

TO THE BOARD OF COUNTY COMMISSIONERS
OF CLARK COUNTY, INDIANA

ORDINANCE NO. 14
AMENDMENT NO. 12
TO ORDINANCE NO. 17-2007

AN ORDINANCE AMENDING THE ZONING ORDINANCE
FOR CLARK COUNTY, INDIANA

WHEREAS, the Board of Commissioners of Clark County, Indiana, adopted the County's Zoning Ordinance as Ordinance No. 17-2007; and

WHEREAS, since the adoption of said Ordinance, the Interim Executive Director has made a recommendation that the Zoning Ordinance be modified; and

WHEREAS, both the Clark County Plan Commission and the Commissioners of Clark County have reviewed such recommendation, and believe such recommendation should be followed.

SECTION 1. Article V : Definitions – page 8. The following language shall be added as follows:

TEMPORARY STORAGE STRUCTURES: A portable storage unit which does not have a permanent foundation or footing and which includes cargo containers, portable storage containers, truck trailers, and bulk solid waste containers. Such structures shall not be considered a building.

CARGO CONTAINER: A container intended for multi-modal transportation via sea-going vessel, train, and truck trailer. These containers are self-contained without axles or wheels.

PORTABLE STORAGE CONTAINER: A self-storage container which is delivered to and retrieved from a home or business for long term off-site or on-site storage. Portable Storage On Demand (PODS) are a familiar trade name for such containers. These containers are not on a chassis and do not have axles or wheels.

SEMI TRAILER: A mobile trailer of fifty-three (53) feet or less in length with a chassis, axles, and wheels which is towed by a truck or tractor.

BULK SOLID WASTE CONTAINER: A container intended for construction waste material or other refuse, excluding garbage, for the purpose of removing said material from a site.

SECTION 2. That the following Provision be added to **Article II: General Provisions** in the *Zoning Ordinance of Clark County* in its entirety:

Temporary Storage Structures – Temporary storage structures are intended to provide temporary storage of household goods on residential property and business specific goods on professional, commercial, or industrial used and/or zoned lands. Such temporary structures shall not interfere with the normal operation of the permanent use on the property and shall not be detrimental to property or improvements in the surrounding areas. There shall also be no risk of injury to persons as a result of such

storage. No temporary storage structure shall be placed within County right-of-ways or easements, nor be located so as to interfere with traffic flow or visibility.

The following conditions shall apply to all temporary storage structures:

1. All temporary storage structures over 200 square feet shall require a Building Location Improvement permit from the Clark County Office of Planning and Zoning. Each temporary structures permit will require the following:
 - a. A completed Temporary Structures permit application.
 - b. A site plan showing the placement of the temporary structure.
 - c. A copy of the property deed.
 - d. A fifty dollar (\$50) permit fee for each temporary structure.

All temporary structure permits must be obtained prior to the installation of the structures. Permits applied for after installation may be subject to a fine of double the permit fee.

2. Cargo containers shall not exceed industry standards for width and height, and shall not exceed fifty-three (53) feet in length. The use of such containers shall be limited to commercial or industrial used land. Such containers shall be located to the rear or side of the principal building and set back a minimum of five (5) feet from side and rear property lines. There shall be a maximum of two (2) containers per site. No wide or high loads will be allowed. The use of such containers shall be limited to no more than one hundred twenty (120) days, or four (4) months, in any calendar year. In the event the owner of the property suffers a catastrophic loss due to fire, flood, or other physical calamity, the owner shall obtain a demolition permit and/or a building permit. Such containers shall be removed within one (1) week of the demolition or building permit expiration or the issuance of a Certificate of Completion.
3. Portable storage containers shall not exceed the industry standard for width, height, and length, not to exceed ten feet wide by twenty feet long (10x20) in residential used land. The use of such containers shall be limited to residential and commercial used lands. On commercial used land, such containers shall be located to the rear and the side of the principle building and set back a minimum of five (5) feet from the side and rear property lines. On residential used land, such containers shall meet the zoning setbacks for accessory structures for the district within which it is located. The container must be located on the property and not in any County right-of-ways. There shall be a maximum of one (1) container per site. The use of such containers shall be limited to no more than one hundred twenty (120) days, or four (4) months, in any calendar year. In the event the owner of the property suffers a catastrophic loss due to fire, flood, or other physical calamity, the owner shall obtain a demolition permit and/or a building permit. Such containers shall be removed within one (1) week of the demolition or building permit expiration or the issuance of a Certificate of Completion.
4. Semi-truck trailers shall not exceed fifty-three (53) feet in length. The use of trailers shall be limited to commercial and industrial used land. No wide or high loads will be allowed.
5. Bulk solid waste containers may be used on residential, commercial, and industrial used lands. Such containers shall be set back a minimum of five (5) feet from side and rear property lines and ten (10) from front property lines for commercial and industrial used lands. For residential used lands, such containers shall meet the zoning setbacks for accessory structures for the district within which it is located. Bulk solid waste containers shall be used for the removal of miscellaneous waste in conjunction with construction or demolition and shall be removed within one (1) week of the building permit expiration or Certificate of Completion issuance. Individuals may rent bulk storage containers for the immediate removal of miscellaneous waste and may not

require a demolition or building permit. In this case, the use of such containers shall be limited to no more than sixty (60) days in any calendar year.

EFFECTIVE DATE OF ORDINANCE AMENDMENT. This Ordinance shall become effective immediately from and after its passage.

ADOPTED this 28 day of July, 2016.



Jack Coffman, President

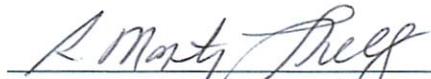


Rick Stephenson, Commissioner



Bryan Glover, Commissioner

ATTEST:



R. Monty Snelling, County Auditor