

(A-1) AGRICULTURAL PRESERVATION DISTRICT

§ 157.085 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.

(Prior Code, 7 TCC 1-7(a))

§ 157.086 PERMITTED USES.

The following uses are permitted uses in the A-1 District in accordance with the applicable regulations set forth in this chapter:

- (A) Accessory dwelling; subject to the requirements of § 157.055.
- (B) Accessory structures on properties prior to the principal structure, not to exceed a total of 250 square feet, and shall be placed in the rear quarter of the property as approved by the Community Development Administrator and in accordance with accessory structure setback requirements;
- (C) Agriculture;
- (D) Camp/cabin;
- (E) Communication facilities;
- (F) Dwellings, single-family detached on a lot not less than 40 acres;
- (G) Dwellings, single-family detached on a lot not less than one (acre) and not greater than five (acres) that meet the following requirements:
 - (1) Not located within one-half mile of a livestock feeding operation;
 - (2) Former or existing farmsteads composed of mature trees, grasses, agricultural buildings, or building foundations;
 - (3) 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 County Soil and Water Conservation District;
 - (b) Soils with a productivity index rating of less than 125;
 - (c) Land with 50% or more of wooded areas; or
 - (d) Land with 50% of its area with slopes exceeding 5%.
 - (4) The parent parcel from which the new one to five acre lot is to be created shall be a minimum of 40 acres; and
 - (5) 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 40 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.
- (H) Dwellings, single-family detached on a zoning lot of record prior to March 16, 1978;

- (I) Dwellings, existing prior to January 1, 1998, may be divided off of an existing parcel, provided at least one acre is deeded with the residence and the split meets exception nine of the State Plat Act, being 765 ILCS 205/0.01 et seq., as follows: The sale of a single lot less than five acres from a larger tract when a survey is made by a state 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.
- (J) Governmental, essential;
- (K) Greenhouse, non-commercial;
- (L) Home occupations;
- (M) Kennels, private;
- (N) 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 Ill. Adm. Code 830.201 et seq.
- (O) Personal storage building, not to exceed 1200 square feet.
- (P) Shipping/Cargo Containers subject to the regulations found in §157.046
- (Q) Signs in accordance with the provisions as set forth in §§ 157.330 through 157.342;
- (R) Small wind energy systems subject to all regulations as found in §§ 153.20 through 153.28. There shall only be one wind energy system allowed on a zoning lot; and
- (S) Stable, private;

(Prior Code, 7 TCC 1-7(b)) (Ord. LU-17-14, passed 11-15-2017)

§ 157.087 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 §§ 157.435 through 157.447:

- (A) Accessory structures prior to the principal structure, not to exceed a total of 1,200 square feet. The accessory structure shall be used only for personal storage and for equipment necessary to maintain the property;
- (B) Adult-Use cannabis craft growers, in accordance with **CHAPTER 159**, provided that:
 - (1) A Cannabis Craft Grower shall not be located within one thousand (1,000) feet of property line of a pre-existing public or private preschool, elementary school, secondary school, day care center, daycare homes, religious institutions, a lot line containing an pre-existing residence, lot lines of all residential zoning districts, a residential care home and specialized care facilities.
- (C) Adult-Use cannabis cultivation center, in accordance with **CHAPTER 159**, provided that:
 - (1) A Cannabis Cultivation Center shall not be located within one thousand (1,000) feet of property line of a pre-existing public or private preschool, elementary school, secondary school, day care center, daycare homes, religious institutions, a lot line containing an pre-existing residence, lot lines of all residential zoning districts, a residential care home and specialized care facilities.
- (D) Agriculturally-related businesses;
- (E) Agritainment/Agritourism;
- (F) Airport, private, landing fields, and heliports, provided that the location and layout plans have been approved by the state's Department of Aeronautics or the Federal Aviation Administration (FAA);

- (G) Asphalt batching plant;
- (H) Auction houses;
- (I) Banquet facilities.
- (J) Borrow pits;
- (K) Campgrounds, provided that they meet all applicable requirements of the 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;
- (L) Cemetery;
- (M) Churches;
- (N) Clinics, veterinarian:
 - (1) Lot size shall be two or more acres if large animals (such as horses, cows, sheep, llamas, ostriches, and hogs) are to be treated or kept;
 - (2) No treatment rooms or pens for large animals and shall be located closer than 200 feet from any off-site residential building or 100 feet from any property line, unless maintained within a completely enclosed building; and
 - (3) No objectionable odors are noticeable at or beyond the lot line.
- (O) Clubs or lodges, private;
- (P) Commercial Solar Energy Facility, subject to all regulations as found in §§ 156.01 through 156.99;
- (Q) Communication facilities;
- (R) Community center;
- (S) Contractor/construction office/storage, not exceeding a floor area of 2,400 square feet and all equipment and materials are stored inside a building;
- (T) Dwellings, single-family detached on parcels less than 40 acres or that exceed the requirements under § 157.086(F) and at least one acre in size;
- (U) Game breeding/shoot preserve;
- (V) Governmental use, non-essential;
- (W) Greenhouse, commercial;
- (X) Gravel pits;
- (Y) Home commercial;
- (Z) Kennels, commercial;
- (AA) Landscaping business, provided:
 - (1) The minimum lot size is two acres; and
 - (2) No retail sales are permitted.

- (BB) 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 Ill. Adm. Code, Subtitle G, Pt. 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 Ill. Adm. Code, Subtitle G, Pt. 831;
- (CC) Manufactured/mobile home, accessory to agriculture;
- (DD) 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;
- (EE) Paintball facilities; provided, that outdoor paintball facilities are located more than 500 feet from any residential district, adjacent dwelling, school, church, existing paintball facility, and hunting range;
- (FF) Personal recreational building, not to exceed 2500 square feet.
- (GG) Recreational facilities, Class I, Class II, and Class III;
- (HH) Schools, private and public;
- (II) Shooting ranges, outdoor;
- (JJ) Small wind energy systems, subject to all regulations as found in §§ 153.20 through 153.28. There shall only be one wind energy system allowed on a zoning lot; and
- (KK) Stable, public;
- (LL) Wind energy conversion systems, subject to all regulations as found in §§ 153.01 through 153.11;

(Prior Code, 7 TCC 1-7(c)) (Ord. LU-16-02, passed 6-29-2016; Ord. LU-16-05, passed 9-28-2016; Ord. LU-17-14, passed 11-15-2017)

§ 157.088 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 40 acres.

(Prior Code, 7 TCC 1-7(d))

§ 157.089 MINIMUM LOT WIDTH.

Minimum lot width at building setback line shall be 200 feet.

(Prior Code, 7 TCC 1-7(e))

§ 157.090 FRONTAGE.

Except as is provided by special use permit, the minimum road frontage shall be 200 feet.

(Prior Code, 7 TCC 1-7(f))

§ 157.091 MINIMUM SETBACKS.

The following setback standards shall apply in the A-1 District for principal and accessory structures.

- (A) *Abutting the following roads.*
 - (1) Arterial street (highway): 150 feet from the centerline of the right-of-way.
 - (2) Collector street (major): 100 feet from the centerline of the right-of-way.

(3) Minor street (minor): 100 feet from the centerline of the right-of-way.

(4) Private street (minor): 100 feet from the centerline of the right-of-way.

(B) *Side yard.*

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

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

(C) *Rear yard.*

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

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

(Prior Code, 7 TCC 1-7(g))

§ 157.092 HEIGHT.

The following height regulations shall apply in the A-1 District:

(A) Principal structures not to exceed 36 feet to the mean height of the roof; and

(B) Accessory structures not to exceed 36 feet to the mean height of the roof.

(Prior Code, 7 TCC 1-7(h))