

St. Joseph County, IN
Summary Only

For full ordinance text, please find pdf below or visit county website.

Date Passed/Amended: February 18, 2020

Summary Written: April 29, 2022

Agricultural Use Table:

Eligible Zoning:

- a) Solar Energy System (SES)
 - a. Small Scale Solar Energy System (SS-SES)
 - i. Less than or equal to 40,000sqft in panel area.
 - ii. Permitted Use
 - 1. Agriculture District
 - 2. Residential District (Single Family) 5 acres or more
 - 3. Residential District (R-2) 5 acres or more
 - 4. Commercial District
 - 5. Industrial District
 - 6. University District
 - iii. Accessory Use
 - 1. Residential District (Single Family) less than 5 acres
 - 2. Residential District (R-2) less than 5 acres
 - 3. Office/Buffer District (O/B)
 - 4. Office District (O)
 - 5. Business District (B)
 - b. Large Scale Solar Energy System (LS-SES)
 - i. More than 40,000sqft in panel area.
 - 1. Permitted Use
 - a. Agriculture District
 - b. Industrial District
 - c. University District
 - 2. Special Use
 - a. Residential District (Single Family) less than 5 acres
 - b. Residential District (Single Family) more than 5 acres
 - c. Residential District (R-2) less than 5 acres
 - d. Residential District (R-2) more than 5 acres
 - e. Office/Buffer District (O/B)
 - f. Office District (O)
 - g. Commercial District (C)

Prohibition Language:

Required Information/Permits Required:

- a) Large Scale Solar Energy System (LS-SES)
 - a. Building Permit
 - b. Improvement Location Permit

Request for Variance:

Site and Structure Requirements:

- a) Compliance with all local, state, and federal regulations:
 - a. Large Scale Solar Energy System (LS-SES)
 - i. All LS-SES shall comply with all federal, state and local laws and ordinances, including but not limited to building codes, fire codes, placement in floodplains and historic preservation districts.
- b) Concentrating Solar Power Facilities:
- c) Fencing/Security:
- d) Glare minimization:
- e) Height:
 - a. Large Scale Solar Energy System (LS-SES)
 - i. Ground Mounted SES shall not exceed twenty-two (22) feet in height.
- f) Lighting:
- g) Minimum Lot Size:
 - a. Large Scale Solar Energy System (LS-SES)
 - i. Ground mounted LS-SES shall not be calculated in the floor area ratio of the district in which they are located.
- h) Noise:
- i) Outside storage:
- j) Setbacks and Lot Coverage:
 - a. Large Scale Solar Energy System (LS-SES)
 - i. Ground mounted LS-SES shall meet the required setbacks of the district in which they are located.
- k) Screening:
 - a. Large Scale Solar Energy System (LS-SES)

- i. Pollinator friendly seed mixes and native plants are required around the SES at a rate of two (2) square feet of plantings for every one (1) square foot of solar panels.
- ii. The Zoning Administrator may approve the redistribution of the required landscaping to other locations on the site.

l) Signage:

m) Site Access/Emergency Response:

n) Utility Connections:

o) Waste:

a. Large Scale Solar Energy System (LS-SES)

- i. All solid and hazardous waste must be removed promptly and in accordance with all applicable local, state and federal laws and regulations.

Operation and Maintenance Plan:

a) Monitoring and Maintenance

b) Soil and Erosion and Sediment Control

Decommissioning and Site Reclamation:

a) Large Scale Solar Energy System (LS-SES)

- a. Any Ground Mounted Solar Energy System which has reached its end of useful life or has been abandoned shall be removed by the owner no more than one hundred and twenty (120) days after the date of discontinued operations or an agreed upon timeframe with the Zoning Administrator. Owner/operator must:
 - i. Remove all physical structures and equipment.
 - ii. Dispose of all solid and hazardous waste in accordance with local, state and federal regulations.
 - iii. Stabilize or re-vegetation of the site as necessary to minimize erosion.
- b. If any owner/operator fails to remove the SES as required within ninety (90) days of abandonment, the County retains the right after acquiring a court order to remove the SES.
- c. Any SES over two hundred thousand (200,000) square feet in panel area must establish a cash security fund, bond, irrevocable letter of credit or other means to secure the payment of removing any abandoned SES.
 - i. This fund must be one hundred and twenty-five (125) percent of the cost of removal up to a maximum of two hundred and fifty thousand (250,000) dollars.

- ii. This fund shall be replenished within thirty (30) days of after notice of fines, penalties or removal and within a reasonable period of time, that shall not exceed three (3) months after removal of the SES, any remaining funds will be returned to the security provider.
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