

St. Joseph County, IN
Summary Only

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

Date Passed/Amended: September 10, 2019

Summary Written: April 29, 2022

Agricultural Use Table:

Eligible Zoning:

- a) Wind Energy Facility (WEF)
 - a. Designed for offsite electricity use exclusively.
 - b. Permitted for Special Use
 - i. Agriculture District
 - ii. Residential District (Single Family)
 - iii. Commercial District
 - iv. Industrial District
 - v. University District

Prohibition Language:

Required Information/Permits Required:

- a) Wind Energy Facility (WEF)
 - a. Building Permit
 - b. Special Exception Use Permit
 - i. Public Hearing
 - ii. Site Plan
 - iii. Site Development Report
 - iv. Reports from various government agencies

Request for Variance:

Site and Structure Requirements:

- a) Compliance with all local, state, and federal regulations:
 - a. Wind Energy Facility (WEF)
 - i. WEF shall comply with all federal, state and local laws and ordinances including but not limited to placement in floodplain and historic preservation districts.
- b) Concentrating Solar Power Facilities:
- c) Fencing/Security:

- d) Glare minimization:
 - a. Wind Energy Facility (WEF)
 - i. The exterior surface of any visible components must be non-reflective, neutral in color and blend into the surrounding environment as practicable as possible.
 - ii. White or light gray is the color or preference unless the manufacturers color preference is proven to better blend into the environment.
 - iii. Decorative items such as flags, streamers and holiday and commemorative decorations are prohibited.
- e) Height:
 - a. Wind Energy Facility (WEF)
 - i. Height of all towers and turbines is to be submitted during the application process in the site development report.
- f) Lighting:
 - a. Wind Energy Facility (WEF)
 - i. No WECS shall be artificially lighted, unless required by the FAA or appropriate authority.
- g) Minimum Lot Size:
- h) Noise:
- i) Outside storage:
- j) Setbacks and Lot Coverage:
- k) Screening:
- l) Signage:
 - a. Wind Energy Facility (WEF)
 - i. No WEF may be used to advertise or promote any product or service. No word or graphic representation that may be construed as advertising, other than appropriate warning signs and the manufacturers technical information, shall be placed on a wind turbine, tower or other associated building.
- m) Site Access/Emergency Response:
- n) Utility Connections:
 - a. Wind Energy Facility (WEF)

- i. No WEF shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected, customer-owned WEF.

o) Waste:

Operation and Maintenance Plan:

- a) Monitoring and Maintenance
 - a. Wind Energy Facility (WEF)
 - i. A maintenance schedule is to be submitted during the application process in the site development report.
- b) Soil and Erosion and Sediment Control
 - a. Wind Energy Facility (WEF)
 - i. A drainage and soil erosion control plan is to be submitted during the application process in the site plan.

Decommissioning and Site Reclamation:

- a) Wind Energy Facility (WEF)
 - a. WEF and all associated facilities that have not produced electricity in a continuous twenty-four (24) month period shall be deemed abandoned and removed.
 - b. Maintenance that requires longer than a twenty-four (24) month period shall be brought to the attention of the Building Department.
 - c. WEF must establish a cash security fund, bond or irrevocable letter of credit to secure payment of removing an abandoned WEF in the amount of one hundred and twenty-five (125) percent of the cost of demolition and removal of the WEF.
 - i. Any deductions from this fund for the purpose of fines, penalties or removal shall be replenished within thirty (30) days.
 - ii. Within a reasonable time, not to exceed three (3) months, any remaining funds after the complete removal of the WEF will be returned to the provider of the security fund.
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