Chapter 3 DISTRICTS, ZONING MAP, AND DISTRICT STANDARDS

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10–3–1 DISTRICTS

The zoning districts into which the village is divided by the Zoning Ordinance shall be designated as indicated in Table 10-3A:

Table 10-3A Zoning Districts

A	Agricultural
R-1	R-1 Residential
R-2	R-2 Residential
R-3	R-3 Residential
R-4	R-4 Residential
TC	Town Center
C	General Commercial
I	Industrial

10-3-2 ZONING MAP

(A) Location of Districts

1. The Zoning Ordinance includes a zoning district map describing certain districts. The location and boundaries of the zoning districts established by this Ordinance are set forth in the Official Zoning Map, as periodically amended.

2. The Official Zoning Map is incorporated into, and made an integral part of, this Ordinance.

3. The original of the Official Zoning Map, signed by the Village Clerk, shall be kept in the Village Office.

4. The Official Zoning Map shall be corrected and brought up to date in January of each year.

(B) Interpretation of District Boundaries

Where uncertainty exists with respect to the boundaries of any districts as shown on the Official Zoning Map, the following rules shall apply:

1. Where district boundaries are indicated as approximately following the centerlines of alleys, streets or highways, said alley, street lines, or highway right-of-way lines shall be construed to be such boundaries.

2. Where district boundaries are so indicated that they approximately follow the lot lines, such lines shall be construed to be said boundaries.

3. Where a district boundary line does not coincide with any of the lines described in Items 1 or 2 of this section, the district boundary line involved shall be dimensioned on the zoning map.

4. Whenever any street, alley or other public way is legally vacated, the districts adjoining each side of such vacated public way shall automatically extend to the center of such way and all area included in the vacation shall be subject to all appropriate regulations of the extended districts.

10-3-3 ANNEXATION OF NEW TERRITORY

Unless a valid pre-annexation agreement in effect at the time of annexation provides otherwise, or unless, after a public hearing before the Planning and Zoning Commission, specific action by the Village Board provides otherwise, all territory which may be annexed to the village shall, upon annexation, be classified as a Village zoning district consistent with the Village of St. Joseph Comprehensive Plan as indicated in Table 10-3B.

Table 10-3B. Zoning District Classification upon Annexation

Village of St. Joseph Comprehensive Plan Future Land Use Map Designation	Village of St. Joseph Zoning District
Residential	R-1 Residential
Mixed Residential	R-3 Residential
Natural Recreation	R-1 Residential
Neighborhood Recreation	R-1 Residential
Regional Business	C General Commercial
Agricultural	A Agricultural
Industrial	I Industrial
Institutional	C General Commercial

10-3-4 EXEMPTIONS FOR RIGHTS-OF-WAY

The provisions of this Ordinance do not apply to land located within rights-of-way.

10-3-5 RESIDENTIAL DISTRICTS

(A) Purpose Statements

1. R-1 Residential District. The R-1 Residential District is intended for a low to moderate density environment of detached single-family dwellings sited on lots that are serviced by community sewer and water. Limited non-residential uses, which are compatible with surrounding residential neighborhoods, may be permitted.

2. R-2 Residential District. The R-2 Residential District is intended for a moderate density environment of detached single-family dwellings sited on lots that are serviced by community sewer and water. Limited non-residential uses, which are compatible with surrounding residential neighborhoods, may be permitted.

3. R-3 Residential District. The R-3 Residential District is intended to accommodate a variety of residential buildings, such as detached single-family dwellings, two-family dwellings, townhouses, and other multi-family housing. The R-3 Residential District is intended only for areas where adequate public utilities and other infrastructure exists that can serve moderate to higher density development, as well as where such development will not negatively impact lower density residential neighborhoods. Limited non-residential uses, which are compatible with surrounding residential neighborhoods, may be permitted.

4. R-4 Residential District. The R-4 Residential District accommodates a variety of residential structures, such as detached single-family dwellings, two-family dwellings, townhouses, and other multi-family housing. The R-4 Residential District is intended only for areas where adequate public utilities and other infrastructure exists that can serve higher density development, as well as where such development will not negatively impact lower density residential neighborhoods. Limited non-residential uses, which are compatible with surrounding residential neighborhoods, may be permitted.

(B) Lot and Building Requirements

1. Except as provided elsewhere in this code, a principal building erected in the R-1, R-2, R-3, or R-4 Residential District must conform to the lot area, height, and placement standards indicated in Table 10-3C.

Table 10-3C. Schedule of Lot Area, Height, and Placement Standards for Residential Districts

District	Minimum Lot Area Per Type of Dwelling[a] (square feet)			Minimum Average Lot Width [b] (feet)	Maximum Building Height (feet)	Maximum Number of Stories	Minimum Required Yard Setbacks (feet)		
	Single Family Dwelling	Two-Family Dwelling	Multi-Family Dwelling						
R-1	9,600	n/a	n/a	80	35	2-1/2	30	10	35
R-2	7,500	n/a	n/a	65	35	2-1/2	30	7-1/2	35
R-3	9,600	5,000	5,000	65	35	2-1/2	30	7-1/2	35
R-4	8,000	4,000	3,000	65	50	n/a	30	7-1/2	35

Table 10-3C Notes:

a. The provisions of this Section notwithstanding, all lots shall comply with the provisions of Title 7, Health and Sanitation.

b. The minimum average lot width requirement applies to the area between the farthest front point of the main building and the farthest back point of the main building on a lot.

c. "n/a" means "not applicable".

2. Flag Shaped Lots

a. If a lot in a residential district has a narrow access drive (e.g., "flag shaped lot"), the narrow access area shall be included in calculating the average lot width. Any such narrow access drive shall be excluded in calculating

the setback requirement if the Zoning Administrator determines that to do so is consistent with the intent of this Ordinance.

b. In no event shall any lot in a residential district have a frontage along a road of less than 40 feet or a setback from any boundary line of less than that required for the side yard setback in its zoning district.

3. Institutional uses, when permitted in a residential district, may be erected to exceed height limits specified for the district, provided that all required yard setbacks are increased by one foot for each foot of building height above the specified height limit.

4. Detached accessory buildings and accessory structures erected in the R-1, R-2, R-3, or R-4 Residential District must comply with the following provisions in addition to other applicable provisions of this Ordinance:

a. Detached accessory buildings and accessory structures must not be located within a required front yard setback as specified in Table 10-3C above.

b. On a corner lot, an accessory building must not be located within the required front yard setback on either street.

c. A detached accessory building or structure must be located a distance of not less than three feet from any side lot line.

d. A detached accessory building or structure must be located a distance of not less than five feet from any rear lot line.

e. A detached accessory building must be located so that the majority of its footprint is situated within the rear yard.

f. One or more detached accessory buildings must not occupy more than a total of 30 percent of a required rear yard.

g. Accessory buildings may include:

(1) A noncommercial greenhouse that does not exceed in floor area 25 percent of the ground floor area of the main building.

(2) A private residential garage used only for the housing of passenger vehicles and with a floor area not to exceed 550 square feet. An additional floor area of 200 square feet may be provided for each 3,000 square feet of lot area by which such lot exceeds 6,000 square feet provided that no garage shall exceed 1,000 square feet nor house more than five such vehicles.

(C) Exceptions to Lot and Building Requirements in Residential Districts

The lot and building requirements specified in Paragraph (B) above shall be modified as

indicated below:

1. Any lot of record at the time of passage of this Ordinance having less area or width than herein required may be used for a single-family dwelling provided that all provisions of Title 7, Health and Sanitation are met.

2. The ordinary projection of sills, belt courses, cornices and ornamental features shall be permitted not to exceed 18 inches in any required yard setback.

3. The front yard setback requirement shall be reduced to the greater of the existing setback of two immediately adjacent existing houses.

4. The required side yard setback shall be maintained on each side of the dwelling, but such side yard setback may be reduced to 10 percent of the lot width on lots of less than 75 feet in width; provided, however, that no side yard setback shall be less than five feet.

5. The required side yard setback on the street side of a corner lot shall be the same as the required front yard setback on such street, except that the buildable width shall not be reduced to less than 32 feet.

6. For the purpose of side yard setback regulations, a two-family dwelling shall be considered as one building occupying one lot.

7. The required rear yard setback may be reduced to 20 percent of the depth of the lot on any lot not exceeding 125 feet in depth.

8. Chimneys and antennas may be no higher than five feet above the highest point of the roof.

10-3-6 TOWN CENTER DISTRICT AND GENERAL COMMERCIAL DISTRICT

(A) Purpose Statements

1. Town Center District. The Town Center District is intended to preserve and enhance the historical village center by providing for a mix of commercial and residential uses, including, but not limited to, retail sales and service, office, and multi-family housing, that serves the residents of the Village and surrounding areas. Future mixed-use development is encouraged, and residential dwelling units are permitted above the ground-floor.

2. General Commercial District. The General Commercial District is intended for areas with a variety of high intensity highway-oriented commercial uses, generally serving consumer needs of the Village population and a wider geographic area.

(B) Lot and Building Requirements

1. Except as provided elsewhere in this code, a principal building erected in the Town Center District or General Commercial District must conform to the lot area, height, and placement standards indicated in Table 10-3D.

Table 10-3D. Schedule of Lot Area, Height, and Placement Standards for Town Center and General Commercial Districts

District	Minimum Lot Area [a] (square feet)		Minimum Average Lot Width (feet)	Maximum Building Height (feet)	Maximum Number of Stories	Minimum Required Yard Setbacks (feet)		
	Principal Building or Principal Structure	Multi-Family Dwelling						
Town Center	None	5,000	n/a	35	2-1/2	25	B	b
General Commercial	None	5,000	n/a	35	2-1/2	25	B	b

Table 10-3D Notes:

a. The provisions of this Section notwithstanding, all lots shall comply with the provisions of Title 7, Health and Sanitation.

b. None unless adjacent to a residential district in which case a minimum side yard of 10 feet is required, and/or a minimum rear yard of 25 feet is required.

c. "n/a" means "not applicable".

2. Institutional uses, when permitted in the Town Center District or General Commercial District, may be erected to exceed height limits specified for the district, provided that all required yard setbacks are increased by one foot for each foot of building height above the specified height limit.

3. Where a lot in the Town Center District or General Commercial District is used for commercial or industrial purposes, more than one main building may be located on the lot or tract but only when such buildings:
   i. conform to all lot area, height, and placement standards for the district in which the lot is located; and
   ii. conform to all provisions of Title 7, Health and Sanitation.

4. Detached accessory buildings and accessory structures erected in the Town Center District or General Commercial District must comply with the following provisions in addition to other applicable provisions of this Ordinance:

a. Detached accessory buildings and accessory structures must not be located within a required front yard setback as specified in Table 10-3D above.

b. If on a corner lot, detached accessory buildings and accessory structures must not be located within the required front yard setback on either street.

5. Accessory buildings and accessory uses in the Town Center and General Commercial Districts shall not exceed 40 percent of the floor area of a building for incidental storage or light industrial activity.

(C) Exceptions to Lot and Building Requirements in the Town Center District and General Commercial District

The height and area regulations specified in Paragraph (B) above shall be modified as indicated below:

1. The front yard setback may be reduced to the same distance as an immediately adjacent, existing building in the same block.

2. The required side yard setback as indicated in Table 10-3D shall be maintained on each side of a dwelling, but such side yard setback may be reduced to 10 percent of the lot width on lots of less than 75 feet in width; provided, however, that no side yard setback of a dwelling shall be less than 7-1/2 feet.

3. The required rear yard may be reduced to 20 percent of the depth of the lot on any lot not exceeding 125 feet in depth.

4. The ordinary project of sills, belt courses, cornices and ornamental features shall be permitted not to exceed 18 inches in any required yard setback.

5. Filling station pumps and pump islands, where permitted, may occupy required yard setbacks, provided that they are not less than 15 feet from property lines.

6. Chimneys and antennas may be no higher than 10 feet above the highest point of the building.

10-3-7 INDUSTRIAL DISTRICT

(A) Purpose Statement

The Industrial District is intended to provide areas to accommodate light to moderate intensity industrial uses with necessary services and facilities while minimizing obtrusion on or by adjoining uses and districts.

(B) Lot and Building Requirements

1. Except as provided elsewhere in this code, a principal building erected in the Industrial District must conform to the area, height, and placement standards indicated in Table 10-3E.

Table 10-3E. Schedule of Lot Area, Height, and Placement Standards for the Industrial District

District	Minimum Lot Area Per Principal Building [a] (square feet)	Minimum Average Lot Width (feet)	Maximum Building Height (feet)	Maximum Number of Stories	Minimum Required Yard Setbacks (feet)		
					Front	Each Side	Rear
Industrial	None	n/a	50	n/a	25	b	b

Table 10-3E Notes:

a. The provisions of this Section notwithstanding, all lots shall comply with the provisions of Title 7, Health and Sanitation.

b. None unless adjacent to a residential district in which case a minimum side yard of 10 feet is required, and/or a minimum rear yard of 25 feet is required.

c. "n/a" means "not applicable".

2. Where a lot in the Industrial District is used for commercial or industrial purposes, more than one main building may be located on the lot or tract but only when such buildings:
   i. conform to all lot area, height, and placement standards for the Industrial District; and
   ii. conform to all provisions of Title 7, Health and Sanitation.

3. Institutional uses or community facilities, when permitted in the Industrial District, may be erected to exceed height limits specified for the district, provided that all required yard setbacks are increased by one foot for each foot of building height above the specified height limit.

4. Detached accessory buildings and accessory structures erected in the Industrial District must comply with the following provisions in addition to other applicable provisions of this Ordinance:

   a. Detached accessory buildings and accessory structures must not be located within a required front yard setback as specified in Table 10-3E above.

   b. If on a corner lot, detached accessory buildings and accessory structures

must not be located within the required front yard setback on either street.

(C) Exceptions to Lot and Building Requirements in the Industrial District

The lot and building requirements specified in Paragraph (B) above shall be modified as indicated below:

1. The minimum required side yard setback as indicated in Table 3E shall be maintained on each side of a dwelling, but such side yard setback may be reduced to 10 percent of the lot width on lots of less than 75 feet in width; provided, however, that no side yard setback of a dwelling shall be less than 7-1/2 feet.

2. The required rear yard setback may be reduced to 20 percent of the depth of the lot on any lot not exceeding 125 feet in depth.

3. The ordinary project of sills, belt courses, cornices and ornamental features shall be permitted not to exceed 18 inches in any required yard setback.

4. Filling station pumps and pump islands, where permitted, may occupy required yard setbacks, provided that they are not less than 15 feet from property lines.

5. Chimneys and antennas may be no higher than 10 feet above the highest point of the building.

10-3-8 AGRICULTURAL DISTRICT

(A) Purpose Statement

The Agricultural District is intended to prevent scattered, indiscriminate urban development within areas which are predominately used for farming, and to prevent a mixture of incompatible urban and rural uses.

(B) Lot and Building Requirements

1. Except as provided elsewhere in this code, a principal building erected in the Agricultural District must conform to the lot area, height, and placement standards indicated in Table 10-3F.

Table 10-3F. Schedule of Lot Area, Height, and Placement Standards for Agricultural District

District	Minimum Lot Area [a] (square feet)	Minimum Average Lot Width [b] (feet)	Maximum Building Height (feet)	Maximum Number of Stories	Minimum Required Yard Setbacks (feet)		
					Front	Each Side	Rear
Agricultural	30,000	80	35	2-1/2	30	10	35

Table 10-3F Notes:

a. The provisions of this Section notwithstanding, all lots shall comply with the provisions of Title 7, Health and Sanitation.

b. The minimum average lot width requirement applies to the area between the farthest front point of the main building and the farthest back point of the main building on a lot.

2. Flag Shaped Lots

a. If a lot in the Agricultural District has a narrow access drive (e.g., "flag shaped lot"), the narrow access area shall be included in calculating the average lot width. Any such narrow access drive shall be excluded in calculating the setback requirement if the Zoning Administrator determines that to do so is consistent with the intent of this Ordinance.

b. In no event shall any lot in the Agricultural District have a frontage along a road of less than 40 feet, or a setback from any boundary line of less than that required for the side yard setback.

3. Where a lot in the Agricultural District is used for commercial or industrial purposes, more than one main building may be located on the lot or tract but only when such buildings:
   i. conform to all lot area, height, and placement standards for the Industrial District; and
   ii. conform to all provisions of Title 7, Health and Sanitation.

4. Institutional uses, when permitted in the Agricultural District, may be erected to exceed height limits specified for the district, provided that all required yard setbacks are increased by one foot for each foot of building height above the specified height limit.

5. Detached accessory buildings and accessory structures erected in the Agricultural District must comply with the following provisions in addition to other applicable provisions of this Ordinance:

   a. Detached accessory buildings and accessory structures must not be located within a required front yard setback as specified in Table 10-3F above.

   b. If on a corner lot, detached accessory buildings and accessory structures must not be located within the required front yard setback on either street.

   a. A detached accessory building or structure must be located a distance of not less than three feet from any side lot line.

   b. A detached accessory building or structure must be located a distance of not less than five feet from any rear lot line.

   c. A detached accessory building must be located so that the majority of its footprint is situated within the rear yard.

   d. One or more detached accessory buildings must not occupy more than a total of 30 percent of a required rear yard.

   e. Accessory buildings may include:

      (1) A noncommercial greenhouse that does not exceed in floor area 25 percent of the ground floor area of the main building.

      (2) A private residential garage used only for the housing of passenger vehicles and with a floor area not to exceed 550 square feet. An additional floor area of 200 square feet may be provided for each 3,000 square feet of lot area by which such lot exceeds 6,000 square feet provided that no garage shall exceed 1,000 square feet nor house more than five such vehicles.

(C) Exceptions to Lot and Building Requirements in the Agricultural District

The lot and building requirements specified in Paragraph (B) above shall be modified as indicated below:

1. Any lot of record at the time of passage of this Ordinance having less lot area or lot width than required as indicated in Table 10-3F may be used for a single-family dwelling provided that all provisions of Title 7, Health and Sanitation are met.

2. The minimum required side yard setback as indicated in Table 10-3F shall be maintained on each side of the dwelling, but such side yard setback may be reduced to ten percent of the lot width on lots of less than 75 feet in width; provided, however, that no side yard setback shall be less than five feet.

3. The minimum required side yard setback on the street side of a corner lot shall be the same as the required front yard setback on such street, as indicated in Table 3F, except that the buildable width shall not be reduced to less than 32 feet.

4. The minimum required rear yard setback as indicated in Table 3F may be reduced to 20 percent of the depth of the lot on any lot not exceeding 125 feet in depth.

5. The ordinary project of sills, belt courses, cornices and ornamental features shall be permitted not to exceed 18 inches in any required yard setback.

6. Chimneys and antennas may be no higher than five feet above the highest point of the roof.