding Commercial zonings are acceptable for High School  
346 locations. Industrial locations are not acceptable.

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## **2. Hospitals**

### Goal

Hospitals will be located in Commercial or Industrial locations. They will not be located in Estate, Residential, or Agricultural areas destined for Estate or Residential zonings.

### Policy

Hospitals are acceptable within Commercial or Industrial locations. Agricultural zoning classifications not destined for Estate or Residential zonings where utilities are available are also acceptable. They are discouraged within a residential zoning classification.

## **3. Immediate Care Centers**

### Goal

Immediate Care Centers will be located in Commercial or Industrial locations. They will not be located in Estate, Residential, or Agricultural areas destined for Estate or Residential zonings.

### Policy

Immediate Care Centers are acceptable following the same guidelines as Commercial zoning.

## **4. Primary Care Centers**

### Goal

Primary Care Centers will be located in Commercial or Industrial locations. They will not be located in Estate, Residential, or Agricultural areas destined for Estate or Residential zonings.

### Policy

Primary Care Centers are acceptable following the same guidelines as Commercial zoning.

## **5. Fire Stations**

### Goal

Fire Stations will be reviewed on a case by case basis. In order to minimize disruption of residents' living, it is preferred that fire stations be located in Commercial or Industrial locations.

### Policy

All zoning classifications are compatible with fire stations. As much as practical, they will not be located in Estate, Residential, or those Agricultural areas destined for Estate or Residential zonings.

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## **6. Churches**

Churches may be located in Commercial, Residential, Estate or Agricultural locations. However, a sizable church that will significantly impact traffic should be located on a main thoroughfare.

## **F. Township Center**

### **Goal**

It is hoped that some day the center of community involvement would include such things as the Town Hall, recreation and/or other activity centers, and perhaps some degree of park functions. In as much as the Township contains no hamlet or other central area conducive to such activities, there is no current geographical area destined to such a future. However, property adjacent to the Township highway department along Center Road just south of Bruns Road, has been purchased from the Town Fund as a prospective future site for a town hall. The geographical center of the Township is the intersection of Manhattan-Monee and Center Roads. From there, the Township extends three miles in each direction. Notable features of the geographical center are the presence of the Green Garden Elementary school, the town hall, and the Green Garden Country Club. The County's 2030 plan designates Manhattan-Monee Road as a strategic arterial route most likely to be expanded to four lanes at some point in the future. Should the South Suburban Airport and/or the Interstate 355 extension plans come to fruition, then it is most likely that Manhattan-Monee would be widened to support traffic for these major projects. Increasing the width of Manhattan-Monee or Center Road would leave insufficient property to continue with a town hall at that location.

### **Policy**

It shall be the policy of the Township to maintain a focus on Center Road as the primary location for Township facilities.

## **G. Green Garden Trail System**

### **Goal**

This plan recognizes the long-term need of an integrated network of public access trails through the Township as a means for recreation and in part preserving the rural nature of the Township. The Green Garden Trail System will require its own plan. At the time this document was being finalized, the Green Garden Trail System Plan was in its infancy. Nonetheless, maps were drawn and proposed routes exist. It includes a Regional corridor providing an east-west trail near Pauling Road. Rather than postponing the implementation of any trail goals to a time when a referendum is needed to raise capital in support of such a venture, this plan will make trail system goals and policies a condition of acceptance for future development. The policies of the Green Garden Trail System Plan need to take into consideration the determination of responsibilities governing trail management, use, security, safety, maintenance, liability, and access.

Anticipated uses of the trail are equestrian, pedestrian, non-motorized vehicles (except for motorized wheelchairs, maintenance, and police vehicles), and where appropriate, skates and roller-blades.

439

440 The primary goal is to develop a connected system of trails throughout the  
441 Township. The objectives are:

- 442 1. Establish, enhance and expand trails
- 443 2. Develop a contiguous multi-use trail
- 444 3. Develop connections to nearby public sites and recreation areas
- 445 4. Establish regional partnership with State, Federal, and County entities
- 446 5. Establish regional partnerships with neighboring municipalities
- 447 6. Establish partnerships with interest groups which may include, but not limited to,  
448 Will-South Cook Soil and Water, The Conservation Foundation, IDNR, and  
449 OpenLands Project
- 450 7. Establish partnerships with utility companies such as ComEd.
- 451 8. Encourage the creation and use of land trusts within the County which will  
452 provide oversight to trails and conservation areas in open space/greenways.

453

#### 454 Policy

455 Where a proposed zoning request includes areas designated as part of the  
456 Township or Regional Trail system, acceptance of the zoning change request shall  
457 be conditioned, in part, upon support of the trail plan.

458

459 Private trails/paths within subdivisions should provide some connection to the  
460 Township/Regional trail system where applicable.

461

462 Motorized vehicles, except for motorized wheel chairs, policing, and maintenance  
463 vehicles, shall be prohibited from all publicly accessed trail systems.

464

465 1.) Trails should not bisect existing estate and residential properties without the  
466 consent of the property owners. To preserve water quality, trails should not  
467 cross through water streams. All stream crossings shall be over appropriately  
468 constructed bridges.

469

470 2.) Trails should cross arterial streets at points of safest passage with strong  
471 consideration for future traffic increases.

472

473 3.) Trails proposed on existing agricultural lands should be designated trail corridors  
474 of the future to be built as new development occurs and not conflict with the  
475 needs and desires of current landowners. It is the policy of the Township to not  
476 use eminent domain as a means of obtaining property for trails.

477

## 478 H. Parks

### 479 Goals

480 Parks are valued for their natural beauty and their recreational uses. Additionally,  
481 parks within a subdivision tend to be an amenity to the subdivision. Larger  
482 centralized parks, conducive to organized sports will be needed. The Township has  
483 purchased land on the west side of Center Road north of Pauling Road with park  
484 donation funds from developments. Additional purchases are anticipated as funds  
485 accumulate. The Township anticipates citizens' desire for programs and

486 recreational space beyond the reserved private open space, the greenways, and  
487 trails. It is expected that to administer athletic fields, various programs, schedules  
488 and personnel, a Township park district, created by referendum, will be needed.

489

490 **Policy**

491 Parks shall be located so that there is connectivity of locations within the trail  
492 system.

493

494 To administer athletic fields, various programs, schedules and personnel, a  
495 Township park district is recommended.

496

497 Park donations from developers are reviewed on a case by case basis. A developer  
498 may propose to the Township an offer of park property in lieu of a cash donation. If  
499 the proposed park property is conducive to use by the greater township and/or  
500 conducive to supporting organized sports, then the Township may opt to accept the  
501 proposal. If the proposed park property tends to be more of an amenity to the  
502 subdivision than an asset to the greater township, then the Township should opt for  
503 the cash donation.

504

505 **I. Historic Preservation**

506 **Goal**

507 Historic preservation is an important aspect of our culture. However, this plan does  
508 not attempt to identify those properties, buildings, or structures that are to be  
509 considered as candidates for historic preservation. Instead, the objective of this plan  
510 is to establish a policy that will fully support the efforts of those organizations  
511 deemed credible in the area of historic preservation.

512

513 **Policy**

514 Zoning cases that involve a structure that may be considered a candidate for historic  
515 preservation will be presented to an appropriate historic preservation organization.  
516 The Township will support all efforts of historic preservation organizations.

517

518 **J. Environmental Impact**

519 **Goal**

520 Environmentally sensitive areas will be preserved, either through public ownership,  
521 or through sensitive incorporation and permanent protection of sensitive areas in  
522 private developments.<sup>7</sup> Additionally, enhancing the habitat and the preservation of  
523 riparian corridors, environmentally sensitive resources, and areas of active  
524 agricultural use that contribute to the overall rural character are important to the  
525 long-term success of Green Garden's open space network. Environmental quality  
526 standards should be incorporated in the development review process.

527

528 **Policy**

529 The preservation of open space will be coordinated with environmental preservation;  
530 environmentally sensitive features, such as stream corridors, will also serve as part

---

<sup>7</sup> LRMP-Policy Gateway – Open Space & Environmental Preservation Goals (pg 15)

of the open space network.<sup>8</sup> Riparian buffers will be established along all stream corridors to protect water quality and prevent stream-bank erosion. Environmentally sensitive lands and ecosystems should be protected. An appropriate agency shall be used for determining the appropriateness of restoration activities with regards to environmentally sensitive lands.

## V. Zoning Classification Goals and Policies

### A. Residential Development

#### 1. Preservation of Rural Character

##### Goal

Many of Green Garden Township's residents are equestrians and virtually all residents wish to maintain the rural atmosphere. For the most part, folks choose Green Garden for their homes for two reasons: either the upscale rural atmosphere or the ability to own animals, primarily horses, in their back yards. The rural nature will be maintained as much as possible by following those policies specified within this document that support the open space goals.

Open space plays a significant role in preserving rural character and is addressed with the following policies. Also included is the architecture of commercial buildings, their parking provisions, and their landscaping.

##### Policy

In order to support the goal of maintaining a rural nature within residential subdivisions, the following policies are set forth. "Open space" is defined in appendix C to include perpetuity.

- a.) Minimum open space percentages will be required for conservation design subdivisions **served by public sewer and water**. For residential densities greater than those discussed, the requirements for open space will increase.

R1, R2 and R2A residential zoning classifications will be acceptable with the following conditions:

- R1 zoning is acceptable with a minimum of 35% open space.
- R2 zoning is acceptable with a minimum of 50% open space.
- R2A zoning is acceptable with a minimum of 60% open space.

- b.) Conservation design PUDs with a mix of single family and multifamily units are acceptable anywhere in the Township served by public sewer and water with the following conditions:

- No more than 20% of the units in the PUD may be multifamily units.
- Minimum lot size for lots containing multifamily units shall be 7,500 sq.ft. per unit. The difference between this minimum lot size for a multifamily unit and

<sup>8</sup> LRMP Policy Gateway – Open Space & Environmental Preservation Goals (pg 15)

575 the desired minimum lot size for a single family unit (15,000 square feet)  
576 shall be devoted to open space within the PUD.  
577 • The preferred number of units that may be attached is two.  
578 • The maximum unit height accepted is two stories above ground level.  
579 • See section 2 below (Buffer Zones) below for buffering concerns on lots with  
580 multifamily units.

581  
582 c.) On parcels not served by public sewer and water, estate zoning is encouraged in  
583 the Township. Where natural features need to be protected, those portions may  
584 be held as open space.

585  
586 E1 and E2 estate zoning classification will be acceptable with one of the following  
587 conditions:

- 588 • Straight Estate zoning is acceptable.
- 589 • E1-PUD/Conservation Design shall provide a minimum lot size of 2.0 acres  
590 with the remaining 3.0 acres dedicated as open space resulting in at most 60  
591 per cent open space per development.
- 592 • E1-PUD/Conservation Design shall provide lots so that the accessory  
593 agriculture uses permitted in the E1 district shall be viable on at least 50 per  
594 cent of the individual lots based on size: that is, at least half of the lots on the  
595 total parcel will be a minimum of 5.0 acres with the remainder of the parcel in  
596 smaller lots and open space.
- 597 • E2/PUD Conservation Design shall provide a minimum lot size of 1.5 acres  
598 with the remaining 1.0 acre dedicated as open space resulting in at most 40  
599 per cent open space per development.
- 600 • E2/PUD Conservation Design shall provide lots so that the accessory  
601 agriculture uses permitted in the E2 district shall be viable on at least 50 per  
602 cent of the individual lots based on size: at least half of the lots on the total  
603 parcel will be a minimum of 2.5 acres with the remainder in smaller lots and  
604 open space.

605  
606 The Township encourages continued expansion of accessory agricultural uses in  
607 estate developments since such expansion is consistent with Township character  
608 and future vision.

- 609  
610 d.) The minimum parcel size for development of a residential conservation design  
611 subdivision shall be 10 acres unless the subject property is adjacent to an  
612 existing subdivision and consistent contiguous growth is demonstrated.
- 613  
614 e.) Floodways will be reserved as open space and may contain trails. Trails can be  
615 located in areas inappropriate for development, such as in floodways, flood  
616 fringes, wetlands fringes, hydric soils and existing public open spaces.
- 617  
618 f.) Stream channels will only be altered to enhance aquatic habitat and not be  
619 impounded or modified to restrict movement of aquatic life. As measured from

620 each side of stream banks, 75 feet shall be open space and the 35 feet closest to  
621 the bank shall be in deep-rooted native plantings.

622

623 g.) The minimum lot size in a conservation design residential subdivision serviced by  
624 public sewer and water (see section a.) shall be 15,000 square feet with no less  
625 than a 100-foot frontage. Exceptions due to road radius, such as cul-de-sacs,  
626 will be evaluated on a case by case basis.

627

628 h.) Open space consisting of surface water per developed parcel shall not exceed  
629 50 percent of the total open space on that parcel.

630

631 i.) All new subdivisions shall contain road stubs connecting to undeveloped  
632 adjacent land unless circumstances, such as waterways and pipelines, warrant  
633 otherwise.

634

635 j.) Development impacts on floodplains or wetlands must be understood and  
636 accounted for before rezoning is granted.

637

638 k.) Designated open space and its uses shall be specified and granted to oversight  
639 by a third party in perpetuity.

640

641 l.) In any subdivision or PUD, the costs of necessary repairs on any commonly held  
642 property or on property owned by the Homeowners' Association shall be shared  
643 and paid by those property owners. Should there be a default by the  
644 Homeowner's Association, the SSA shall be enacted.

645

646 m.) Mosquito control/management on private property shall be the responsibility of  
647 the property owner.

648

## 649 2. Buffer Zones

### 650 Goal

651 Buffering around different zoning classifications helps preserve the rural nature as  
652 well as segregate different land uses.

653

### 654 Policy

655 All creeks shall have a minimum of a 75-foot buffer from the creek bank on each  
656 side. Uses within the 75-foot buffer may include trails, walk bridges, gazebos, and  
657 park benches but may not include permanent structures such as buildings and  
658 fences.

659

660 All commercial or industrial zoning areas shall provide berming and/or landscape  
661 plantings as a buffer between the commercial or industrial zoning and ***existing***  
662 adjoining residential or estate areas. Likewise, a developer shall provide berming  
663 and/or landscape plantings as a buffer between developing residential/estate land  
664 and existing commercial or industrial zoning.

665

666 A conservation design subdivision shall include a minimum perimeter buffer, totally  
667 | outside lot lines, of 25 feet for single family lots and 50 feet for multifamily lots.  
668

### 669 3. Access Limitations

#### 670 Policy

671 Entrances to subdivisions shall be limited. Lots should be created such that  
672 driveways are within new subdivision roads and not on existing mile roads.  
673

## 674 B. Commercial

### 675 Goal

676 Green Garden expects to exercise care in the placing of commercial uses within the  
677 Township. All along U.S. Route 45 is the most likely area for heavily concentrated  
678 commercial development including Agri-business/Agri-Commercial in the Township.  
679 Likewise, the area along Manhattan-Monee Road extending from U.S. Route 45 to  
680 Center Road is also a likely area to expand commercial development.  
681

682 Other areas near residential developments, including major crossroads where some  
683 commercial zoning has already been granted, should be limited so as to preserve  
684 the rural nature. An example is the southwest corner of Harlem and Manhattan-  
685 Monee Roads and the northwest corner of Center and Bruns Roads. Intersections  
686 such as these should be limited and geared to providing services to the nearby  
687 local residents.  
688

### 689 Policy

- 691 1. Neighborhood Commercial (C1) shopping areas will be located along collector or  
692 arterial streets.
- 693 2. Commercial zoning is expected along U.S. Route 45 and on Manhattan-Monee  
694 between Center and U.S. Route 45. Elsewhere in the Township it is  
695 discouraged, except for "Neighborhood Commercial" which providing services  
696 for proximal residents. Establishment of a Neighborhood Commercial zoning  
697 shall not constitute a precedent for adjoining properties. Neighborhood  
698 Commercial zonings shall be limited to maintain the rural character. In an area  
699 outside of the designated future Commercial areas, only one out of four corners  
700 at an intersection may be considered for commercial zoning.
- 701 3. Landscaping shall provide adequate buffering to neighboring properties. Sites  
702 shall provide landscaping with plenty of native plant landscaping on site. There  
703 shall be a **minimum** of 15 feet of landscape buffering between any developed  
704 property including driveways, parking lots, buildings, storage, and lanes, and  
705 neighboring properties or easements. A 50 foot buffer is required between  
706 commercial property and residential or estate properties. Additional buffering  
707 may be required, as determined at the time the zoning case is heard.
- 708 4. Stream channels will only be altered to enhance aquatic habitat and not be  
709 impounded or modified to restrict movement of aquatic life. As measured from  
710 each side of stream banks, 75 feet shall be open space and the 35 feet closest  
711 to the bank shall be in deep-rooted native plantings.

- 712 5. Building design should be compatible with surrounding residential areas with  
713 regard to materials, building scale, building massing, and relationship to streets.  
714 6. Connections to alternate transportation such as sidewalks and links to the trail  
715 system shall be supported by the commercial development as may be required..  
716 7. Access should be limited to minimize impacts on surrounding residential areas.  
717 8. Sign design should be consistent with a rural nature as well as the architecture of  
718 the commercial building. In general, signage should not be overbearing and  
719 should not obstruct, within reason, views of neighboring properties.  
720 9. Any outside lighting, including lights for signs, parking lots, and egress/ingress  
721 shall not be obtrusive to neighboring properties.  
722 10. Mosquito control/management on private property shall be the responsibility of  
723 the property owner.

### 724 C. Industrial

#### 725 Goal

726 Green Garden is not expected to develop an infrastructure to support Intensive (I-3)  
727 industrial uses. Light Industrial developments are expected to contend with  
728 commercial developments along U.S. Route 45. Since U.S. Route 45 is a major  
729 thoroughway between Frankfort and towns south of Green Garden, we should make  
730 every attempt to maintain a degree of orderly development along U.S. Route 45.  
731

#### 732 Policy

- 733
- 734 1. Limited (I-1) industrial uses that integrate well with commercial developments  
735 along U.S. Route 45 may be considered. Uses should be approved only upon a  
736 demonstration that adequate public facilities exist or will be established by the  
737 time of opening.
  - 738 2. General (I-2) industrial uses are incompatible with the rural forms and concepts  
739 of Green Garden Township and should only be considered if it is consistent,  
740 continuous growth from existing General Industrial zoning.
  - 741 3. Any Industrial uses more intensive than General (I-2) are not desired.
  - 742 4. Concern should be given for Industrial use that emits obnoxious odors, noise,  
743 lighting, storm water run-off, traffic, and the impact they may have on nearby  
744 areas.
  - 745 5. There shall be a minimum 50 foot buffer between the industrial zoning and  
746 residential or estate properties.
  - 747 6. Sites shall provide landscaping with plenty of native plant landscaping on site.  
748 There shall be a **minimum** of 15 feet of landscape between any parking lot and  
749 any boundary line or easement line. Landscaping shall be provided for adequate  
750 buffering to neighboring properties.
  - 751 7. Stream channels will only be altered to enhance aquatic habitat and not be  
752 impounded or modified to restrict movement of aquatic life. As measured from  
753 each side of stream banks, 75 feet shall be open space and the 35 feet closest to  
754 the bank shall be in deep-rooted native plantings.
  - 755 8. Freestanding Industries and Offices should be located within easy access to an  
756 arterial roadway such as U.S. Route 45 and Manhattan-Monee Roads.

- 757 9. Sign design should be consistent with a rural nature as well as the architecture of  
758 the commercial building. In general, signage should not be overbearing and  
759 should not obstruct, within reason, views of neighboring properties.  
760 10. Any outside lighting, including lights for signs, parking lots, and egress/ingress  
761 shall not be obtrusive to neighboring properties.  
762 11. Mosquito control/management on private property shall be the responsibility of  
763 the property owner.  
764

#### 765 **D. Agricultural/Agribusiness**

##### 766 **Goals**

767 Agriculture and various agribusiness enterprises are very important features of  
768 Green Garden Township. Assessor's estimate of the amount of farmed land in the  
769 Township as of August 10, 2004, is 20,085+/- acres. This is approximately 87% of  
770 the total land. The Township is home to numerous horse properties with related  
771 equestrian enterprises as well. Continued agriculture and expansion of agribusiness  
772 will contribute greatly to preservation of rural character.  
773

774 Areas of the Township with prime farmland should be encouraged to remain as  
775 viable agricultural land.  
776

##### 777 **Policy**

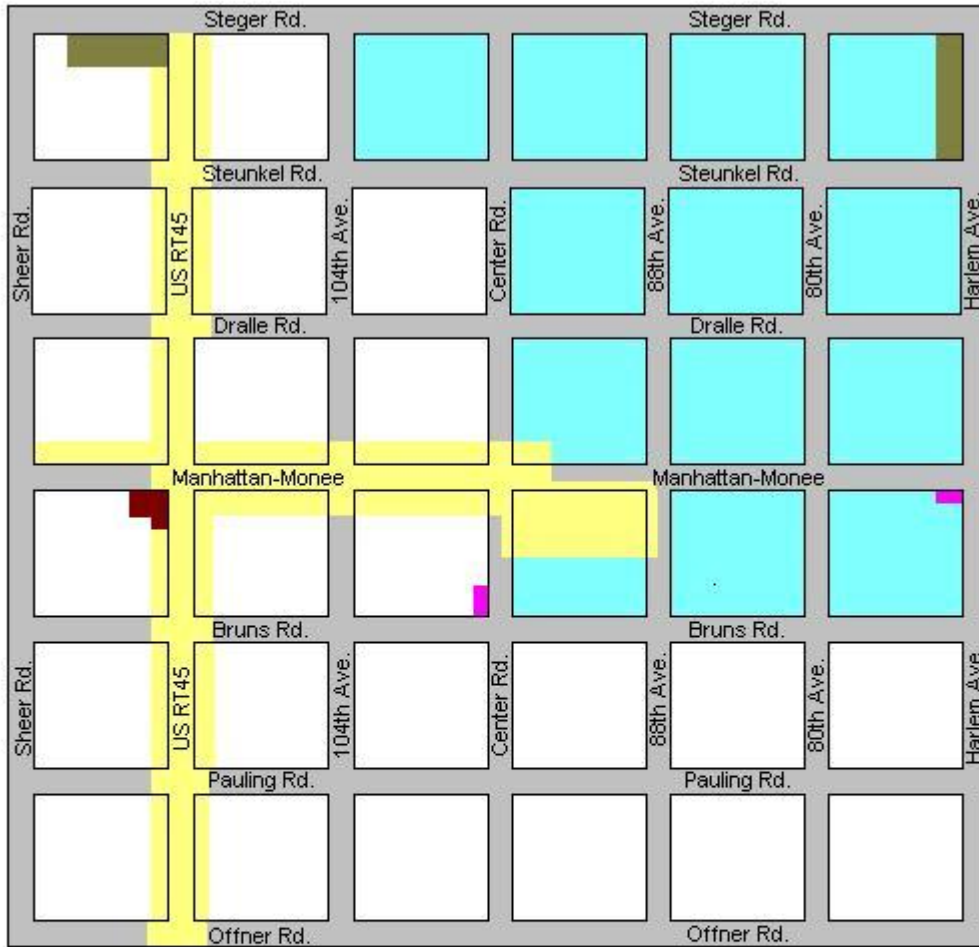
778 Impact on existing agricultural pursuits shall be minimized through adequate buffers  
779 in new development which abuts existing agricultural and/or equestrian properties;  
780 through respect of right to farm principles; and through encouraging hay production  
781 on some of the open space created with new residential development.  
782

783 Conserve agricultural areas that are most suitable and desirable for prime farmland.  
784 Specific soil series as designated by Will-South Cook Soil and Water must be  
785 considered as a basis for protecting farmland from development over the long term.  
786 Alternate means of property transfer, such as transfer development rights, or  
787 conservation easements, or farmland trusts, should be made available to Will  
788 County landowners to diversify their land holding and profit options.  
789

790 Mosquito control/management on private property shall be the responsibility of the  
791 property owner.  
792

793  
794

### Appendix A Comprehensive Land Use Map



- Neighborhood Commercial
- FPA Assigned - R1, R2, R2A, E1, E2 permitted
- Industrial
- Agriculture / E1, E2
- Commercial / Light Industry / Agribusiness
- Annexed

795

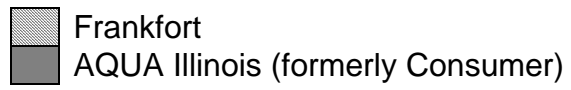
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Appendix B

FPA Map

6	5	4	3	2	1
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18	17	16	15	14	13
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30	29	28	27	26	25
31	32	33	34	35	36

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800

801  
802 **Appendix C** **Definition of Terms**

803  
804 The following terms are defined for specific contextual use within this document.

805  
806  
807 **Conservation Easement**

808 A conservation easement is the legal instrument by which a  
809 landowner (a) limits, without relinquishing ownership, the development  
810 potential of property which has significant natural resource, open  
811 space, or habitat value, and (b) grants the right to conserve those  
812 values. A conservation easement runs with the land – that is, the  
813 original owner and all subsequent owners are bound by the  
814 restrictions of the easement. The executed document is recorded at  
815 the County Recorder’s Office. This enables all future owners and  
816 lenders to learn about the restrictions when they obtain title reports.<sup>9</sup>

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Conservations easements are allowed by Illinois Statute (39 Ill. Rev. Statutes 401). Either a unit of local government with conservation interests or a not-for-profit conservation organization may hold conservation easements.

**Arterial Street** In general arterial streets are those that provide continuity between major cities, villages, hamlets, or the like. For example, Manhattan-Monee is an arterial street between Monee and Manhattan. Likewise, both U.S. Route 45 and Center are arterial streets between Green Garden and Frankfort.

**Collector Street** In general collector streets are those “mile long” streets that receive traffic from smaller subdivisions.

**Natural Watercourse** Those stream channels, grassed waterways and swales formed by the existing surface topography of the earth prior to changes made by unnatural causes. A natural stream tends to follow a meandering path, and its floodplain is not constrained by levees of any dimension. Swales and floodplains are not tiled and drained. The area near the bank and within the floodplain has not been mowed or cultivated, and plants indigenous to the area are growing under occasional seasonal burns. The stream flows over soil and geologic materials with no alteration of the course or cross-section of the stream caused by filling or excavating. Pools and riffles are evident along the stream course.

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<sup>9</sup> *The Standards and Practices Guidebook – An Operating Manual for Land Trusts* published by the Land Trust Alliance 1993.

843 Creek banks generally have low slopes and creek bottoms are not  
844 unnaturally incised into the landscape. Natural watercourses are very  
845 rare in the Midwest. In Jackson, Forked and Prairie Creeks many, but  
846 usually not all, of the characteristics of a natural stream can be found  
847 in their headwater reaches high up in the watershed and in their lower  
848 reaches before they enter the DesPlaines or Kankakee rivers.  
849

850 **Open Space** For the purposes of this document, Open Space is defined as that  
851 land which is permanently conserved from development.  
852 Mechanisms for declaration of perpetuity shall include, but are not  
853 limited to, 1) protected areas within conservation design development,  
854 2) conservation easements established for private owners, and 3)  
855 agricultural easements established through government programs.  
856

857 **Recreation Area** Recreation areas are designated to accommodate a wide variety of  
858 development and associated educational and recreational activities by  
859 individuals and organized groups. These areas shall include all or  
860 portions of preserves with open spaces generally characterized by  
861 early successional or highly disturbed vegetation such as old fields,  
862 pastures, farmland, or mowed turf that can accommodate such  
863 activities and that do not contain any unique or rare natural or cultural  
864 resource that would be negatively impacted.  
865

866 **Restored Natural Watercourse** A watercourse which has been restored to replicate  
867 as many conditions as possible found in natural watercourses.  
868

869  
870 **Riparian Buffers** Natural vegetation buffer strips adjoining both banks of a stream,  
871 creek, or swale which carries intermittent stormwater flows. These  
872 buffer strips provide pollution control by allowing vegetation to filter  
873 sediments and contaminants from surface runoff which enters water  
874 bodies. Depending on the root length and density of the vegetation  
875 utilized, the buffer strip also stabilizes erosion of a natural  
876 drainageway and streambank; and it enhances the infiltration of  
877 rainfall and surface drainage into the soil, lessening the amount and  
878 intensity of stormwater otherwise conveyed into the stream system.  
879 Riparian buffer strips also provide continuous wildlife habitat and  
880 scenic beauty. The more a riparian buffer achieves the characteristics  
881 found in a natural watercourse, the more effective it is in controlling  
882 pollution, erosion, flooding, and the degradation of natural  
883 watercourse integrity downstream.  
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886

887 **Zoning Classifications Will County Zoning Classifications**

	<b>District</b>	<b>(Min. Area)</b>	<b>(Min. Frontage)</b>
E-1	Single-Family Rural Estate Residence District	(5 acres)	(300 ft.)
E-2	Single-Family Estate Residence District	(2½ acres)	(180 ft.)
R-1	Single-Family Residence District	(60,000 sq. ft.)	(165 ft.)
R-2	Single-Family Residence District	(1 acre)	(150 ft.)
R-2A	Single-Family Residence District	(30,000 sq. ft.)	(120 ft.)
R-3	Single-Family Residence District	(20,000 sq. ft.)	(90 ft.)
R-4	Single-Family Residence District	(12,500 sq. ft.)	(70 ft.)
R-5	Single-Family Residence District	(10,000 sq. ft.)	(70 ft.)
R-6	Multi-Family Residence District	(12 units/acre)	(60 ft.)
C-1	Local Shopping District	(12,000 sq. ft.)	(80 ft.)
C-2	Community Shopping District	(12,000 sq. ft.)	(80 ft.)
C-3	General Business District	(12,000 sq. ft.)	(80 ft.)
C-4	Highway Commercial District	(20,000 sq. ft.)	(80 ft.)
C-5	Office and Research Park District	(20,000 sq. ft.)	(80 ft.)
C-6	Commercial Recreation District	(20,000 sq. ft.)	(80 ft.)
I-1	Limited Industrial District	(10,000 sq. ft.)	(60 ft.)
I-2	General Industrial District	(10,000 sq. ft.)	(80 ft.)
I-3	Intensive Industrial District	(40,000 sq. ft.)	(100 ft.)
A-1	Agricultural District	(10 acres)	(300 ft.)
A-2	Rural Residence District	(2½ acres)	(300 ft.)

888

889

890

891 Appendix D 2002 Survey

892

893 The 2002 Survey is posted on the Green Garden Web site  
894 [www.greengardentownship.org](http://www.greengardentownship.org) under the Planning Commission section