
**ST JOSEPH COUNTY
CHAPTER 154: PLANNING AND ZONING**

TABLE OF CONTENTS

Section

Provisions of Common Applicability

| | |
|---------|------------------------------------------------------------|
| 154.001 | Title |
| 154.002 | Interpretation |
| 154.003 | Scope |
| 154.004 | Frontage on improved public road |
| 154.005 | Number of buildings on lot |
| 154.006 | Yards; generally |
| 154.007 | Height of buildings and structures in vicinity of airports |
| 154.008 | Sewage treatment and water supply |
| 154.009 | Dams and watercourses |
| 154.010 | Floor area ratio application in particular cases |
| 154.011 | Subdivision of land |
| 154.012 | General use provisions; permitted uses |
| 154.013 | Exemptions |

Zoning Districts and Zone Maps

| | |
|---------|-------------------------------------------|
| 154.025 | Districts established |
| 154.026 | Official zoning map |
| 154.027 | Identification of the official zoning map |
| 154.028 | Official zoning map change |
| 154.029 | Retention and preservation of record |
| 154.030 | Interpretation of the official zoning map |
| 154.031 | Disconnected territory |

Nonconforming Lots, Uses, Buildings, Structures or Signs

| | |
|---------|--------------------------------------------------------------------------------------------------------------|
| 154.045 | Intent |
| 154.046 | Incompatibility of legally established nonconforming uses |
| 154.047 | Avoidance of undue hardship |
| 154.048 | Legally established nonconforming lots |
| 154.049 | Legally established nonconforming buildings or structures (excluding signs) |
| 154-050 | Legally established nonconforming uses of land |
| 154.051 | Discontinuation of legally established nonconforming use of land |
| 154.052 | Discontinuation of legally established nonconforming uses within legally established buildings or structures |
| 154.053 | Legally established nonconforming uses within legally established nonconforming buildings or structures |

Table of Contents

- 154.054 Repairs and maintenance of legally established nonconforming buildings or structures (excluding signs)
- 154.055 Legally established nonconforming signs
- 154.056 Determination of cost of construction
- 154.057 Reconstruction, remodeling or enlargement of a legally established nonconforming single-family dwelling or two-family dwelling
- 154.058 Agricultural nonconforming use

General Regulations

- 154.070 Accessory uses, buildings and structures
- 154.071 Temporary uses, buildings and structures
- 154.072 Home occupations
- 154.073 Performance standards
- 154.074 Zoning violations
- 154.075 Additional development standards
- 154.076 Requirements for all private streets and private alleys
- 154.077 Exemptions for anti-terrorism devices and portable towers
- 154.078 Clear sight area requirements
- 154.079 Trailers, mobile homes and tents

Agricultural District

- 154.090 Intent
- 154.091 Permitted uses
- 154.092 General development standards

R: Single-Family District

- 154.105 Intent
- 154.106 Permitted uses
- 154.107 General development standards

R-2: Residential District

- 154.120 Intent
- 154.121 Permitted uses
- 154.122 General development standards

O/B: Office/Buffer District

- 154.135 Intent
- 154.136 Permitted uses
- 154.137 General development standards

O: Office District

- 154.150 Intent
- 154.151 Permitted uses
- 154.152 General development standards

B: Business District

- 154.165 Intent
- 154.166 Permitted uses
- 154.167 General development standards

C: Commercial District

- 154.180 Intent
- 154.181 Permitted uses
- 154.182 General development standards

I: Industrial District

- 154.210 Intent
- 154.211 Permitted uses
- 154.212 General development standards

Planned Unit Development District

- 154.225 Intent
- 154.226 Permitted uses, development standards and minimum requirements
- 154.227 Procedure for approval of a planned unit development
- 154.228 Modification of preliminary plan or secondary approval
- 154.229 Secondary plat approval
- 154.230 Maintenance of common open space
- 154.231 Appeals of Executive Director's decisions
- 154.232 Special regulations for mobile home parks in a PUD District

HP: Historic Preservation Overlay District

- 154.245 Intent
- 154.246 Permitted uses
- 154.247 Development standards
- 154.248 Establishment
- 154.249 Membership
- 154.250 Powers and duties; generally
- 154.251 Adoption of bylaws, rules, and regulations
- 154.252 Annual budget; approval of personnel; public meetings
- 154.253 Historic landmarks designation and Historic Preservation District establishment
- 154.254 Powers within Historic Preservation Districts

Table of Contents

- 154.255 Historic landmarks and districts; establishment of preservation standards
- 154.256 Historic landmarks and districts; development of plans
- 154.257 Public relations and community education programs
- 154.258 Assistance to owners of historic landmarks
- 154.259 Requests to County Council to delay alteration of historic landmarks
- 154.260 Gifts, grants, legacies, bequests and endowments
- 154.261 Processing national register of historic places inventory; nomination forms
- 154.262 Acceptance of conservation easements
- 154.263 Fees of certificate of appropriateness

U: University District

- 154.275 Intent
- 154.276 Permitted uses
- 154.277 Development standards

FP: Floodplain Regulations

- 154.290 Intent
- 154.291 Statutory authorization
- 154.292 Definitions
- 154.293 Duties of Administrator
- 154.294 Regulatory flood elevation
- 154.295 Improvement location permit
- 154.296 Preventing increased damages
- 154.297 Protecting buildings
- 154.298 Other development requirements
- 154.299 Variances
- 154.300 Disclaimer of liability
- 154.301 Abrogation and greater restrictions
- 154.302 Separability

Landfill Overlay District

- 154.315 Intent
- 154.316 Permitted uses
- 154.317 General development standards

IEC: Indiana Enterprise Center Overlay District

- 154.318 Intent and applicability
- 154.319 Land use standards
- 154.320 Landscaping and screening
- 154.321 Definitions

Landscape Regulations

- 154.330 Intent
- 154.331 General landscaping provisions
- 154.332 Landscaping of required front yards and required side and rear yards abutting residential districts and residential uses
- 154.333 Foundation landscaping
- 154.334 Interior off-street parking area landscaping
- 154.335 Off-street parking area screening
- 154.336 Minimum plant material sizes at time of planting
- 154.337 Installation of landscaping
- 154.338 Maintenance of landscaping
- 154.339 Alternate landscape plan approval

Lighting Regulations

- 154.350 Intent
- 154.351 General requirements
- 154.352 Special regulations for sport and athletic field lights
- 154.353 Exempt lights
- 154.354 Temporary lights
- 154.355 Prohibited lights

Sign Regulations

- 154.370 Intent
- 154.371 Applicability
- 154.372 General Regulations
- 154.373 Exempt Signs
- 154.374 Prohibited Signs
- 154.375 Sign Measurement
- 154.376 On-Premise Signs; Generally
- 154.377 On-Premise Signs; Building
- 154.378 On-Premise Signs; Freestanding
- 154.379 Temporary Signs
- 154.380 Off-Premise Signs

Off-Street Parking Regulations

- 154.415 Intent
- 154.416 Applicability
- 154.417 Existing parking areas
- 154.418 Location of parking areas
- 154.419 Design and construction of off-street parking areas
- 154.420 Minimum number of required off-street parking spaces
- 154.421 Required bicycle parking
- 154.422 Required parking for the disabled

Table of Contents

154.423 Required off-street parking

Off-Street Loading Regulations

154.435 Intent
154.436 Loading for buildings, structures or uses
154.437 Design and construction of loading areas
154.438 Location of off-street loading areas
154.439 Use of required loading areas
154.440 Surface of loading areas
154.441 Special regulations for gasoline service stations
154.442 Minimum number of off-street loading spaces

Special Regulations for Wireless Telecommunication Facilities

154.455 Intent
154.456 Wireless telecommunication facilities requirements
154.457 Siting hierarch of wireless telecommunication facilities
154.458 Development standards
154.459 Abandonment and removal of telecommunication towers, antenna arrays, associated equipment and buildings
154.460 Limitations on special uses

Special Regulations for Controlled and Adult Uses

154.475 Intent
154.476 Controlled uses
154.477 Locations permitted
154.478 Adult business uses

Special Regulations for Residential Facilities for the Mentally Ill

154.490 General provisions

Renewable Energy Systems

154.505 Wind energy conversion systems; Intent
154.506 Wind energy conversion systems; General
154.507 Small wind energy conversion systems; development standards
154.508 Wind energy facility; generally
154.509 Wind energy facility; approval
154.510 Wind energy facility; abandonment discontinuation or decommissioning of wind turbines and removal of wind energy facilities
154.511 Solar Energy Systems (“SES”); Intent
154.512 Solar Energy Systems (“SES”); Applicability
154.513 Solar Energy Systems (“SES”); General
154.514 Building-Mounted Solar Energy Systems (“SES”); Development Standards

- 154.515 Ground-Mounted Solar Energy Systems (“SES”); Development Standards
- 154.516 Abandonment and Removal of Ground-Mounted Solar Energy Systems

Agritourism

- 154.520 Intent
- 154.521 Agritourism; General
- 154.522 Agritourism; Development Standards

County Council

- 154.525 General Provisions

Area Plan Commission

- 154.540 Establishment
- 154.541 Membership, qualifications and terms
- 154.542 Duties and powers
- 154.543 Commitments

Board of Zoning Appeals

- 154.555 Establishment and jurisdiction
- 154.556 Membership, qualifications and terms
- 154.557 Duties and powers
- 154.558 Conditions
- 154.559 Amendments
- 154.560 Commitments
- 154.561 Rules
- 154.562 Variance of development standards
- 154.563 Conditional Uses
- 154.564 Other powers

Staff Agencies

- 154.580 Establishment
- 154.581 Administration of planning and zoning authority
- 154.582 Duties and powers of the Executive Director and Zoning Administrator
- 154.583 Staff

Development Review Procedures

- 154.595 Intent
- 154.596 Improvement location permits
- 154.597 Compliance with other laws, ordinances, rules or regulations
- 154.598 Application form and plan requirements
- 154.599 Zoning ordinance amendment procedures

Table of Contents

- 154.600 Variance and special use procedures
- 154.601 Modification or termination of commitments

Enforcement

- 154.615 Authority
- 154.616 Alleged violations
- 154.617 Responsibility for violations
- 154.618 Inspection of property; right of entry
- 154.619 Cease and desist order
- 154.620 Violations

Definitions

- 154.635 Interpretation of terms or words
- 154.636 Definitions

- 154.999 Penalty

- Appendix A: Commitments concerning the use or development of real estate made in connection with a zone map change or planned unit development
- Appendix B: Commitments modifying or terminating existing commitments concerning the use or development of real estate made in connection with a zone change or planned unit development
- Appendix C: Commitments concerning the use or development of real estate made in connection with a special use, conditional use or a variance grant from the terms of the zoning ordinance
- Appendix D: Commitments modifying or terminating existing commitments concerning the use or development of real estate made in connection with a special use, conditional use or a variance