

ARTICLE 7
(A-1) AGRICULTURAL PRESERVATION DISTRICT

7TCC 1-7 (a) Purpose. The A-1 Zoning District is established to benefit and protect agricultural uses throughout the County. The intent of the Agriculture Preservation District is to protect those areas which are best suited to the pursuit of agriculture in order to ensure that agriculture will continue to be maintained as a long term land use and a viable economic activity within the County. Non-farm uses, such as residential home sites on smaller tracts of land, are discouraged from locating in the A-1 district in order to minimize potential incompatibilities or restrict the growth of existing agricultural operations.

7TCC 1-7 (b) Permitted Uses The following uses are permitted uses in the A-1 District in accordance with the applicable regulations set forth in this Ordinance:

- (1) Accessory structures and uses;
- (2) Agriculture;
- (3) Camp/Cabin (Added Amendment #11 - 10/01)
- (4) Communication Facilities;
- (5) Dwellings, single-family detached on a lot not less than forty (40) acres;
- (6) Dwellings, single family detached on a lot not less than one 1 (acre), and not greater than 5 (acres) that meet the following requirements:
 - i. Not located within one-half (1/2) mile of a livestock feeding operation; and
 - ii. Former or existing farmsteads composed of mature trees, grasses, agricultural buildings or building foundations; or
 - iii. Land unsuitable for farming. The designation of land unsuitable for farming shall include land that contains at least two of the following conditions:
 - a. Highly erodible soils as defined by the Tazewell County Soil and Water conservation District; or
 - b. Soils with a Productivity Index rating of less than 125; or
 - c. Land with 50% or more of wooded areas; or
 - d. Land with 50% of its area with slopes exceeding 5%.
 - iv. The parent parcel from which the new one to five acre lot is to be created shall be a minimum of 40 acres. (Added Amendment #27, 3/08)

Lot areas that do not conform to these regulations require the issuance of a Special Use Permit. The number of lots created via a Permitted or Special Use shall not exceed one for every forty acres of the original parcel that existed on January 1, 1998. Lots established after January 1, 1998 and set aside from the original farm parcels as single family dwelling lots shall count in the determination in the number of allowable dwelling lots. (Amendment #16 6/04)

- (7) Dwellings, single family detached on a zoning lot of record prior to March 16, 1978;

- (8) Dwellings, existing prior to January 1, 1998, may be divided off of an existing parcel, provided at least 1 acre is deeded with the residence and the split meets exception 9 of the State Plat Act, as follows: the sale of a single lot less than 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. (Added Amendment #2 - 4/98)
 - (9) Governmental, essential;
 - (10) Greenhouse, non-commercial;
 - (11) Home occupations;
 - (12) Kennels, private;
 - (13) On Farm Landscape Waste Composting and Mulching Facilities located on farms that are not required to have an Illinois Environmental Protection Agency (IEPA) permit, provided such uses are operated in compliance with all IEPA Standards pertaining to on-farm landscape composting facilities pursuant to 35 Illinois Administrative Code, Subtitle G, Part 93. (Amendment #30 – 8/09)
 - (13) Signs in accordance with the provisions as set forth in Article 20 (Signs);
 - (14) Stable, private;
 - (15) Small Wind Energy Systems subject to all regulations as found in the Title 7, Chapter 4 (Added Amendment #24 – 4/07)
- i. There shall only be one wind energy system allowed on a zoning lot

7TCC 1-7 (c) Special Uses. The following uses may be established by a special use in the A-1 district in accordance with procedures and standards set forth in Article 25 (Special Uses):

- (1) Accessory structures prior to the principal structure not to exceed a total of 400 square feet. The accessory structure shall be used only for storage of equipment necessary to maintain the property; (Added Amendment #11 - 10/01)
- (2) Agriculturally-related businesses;
- (3) Airport, private, landing fields, and heliports, provided that the location and layout plans have been approved by the Department of Aeronautics of Illinois or the Federal Aviation Administration (FAA);
- (4) Asphalt batching plant;
- (5) Borrow pits;

- (6) Campgrounds, provided that they meet all applicable requirements of the Tazewell County Health Department and all applicable codes and regulations governing the installation, construction and /or operation of swimming pools, sewage disposal systems, food storage, plumbing, buildings and structures.
- (7) Cemetery;
- (8) Churches;
- (9) Clinics, veterinarian;
 - i. Lot size shall be two (2) or more acres if large animals (such as horses, cows, sheep, llamas, ostriches, and hogs) are to be treated or kept;
 - ii. No treatment rooms or pens for large animals and shall be located closer than two hundred (200) feet from any off-site residential building or one hundred (100) feet from any property line, unless maintained within a completely enclosed building; and
 - iii. No objectionable odors are noticeable at or beyond the lot line.
(Added Amendment #11 - 10/01)
- (10) Clubs or Lodges; private (Added Amendment #37 – 7/11)
- (11) Communication Facilities;
- (12) Community Center; (Added Amendment #11 -10/01)
- (13) Contractor/Construction Office/Storage, not exceeding a floor area of 2400 square feet and all equipment and materials are stored inside a building. (Added Amendment #1 2/98)
- (14) Dwellings, single-family detached on parcels less than forty (40) acres or that exceed the requirements under Section 7TCC 1-7(b) (6) and at least one (1) acre in size;
- (15) Game breeding/shoot preserve;
- (16) Governmental Use, Non-Essential, (Added Amendment #35, 12/10)
- (17) Greenhouse, commercial;
- (18) Gravel Pits;
- (19) Home Commercial;
- (20) Kennels, Commercial
- (21) Landscaping business, provided;
 - ii. The minimum lot size is two (2) acres; and
 - ii. No retail sales are permitted.

- (22) Landscape Waste Composting and Mulching Facility, that require an Illinois Environmental Protection Agency (IEPA) permit, provided such use(s) are in compliance with the Illinois Environmental Protection Agency Standards pertaining to landscape waste composting facilities pursuant to 35 Illinois Administrative Code, Subtitle G, Part 830, and such use (s) are not located within one-eighth of a mile of any dwelling, measured from the property line of the proposed site, other than an on-site dwelling. The application shall include such information as required pursuant to 35 Illinois Administrative Code, Subtitle G, Part 831. (Added Amendment #30 – 8/09)
- (23) Manufactured/Mobile Home, accessory to agriculture;
- (24) Manufactured/Mobile homes occupied by retired/disabled persons, on the same lot or tract of land on which a single family detached dwelling is occupied as a permanent residence by a family member;
- (25) Paint Ball Facilities; provided that outdoor paintball facilities are located more than five hundred (500) feet from any residential district, adjacent dwelling, school, church, existing paint ball facility and hunting range; (Added Amendment #10 - 7/00)
- (26) Recreational Facilities, Class I, Class II and Class III; (Amendment #11-10/01)
- (27) Schools, private and public;
- (28) Stable, public.
- (29) Wind Energy Conversion Systems subject to all regulations as found in the Tazewell County Wind Farm Ordinance (Added Amendment #18 – 1/04)
- (30) Small Wind Energy Systems subject to all regulations as found in the Title 7, Chapter 4 (Added Amendment #24 – 4/07)
 - i. There shall only be one wind energy system allowed on a zoning lot

7TCC 1-7 (d) Minimum Lot Sizes. Except as provided by special use permit, all uses and structures in the A-1 Agricultural Preservation District shall have a minimum lot size of forty (40) acres.

7TCC 1-7 (e) Minimum Lot Width. Minimum lot width at building setback line shall be 200 feet.

7TCC 1-7 (f) Frontage. Except as is provided by special use permit the minimum road frontage shall be 200 feet. (Added Amendment #2 - 4/98)

7TCC 1-7 (g) Minimum Setbacks. The following setback standards shall apply in the A-1 District for principal and accessory structures:

- (1) Abutting the following Roads.
 - i. Arterial Street (Highway): 150 feet from the centerline of the right-of-way.
 - ii. Collector Street (Major): 100 feet from the centerline of the right-of-way.

iii. Minor Street (Minor): 100 feet from the centerline of the right-of-way.

iv. Private Street (Minor): 100 feet from the centerline of the right-of-way.

(2) Side Yard.

i. Principal structures shall have a side setback of not less than 30 feet from the property line.

ii. Accessory structures shall have a side setback of not less than 15 feet from the property line.

(3) Rear Yard.

i. Principal structures shall have a rear setback of not less than 50 feet from the property line.

ii. Accessory structures shall have a rear setback of not less than 25 feet from the property line.

7TCC 1-7 (h) Height. Except as provided in 7TCC1-5 (l), the following height regulations shall apply in the A-1 District:

(1) Principal structures not to exceed 36 feet to the mean height of the roof.

(2) Accessory structures not to exceed 20 feet to the mean height of the roof.