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Deborah A Wright
Kosciusko County Recorder IN
Recorded as Presented



Ordinance #: 24-06-18-001

AN ORDINANCE AMENDING, AND TO AMEND THE KOSCIUSKO COUNTY ZONING ORDINANCE, ORDINANCE NUMBER 75-1 Misc. Record 53, Pg. 130,

Definitions:

Accessory Use: A use customarily incidental and subordinate to the principal use, in a style of construction compatible with the construction of the improvements constituting the principal use and located on the same lot as the principal use.

Cargo container: A prefabricated metal structure designed for use as an individual shipping container in accordance with international standards for overseas shipping, designed to be mounted on a rail car as freight, or designed as an enclosed truck trailer. This shall include but not be limited to an intermodal container, shipping container, freight container, cargo vessel, sea or ocean container, ISO container, sea van, conex box, container van, sea-land containers, or POD.

Railroad box cars, truck vans, converted mobile homes, travel trailers, recreational vehicles, bus bodies, vehicles, semi-trailers and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not permitted as an accessory structure for storage. Cargo container does not include a freight trailer or van box that, when attached is supported at its forward end by the fifth wheel device of the truck tractor and the rear of the trailer contains axles or the assembly for axles and wheels.

3.5 Accessory Uses:

3.5.3 Cargo Containers

Cargo Containers, permanent or temporary, shall not be placed on any public streets/roads, street/road right of ways, alleys, street parking spaces, off street parking spaces which reduces the required number of off street parking spaces, public parking places, vehicular access lanes, fire lanes, pedestrian walkways, common areas, landscape areas or located within any drainage easements, retention/detention area, utility easements or access easements.

3.5.3.1 Permits shall be required prior to the placement of any cargo container regardless if it is rented, leased, or purchased and regardless of size.

3.5.3.2 Cargo Containers, not placed for any purpose noted under section 3.5.3.3 "Temporary Containers" shall be considered permanent.

1. Cargo containers, within any participating Town's Corporate Limits, shall be allowed within Industrial 1, 2, 3, and Public Use districts and shall meet the district requirements as noted under the Kosciusko County Zoning Ordinance including but not limited to setbacks and district requirements.

2. Cargo containers, within any participating Town's Corporate Limits and placed on property owned by the municipality shall be permitted regardless of the zoning district and shall be subject to all other provisions of these regulations.
3. Cargo containers shall be allowed as a permitted accessory use within Industrial 1, 2, 3, Commercial, Public Use, and Agricultural districts and shall meet the district requirements as noted under the Kosciusko County Zoning Ordinance including but not limited to setbacks and district requirements.
4. Cargo containers shall be subject to the requirements of the Kosciusko County Flood Control Ordinance and Stormwater and Erosion Control Ordinance when applicable.
5. Cargo containers shall be placed on a solid level surface including but not limited to concrete slabs, asphalt pavement, or hard packed aggregate.
6. Persons wishing to use cargo containers in conjunction with other structures by means of attachment shall do so in such a way that the container matches and is consistent with the existing structure.
7. Cargo containers shall have color consistent with those of the principal building unless approved otherwise by the Area Plan Commission Director.

3.5.3.3 Temporary Containers - Temporary Placement of Cargo Containers, referred to as temporary containers below, shall be permitted as noted below,

1. Temporary containers may be used for relocation to or from a property in a residential zone without meeting the required setbacks for a period not to exceed 15 days under the following condition: The container must be for the storage of household materials, including but not limited to furniture, appliances, household electronics, clothing, and other items of personal property.
2. Temporary containers may be used in conjunction to with a permitted construction project in any district and may remain on the property for the length that there is a valid open Improvement Location Permit. Any container placed under this section shall be removed from the property immediately upon completion of the project. Said container location shall be shown on the submitted site plan for the project.
3. Temporary containers may be permitted temporarily on a parcel for storage in any zoning district for emergency storage of household materials when a structure becomes uninhabitable due to fire, flood, earthquake, vandalism, or other such act against the structure. Said container shall remain no more than 6 (six) months from the date of the loss.
4. No temporary container shall be placed as to create a traffic or safety issue. Any container found to be creating a traffic or safety concern will be required to be relocated or removed within 72 hours of notification to an agreed upon location.
5. No container may obstruct a pedestrian way in such a manner which forces pedestrian traffic onto a vehicular way.

3.5.3.4 Cargo containers, regardless of the intended use, shall be secured at all times from entry by children and the general public when not attended.

3.5.3.5 Cargo containers shall not be stacked except in Industrial Zoned Districts and shall not be stacked more than 2 containers high in such district.

3.5.3.6 Cargo containers shall not be used for storage of refuse, garbage, trash and debris and such items shall not at any time be placed or stored against, around, on, or under a cargo container. Permanent containers that are altered specifically for the purpose of alternative use other than storage (such as office or residential uses) shall no longer be considered cargo containers.

3.5.3.7 Any container permanent or temporary to be placed in a flood zone shall require a Flood Development Permit

3.5.3.8 Any container placed shall comply with all other local, state, and federal regulations.

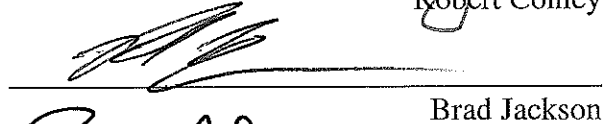
ARTICLE 2: Adoption

Section 1. This Ordinance shall be in full force and effective on the 18th day of June, 2024 and is intended to replace and amend those sections referenced within and related. Passed and adopted at a regular and duly constituted meeting of the Board of Commissioners of Kosciusko County, Indiana on this the 18th day of June, 2024.

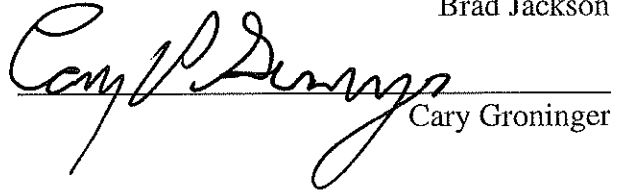
**BOARD OF COMMISSIONERS OF
KOSCIUSKO COUNTY, INDIANA**



Robert Conley



Brad Jackson



Cary Groninger



Attest: Kosciusko County Auditor
Rhonda Helser

I affirm, under the penalties for perjury,
that I have taken reasonable care to redact
each Social Security number in this
document, unless required by law.

