



## Conway Township Planning Commission

Monday, May 13, 2024 | 7:00pm

Conway Township Hall | 8015 N. Fowlerville Road, Fowlerville, Michigan 48836

1. **CALL TO ORDER / PLEDGE**
2. **ROLL CALL**
3. **CALL TO THE PUBLIC**
4. **APPROVAL OF PLANNING COMMISSION MEETING May 13, 2024 AGENDA**
5. **APPROVAL OF THE April 8, 2024 MEETING MINUTES**
6. **COMMUNICATIONS**
  - a. Zoning Administrator's Report
  - b. Livingston County Planning Commission Update/Report
  - c. Update from the last Board Meeting
7. **PUBLIC HEARING**
  - a. Amend Article 14, Section 14.05(A) and Article 16, Section 16.06(A) to reduce the number of hard copies of the site plan submissions and related information from 12 to 3 and to also require 1 electronic copy when previously an electronic copy was not required.
8. **OLD BUSINESS**
  - a. Cargo Ordinance
  - b. Wind Ordinance – LCPC comments sent to Mike Homier for his recommendation – Mike will address comments to board and let them decide to make any amendments
  - c. Master Plan updates
    - 1) update the census
    - 2) Maps
  - d. Community Survey questions – What Questions will we use
9. **NEW BUSINESS**
  - a. None
10. **PLANNING COMMISSION MEMBER DISCUSSION**
11. **2<sup>nd</sup> CALL TO THE PUBLIC**
12. **ADJOURNMENT**

**Any person may speak for up to 3 minutes during the public comment period.**

***Next Meeting will be Monday, June 10, 2024***



**Conway Township Planning Commission Meeting Minutes**  
 Monday, April 8<sup>th</sup>, 2024 | 7:00pm EST  
 Conway Township Hall | 8015 N. Fowlerville Road, Fowlerville, MI 48836

Agenda	Items Discussed	Actions to be Taken
<b>Attendees</b>	PC Members Present: George Pushies - Ex-Officio, Shawn Morrison, Sarah Porter, Mike Stock, Lucas Curd- Chair, Mike Brown- Vice Chair, and Kayla Poissant- Secretary  Zoning Administrator – Becky Dockery  Livingston County Planning Commissioner: Dennis Bowdoin  Township Attorney: Abby Cooper, JD (ABSENT), Michael D. Homier (ABSENT)	None
<b>Call to Order/Pledge</b>	Chair, L. Curd called the Conway Township Planning Commission meeting to order at 7:00pm and led the Pledge of Allegiance.	None
<b>Approval of Agenda</b>	<b>Motion to accept the meeting agenda as presented for April 8<sup>th</sup>, 2024. Motion by M. Brown. Support S. Morrison. Motion Approved.</b>	<b>Motion Approved</b>
<b>Approval of March 2024 Minutes</b>	<b>Motion to accept meeting minutes from March 11<sup>th</sup>, 2024 as presented. Motion by S. Porter. Support by M. Stock. Motion Approved.</b>	<b>Motion Approved</b>
<b>Call to the Public</b>	Sarah Porter- She stated that on behalf of Steve Smith, Robb Rd., he wished B. Dockery good luck and best wishes.  Tom Parker- 7000 Hayner Rd.- He thanked everyone for everyone’s hard work, and that the public supports the review of the Master Plan. He is concerned for the upcoming fall due to possible lawsuits. He stated that the Township’s Green Energy section, wind and solar, as well as the business and commercial properties needed to be updated in the Master Plan. He stated that the PC should consider adding more commercial nodes, and recommended adding one across the street from Kreeger’s Market.	None
<b>Communications</b>	a. Zoning Administrator Report:	None

	<p>B. Dockery stated that she issued three Land Use Permits; two for pole barns and one to change a garage into living space. She also did one Land Use Wavier for a reroof project.</p>	None
	<p>b. Livingston County Planning Commission Report: D. Bowdoin stated that they worked on the Tyrone Township Master Plan review. He stated he has not been told what this month's meeting will include.</p>	None
	<p>c. Update from the last Board Meeting: G. Pushies stated that the meeting was longer due to some budget issues, and that the Zoning Administrator and the Clerk has resigned. He stated that he brought on Rachel Kreeger to mentor the Clerk's position for now, and that if no other applicants apply, she would be appointed to fill that position until the election in November 2024. M. Stock stated that there were three motions from the PC Meeting last month to the Township Board. He said that the Board did discuss the PC training motion, but that the other two motions didn't appear to be reviewed. M. Stock stated that the Township's Board Packet wasn't released until the morning of their meeting, and that the PC didn't receive their draft minutes to see what they had discussed for the PC Meeting. He stated that he believes that there is a communication issue, but that he did know that K. Poissant sent the PC Meeting Minutes to the Clerk. K. Poissant stated that she also sent a separate email that had the PC Motions and what the PC was looking for to the Township Board. M. Stock stated that the LCPC Minutes were sent to Mr. Homier to review, but he didn't know if he had reviewed them yet or if he was waiting on the laws regarding the state. L. Curd confirmed that he did send the minutes to Mr. Homier, but he had not heard back as of yet. G. Pushies stated that the communication issue had been an ongoing issue, but that the main focus was the budget last meeting. It was discussed that the Clerk and the Supervisor are both CC'd on the emails from the PC, and the previous motions and ordinances should be on their next agenda. G. Pushies did state that Mr. Grubb did say that trainings already taken would be paid out, and that the training plan itself was not addressed.</p>	None

<p><b>Old Business</b></p>	<p><b>a. Wind Ordinance – LCPC comments sent to Mike Homier for his recommendation-</b>  L. Curd did state again that the minutes were sent, and has not received a response as of yet. The PC agreed to have L. Curd call Mr. Homier to check on this issue.</p> <p><b>b. Master Plan updates-</b>  S. Porter stated that she is updating the information on paper at this time, and that there is a lot of information to go through. She stated that after the 15<sup>th</sup> of this month, she will be able to really dive into the information to see what it all means and what needs to be updated. L. Curd stated that Rob Standford did not have a digital copy of the Master Plan. S. Porter stated that she did and would get him a copy. M. Brown stated that he believed that the PC needed to vote on the items that need to be updated in the Master Plan today. For clarification, it was discussed that the census, the overlay districts, and commercial nodes would be updated to be in compliance, and that the PC could review them again in the future. Discussion continued.</p> <p>The PC discussed the Community Survey. K. Poissant stated that she can create a survey on SurveyMonkey.com if she receives the questions wanted on the survey. She pointed out the list of questions from S. Porter given out last month. D. Bowdoin stated that after the PC makes the motion to review the Master Plan, the surrounding Townships and the county can be notified.</p> <p><b>Motion to replace the current census and SEMCOG reports and supporting graphs with the 2020 census and SEMCOG reports and graphs to the Conway Township Master Plan. Motioned by M. Brown. Supported by M. Stock. Motion Approved.</b></p> <p><b>Motion to add a future commercial node to the Kreeger property on Fowlerville Rd. with the parcel no. 4701-10-300-020 to the Conway Township Master Plan. Motion by M. Brown. Supported by G. Pushies. Motion Approved.</b></p>	<p><b>Motion Approved</b></p> <p><b>Motion Approved</b></p>
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	<p><b>Motion to add the solar and wind overlay district with the parcel numbers of 01-11-200-002, 01-12-100-003, and 01-11-400-002 to the Conway Township Master Plan. Motion by M. Brown. Supported by S. Porter.</b></p> <p>S. Porter asked D. Bowdoin if he was watching the House Bill 5557, due to it had changes to the Michigan Planning and Enabling Act. He stated yes.</p> <p><b>Motion to set the Public Hearing for the last three motions to occur on May 13<sup>th</sup>, 2024 at the next regular Planning Commission meeting. Motion by G. Pushies. Supported by M. Brown. Motion Approved.</b></p> <p>K. Poissant stated that she will send the motions and Public Hearing information to A. Cooper for her to create the notices for the hearings. The PC discussed about having roughly 20 questions on the survey. M. Stock gave K. Poissant his choices from the list given last month. Paper surveys were discussed. K. Poissant stated that she could take any paper copies and add them to the online survey to show all data together, and retain the paper copies as well. It was discussed about mailing the surveys out to the public with the spring clean-up mailing or the summer taxes mailing in July. M. Brown stated that he would find out when that would take place. K. Poissant stated she would have to give the Clerk the link to post on the Township website page, and Facebook page as she does not have access to it. The cost of the mailing of the survey was also discussed, and the PC agreed to ask the Township Board about the cost. K. Poissant mentioned putting in a QR code in the newspaper for easy access to the survey along with directions and the website itself. The PC agreed to send K. Poissant a list of their choices of questions for the survey ASAP so she can organize them. Multiple submissions were discussed as well as non-Township resident submissions. An email list of residents was discussed.</p> <p>Workshops were discussed by M. Brown, and he stated he would like to see two workshops after the Public Hearing. This will be discussed more at a future PC Meeting.</p>	<p><b>Motion Approved</b></p> <p><b>Motion Approved</b></p>
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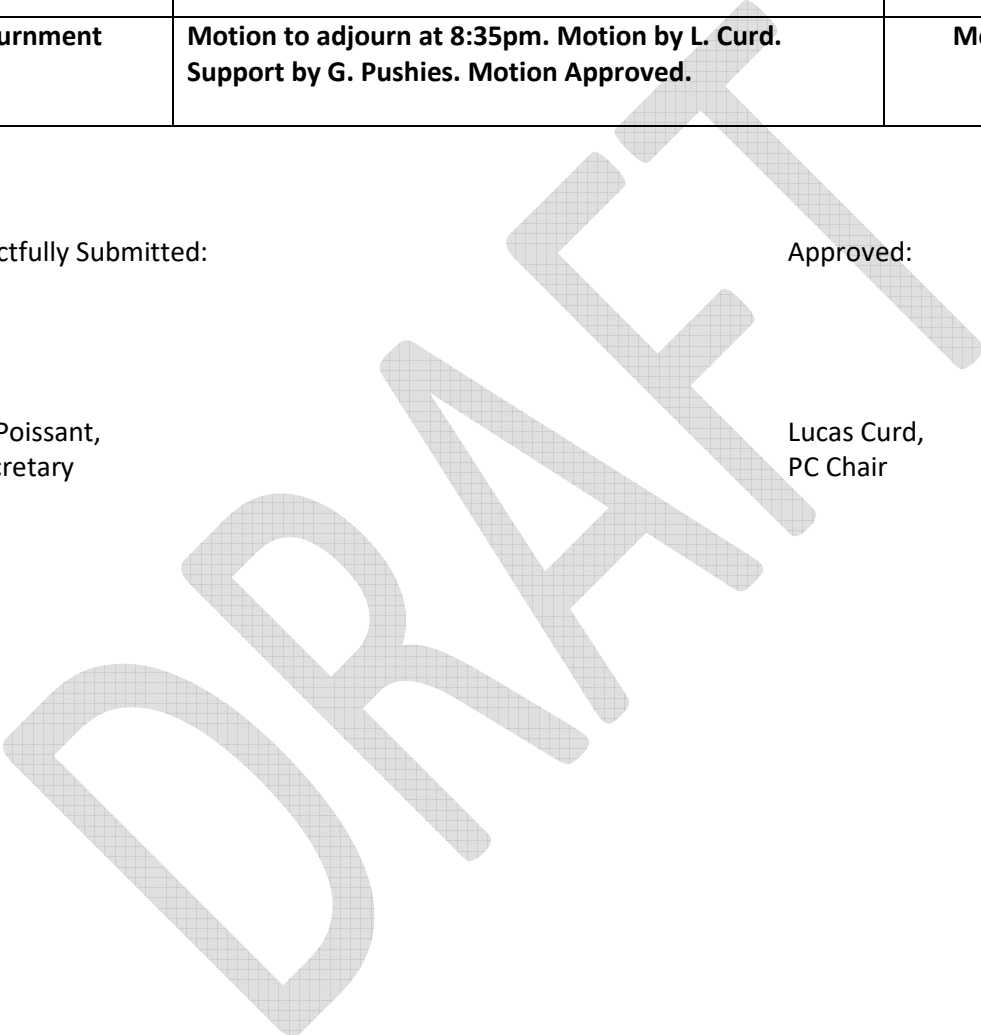
<b>New Business</b>	None at this time.	None
<b>Commission Discussion</b>	S. Morrison wanted to discuss the maps created by L. Curd. L. Curd went over the maps in detail. There were a few changes made to the maps and L. Curd will make those changes. Discussion continued.	None
<b>Last Call to the Public</b>	M. Brown stated that he wished her luck in her future and thanked her for her time in the Township.	None
<b>Adjournment</b>	<b>Motion to adjourn at 8:35pm. Motion by L. Curd. Support by G. Pushies. Motion Approved.</b>	<b>Motion Approved</b>

Respectfully Submitted:

Approved:

Kayla Poissant,  
PC Secretary

Lucas Curd,  
PC Chair



**CONWAY TOWNSHIP  
LIVINGSTON COUNTY, MICHIGAN  
NOTICE OF PUBLIC HEARING FOR ZONING ORDINANCE AMENDMENTS**

PLEASE TAKE NOTICE that the Conway Township Planning Commission will hold a public hearing at its regular meeting on May 13, 2024, commencing at 7:00 p.m. at the Conway Township Hall located at 8015 N. Fowlerville Road, Fowlerville, Michigan 48836, to review the proposed amendments to the Conway Township Zoning Ordinance, as follows:

Amend Article 14, Section 14.05(A) and Article 16, Section 16.06(A) to reduce the number of hard copies of the site plan submissions and related information from 12 to 3 and to also require 1 electronic copy when previously an electronic copy was not required.

The Planning Commission reserves the right to modify or alter the proposed ordinance amendments at or following the public hearing and to make its decision accordingly.

Written comments concerning the above matter may be submitted to the to the Conway Township Clerk at any time prior to the public hearing, and may further be submitted to the Planning Commission at the public hearing. The complete text of the proposed amendments may be examined at the Township Hall during regular Township business hours, which are 9-3 Tuesdays and Wednesdays, or on the Township's website, [www.conwaytownship.com](http://www.conwaytownship.com), after the publication of this Notice and until and including the day of the meeting. The complete text of the proposed amendments may be further examined at the meeting.

Conway Township will provide necessary, reasonable auxiliary aids and services at the meeting to individuals with disabilities, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, upon ten days' notice to the Conway Township Clerk. Individuals with disabilities requiring auxiliary aids or services should contact the Clerk by writing or calling the following: 8015 N Fowlerville, Fowlerville, MI 48836 or call 517 223-0358, between the hours of 9-3 Tuesdays and Wednesdays.

Elizabeth Whitt, Clerk  
Conway Township  
8015 N. Fowlerville Road  
Fowlerville, MI 48836  
(517) 223-0358

**CONWAY TOWNSHIP**

**ORDINANCE NO. 2023-05**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE  
TO DEFINE AND REGULATE CARGO CONTAINERS**

The Township of Conway ordains:

**Section 1. Addition of Definitions to Article 2 of the Township Zoning Ordinance**

The following definitions are added to Article 2 of the Township Zoning Ordinance, consistent with the existing ordering of definitions in that section:

**Cargo Container.** Any metal or primarily metal container designed or constructed to ship, store, or handle bulk goods or items, or which appears substantially similar to such containers in appearance. Such containers include reusable steel boxes, freight containers, and bulk shipping containers; originally, a standardized reusable vessel that was designed for and used in the parking, shipping, movement, transportation or storage of freight, articles of goods or commodities; generally capable of being mounted or moved on a rail car, or loaded on a ship.

**Portable (Temporary) Storage Container.** A portable (temporary), or moveable, weather resistant receptacle designed and used for the storage or shipment of household goods, wares, valuables or merchandise (i.e. PODS or MODS), and which is typically leased on a short-term basis for temporary storage purposes.

**Section 2. Addition of New Section 6.18, entitled "Cargo Containers and Portable (Temporary) Storage Containers."**

New Section 6.18, currently designated as "Reserved," entitled "Cargo Containers and Portable (Temporary) Storage Containers," is added to the Township's Zoning Ordinance and reads as follows:

**Section 6.18 - Cargo Containers and Portable (Temporary) Storage Containers**

A. **Cargo Containers.** Cargo containers are permitted as an accessory use in all zoning districts subject to the requirements of this Section. The following regulations apply to all permanent, portable (temporary) cargo container use in all zoning districts:

1. Cargo containers shall not be stacked above the height of a single container device.
2. No plumbing may be run or connected to a cargo container.
3. Cargo containers shall not be used to store hazardous materials, as defined by the Michigan Fire Prevention Code, 1941 PA 207, MCL 29.1 *et seq.*
4. Cargo containers shall not occupy required off-street parking, emergency access, ingress, egress, or loading areas.
5. Cargo containers shall not be located on any utility, right of way, or easement.



6. No cargo container shall be located five (5) feet from a lot line or closer than ten (10) feet from any water or septic line.
7. No cargo container shall be placed in a location which may cause hazardous conditions or constitute a threat to public safety.
8. No cargo container may be used as living quarters.
9. No structural modifications may be made to cargo containers with the exception of electrification for lighting. All electrical wiring to the container must be placed underground.
10. Applicant must obtain proper electrical permits from ~~Township and~~ Livingston County Building Department for lighting.
11. No livestock or pets may be stored in cargo containers.
12. Cargo containers associated with an approved building construction project shall be permitted to remain on-site until the approval of the ~~earlier of lesser of~~ the project's final building inspection or the expiration of the building permit. At the time a cargo container is no longer intended for temporary use, the owner must apply for a land use permit for a cargo container for permanent storage as described in section B of this ordinance.

**B. Cargo Containers for Permanent Storage.** Cargo containers may be permanently placed on the property for storage purposes upon issuance of a land use permit from the Zoning Administrator and shall adhere to the following restrictions:

1. Permanent Cargo Containers are limited in quantity as follows:
  - a. On a parcel between two (2) to five (5) acres, one (1) cargo container with a maximum of two hundred (200) square feet.
  - b. On a parcel of five (5) to ten (10) acres, up to two (2) cargo containers with a maximum of two hundred (200) square feet per container, not to exceed four hundred (400) total square feet.
  - c. On a parcel of ten (10) plus acres, up to four (4) cargo containers with a maximum of three hundred sixty (360) square feet per container, not to exceed one thousand four hundred forty (1,440) total square feet. Permanent accessory structures that are over two hundred (200) square feet require additional permitting with the Livingston County Building Department.
2. Cargo containers shall meet all required setbacks of Section 6.06 J. and K., as applicable.
3. Cargo containers shall meet the Maximum Coverage restrictions of Section 6.06 I.

4. Cargo containers shall be located in rear yards with the exception that cargo containers may be allowed in the side yard but not forward of the rear wall of the principal structure.
5. Cargo containers must be screened with shrubbery, trees, privacy fencing and/or natural surrounding so as to not be visible from the street/road and/or neighboring properties.
6. All applicable county building regulations must be followed when cargo containers exceed two (200) square feet.
7. A solid foundation (road base material/gravel or better) is required.
8. Cargo containers shall be painted in solid colors (colors which blend into the surrounding area).
9. Cargo containers shall not be used for any advertising purpose and shall be kept clean of all alpha-numeric signage and writing.
10. Any writing or graffiti that may be placed on the container is the responsibility of the property owner and shall be promptly removed.

**C. Portable (Temporary) Storage Containers.** Portable (Temporary) Storage Containers are permitted as an accessory use in all zoning districts upon issuance of a temporary land use permit (Section 6.09) from the Zoning Administrator and shall adhere to the following restrictions:

1. No structural modifications may be made to Portable (temporary) Storage ~~eargo~~ Containers.
2. Portable (Temporary) Storage Containers used in a residential district or associated with a residential use must be placed on a driveway or paved area.

**D. Referral to Planning Commission.** At any time after receipt of an application for a Cargo Container or Portable (Temporary) Storage Container pursuant to this Section, the Zoning Administrator may elect to refer the application for review and approval by the Planning Commission at no additional cost to the applicant.

**E. Right of Entry and Inspection.** The Township reserves the right to inspect all storage containers during each permitting period to ensure that such structures are compliant with all applicable ordinances and that public safety and other properties are not jeopardized by the condition or deterioration of said structures. It is the duty of the applicant and/or property owner to schedule and complete all necessary inspections. The scheduling of inspections must occur within thirty (30) days from ~~obtaining a land use permit.~~ **installation of the storage container. Any cost associated with the inspection is the responsibility of the applicant and must be paid within thirty (30) days of the completed inspection.**

F. **Civil Infraction.** Any person violating any of the provisions of this ordinance shall be responsible for a civil infraction according Section 5 – Schedule of Civil Fines/Costs of the Municipal Civil Infraction Ordinance.

**Section 3. Validity and Severability.**

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

**Section 4. Repealer.**

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

**Section 5. Effective Date.**

This Ordinance takes effect seven days after publication as provided by law.

**CONWAY TOWNSHIP**

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6. No cargo container shall be located five (5) feet from a lot line or closer than ten (10) feet from any water or septic line.
7. No cargo container shall be placed in a location which may cause hazardous conditions or constitute a threat to public safety.
8. No cargo container may be used as living quarters.
9. No structural modifications may be made to cargo containers with the exception of electrification for lighting. All electrical wiring to the container must be placed underground.
10. Applicant must obtain proper electrical permits from Livingston County Building Department for lighting.
11. No livestock or pets may be stored in cargo containers.
12. Cargo containers associated with an approved building construction project shall be permitted to remain on-site until the approval of the earlier of the project's final building inspection or the expiration of the building permit. At the time a cargo container is no longer intended for temporary use, the owner must apply for a land use permit for a cargo container for permanent storage as described in section B of this ordinance.

**B. Cargo Containers for Permanent Storage.** Cargo containers may be permanently placed on the property for storage purposes upon issuance of a land use permit from the Zoning Administrator and shall adhere to the following restrictions:

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2. Cargo containers shall meet all required setbacks of Section 6.06 J. and K., as applicable.
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4. Cargo containers shall be located in rear yards with the exception that cargo containers may be allowed in the side yard but not forward of the rear wall of the principal structure.
5. Cargo containers must be screened with shrubbery, trees, privacy fencing and/or natural surrounding so as to not be visible from the street/road and/or neighboring properties.
6. All applicable county building regulations must be followed when cargo containers exceed two (200) square feet.
7. A solid foundation (road base material/gravel or better) is required.
8. Cargo containers shall be painted in solid colors (colors which blend into the surrounding area).
9. Cargo containers shall not be used for any advertising purpose and shall be kept clean of all alpha-numeric signage and writing.
10. Any writing or graffiti that may be placed on the container is the responsibility of the property owner and shall be promptly removed.

**C. Portable (Temporary) Storage Containers.** Portable (Temporary) Storage Containers are permitted as an accessory use in all zoning districts upon issuance of a temporary land use permit (Section 6.09) from the Zoning Administrator and shall adhere to the following restrictions:

1. No structural modifications may be made to Portable (temporary) Storage Containers.
2. Portable (Temporary) Storage Containers used in a residential district or associated with a residential use must be placed on a driveway or paved area.

**D. Referral to Planning Commission.** At any time after receipt of an application for a Cargo Container or Portable (Temporary) Storage Container pursuant to this Section, the Zoning Administrator may elect to refer the application for review and approval by the Planning Commission at no additional cost to the applicant.

**E. Right of Entry and Inspection.** The Township reserves the right to inspect all storage containers during each permitting period to ensure that such structures are compliant with all applicable ordinances and that public safety and other properties are not jeopardized by the condition or deterioration of said structures. It is the duty of the applicant and/or property owner to schedule and complete all necessary inspections. The scheduling of inspections must occur within thirty (30) days from installation of the storage container. Any cost associated with the inspection is the responsibility of the applicant and must be paid within thirty (30) days of the completed inspection.

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April 10, 2024

*Sent via e-mail*

Conway Township Board Members  
8015 N. Fowlerville Road  
P.O. Box 1157  
Fowlerville, MI 48836

***Re: Proposed Amendments to Zoning Ordinance; Cargo Containers***

Dear Board Members:

Included in your packet are proposed amendments to the Conway Township Zoning Ordinance regarding regulation of cargo containers and portable/temporary storage containers. I have included a proposed Resolution outlining the path of these proposed amendments, which were previously before the Board on December 19, 2023, based on a September 11, 2023 (first) recommendation of approval from the Planning Commission. At that time, the Board considered the amendment and the recommendation and comments of the Livingston County Planning Commission. The Board elected to send the proposed amendment back to the Township Planning Commission for further review. The Planning Commission has reviewed the amendments and has again recommended approval to the Board on March 11, 2024, with additional revisions. A clean copy of the March 2024 recommendation of the Planning Commission with those changed incorporated has been included, as well as a copy with changes since the Board last reviewed the proposed amendment marked. See below list of attachments to this letter. Along with their recommendation of approval, the Planning Commission requested a written review of the proposed amendment from the Township Attorney. That review follows.

1. The term “Portable Storage Container” has been changed to “Portable/Temporary Storage Container.” If this is how portable storage containers are going to be defined, then the reference should be consistent throughout 6.18. An alternative to defining this use with a slash (/) would be to keep the definition as “Portable Storage Container” and include the word “temporary” in the substance of the definition. This would seemingly accomplish the intended goal.
2. It is not clear whether Section 6.18(A) is meant to include the portable/temporary storage container use given the added language. I believe this section is meant to only apply to cargo containers (and not also storage containers, which is addressed later). If this is correct, then I would recommend clarifying this added language since it so closely mirrors the separate and distinct (portable/temporary) storage container use. I believe if the section read “all cargo

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container use,” it would have both permanent and temporary cargo container use covered. But see later, Comment #6.

3. Section 6.18(A)(9), I would remove the word “Township and” since the electrical permits come from Livingston County and not the Township.
4. I would recommend rewording Section 6.18(A)(11) to provide for “the earlier of” instead of the “lesser of” and to divide into two subparagraphs. I would suggest using the word “Section” instead of “ordinance” at the end of the second sentence.
5. With the removal of prior section 6.18(D) addressing temporary cargo container use, the Amendments do not address what kind of permit a temporary cargo container use would require or what kind of timeline would be permitted for temporary use versus permanent use (note, this is different than the temporary use of a portable storage container). A disparate treatment between these two uses (permanent versus temporary cargo container use) is acknowledged in current Section 6.18(11), implying a temporary use permit would be required for a temporary use; however, the prior draft regulation providing for this use requiring a temporary land use permit pursuant to Zoning Ordinance Section 6.09 has been deleted.
6. Section 6.18(C). It is not clear to me why some of the regulations previously contained in this section were removed, and which would otherwise apply to portable/temporary storage containers, since this section is the only place where the temporary/portable storage container use is addressed (unless the recent revisions to 6.18(A) are meant to include portage/temporary storage containers, see above Comment #2). For example, with the removal of the regulation relating to time limits (prior draft section 6.18(E)(11)), there is no time limit/guide on this particular temporary use from a permitting perspective as Zoning Ordinance 6.09 calls forth specific time limits as to each of the enumerated uses in that section and would not otherwise provide a time limit for a temporary land use permit for a portable/temporary storage container.
7. Section 6.18(E) calls for the scheduling of inspections within 30 days of “obtaining a land use permit.” However, the container may not be installed within 30 days from getting the permit. I would suggest revising to provide for inspection within 30 days from installation. Any cost associated with this should be the responsibility of the owner, this should be added to the Township fee schedule. Also, Section 6.18(E) could be further modified to make clear that the inspection requirement applies to both cargo containers and portable/temporary storage containers.
8. I recommend deleting Section 6.18(F) since Zoning Ordinance Section 3.05(D) already specifically calls for this method of enforcement as to the entire zoning ordinance and therefore it is not necessary to repeat that option in any subsequent subsection.



April 10, 2024  
Page 3

9. There appear to be a number of recommendations made by the planning staff at the LCPC that have not been included in the Amendments.

I have attached relevant documents that may assist the Board in its review, and a list of those is documents below. The Board may approve the Amendments as presented, work on modifications to the proposed Amendments per any one or more of the items listed above, send the Amendments back to the Planning Commission, or decline approval. If the Board elects to send the Amendments back to the Planning Commission, I recommend specific direction on what further changes the Board may be looking for. Please let me know if the Board has any questions.

Very truly yours,



Abby H. Cooper

Cc: Conway Township Planning Commission Chairperson

ATTACHMENTS

- A. Draft Resolution
- B. Amendments as recommended by PC on March 11, 2024
- C. Amendments with most changes marked from the Board's December 2023 review
- D. LCPC recommendations
- E. PC Minutes March 22, 2024 (unapproved)

## Conway Township Cargo Container Ordinance Attorney and Livingston County Comment Reconciliation

Number	Comment	Ordinance Reference	PC Comment/Response
<b>Cooper, Riesterer PLC Comments</b>			
1	The term "Portable Storage Container" has been changed to "Portable/Temporary Storage Container." If this is how portable storage containers are going to be defined, then the reference should be consistent throughout 6.18. An alternative to defining this use with a slash (/) would be to keep the definition as "Portable Storage Container" and include the word "temporary" in the substance of the definition. This would seemingly accomplish the intended goal.	All	<b>The ordinance has been revised for consistency. The (/) has been removed and (temporary) has been used.</b>
2	It is not clear whether Section 6.18(A) is meant to include the portable/temporary storage container use given the added language. I believe this section is meant to only apply to cargo containers (and not also storage containers, which is addressed later). If this is correct, then I would recommend clarifying this added language since it so closely mirrors the separate and distinct (portable/temporary) storage container use. I believe if the section read "all cargo container use," it would have both permanent and temporary cargo container use covered. But see later, Comment #6.	Page 1, section A	<b>The ordinance specifically states all cargo container use.</b> A. Cargo Containers. Cargo containers are permitted as an accessory use in all zoning districts subject to the requirements of this Section. The following regulations <u>apply to all permanent, portable (temporary) cargo container use in all zoning districts:</u>
3	Section 6.18(A)(9), I would remove the word "Township and" since the electrical permits come from Livingston County and not the Township.	Page 2, section A (now 10)	<b>"Township" has been removed.</b>
4	I would recommend rewording Section 6.18(A)(11) to provide for "the earlier of" instead of the "lesser of" and to divide into two subparagraphs.	Page 2, section A (now 12)	<b>"Earlier of" has replaced "lessor of".</b> 12. Cargo containers associated with an approved building construction project shall be permitted to remain on-site until the approval of the lesser of the project's final building inspection or the expiration of the building permit.

## Conway Township Cargo Container Ordinance Attorney and Livingston County Comment Reconciliation

Number	Comment	Ordinance Reference	PC Comment/Response
5	<p>With the removal of prior section 6.18(D) addressing temporary cargo container use, the Amendments do not address what kind of permit a temporary cargo container use would require or what kind of timeline would be permitted for temporary use versus permanent use (note, this is different than the temporary use of a portable storage container). A disparate treatment between these two uses (permanent versus temporary cargo container use) is acknowledged in current Section 6.18(11), implying a temporary use permit would be required for a temporary use; however, the prior draft regulation providing for this use requiring a temporary land use permit pursuant to Zoning Ordinance Section 6.09 has been deleted.</p>	<p>Page 2, section B Page 3, section C Page 2 section A, 12</p>	<p><b>The ordinance states land use permit.</b> B. Cargo Containers for Permanent Storage. Cargo containers may be permanently placed on the property for storage purposes upon <u>issuance of a land use permit</u> from the Zoning Administrator and shall adhere to the following restrictions.</p> <p><b>The ordinance states temporary land use permit.</b> C. Portable (Temporary) Storage Containers. Portable (Temporary) Storage Containers are permitted as an accessory use in all zoning districts upon <u>issuance of a temporary land use permit</u> (Section 6.09) from the Zoning Administrator and shall adhere to the following restrictions:</p> <p><b>The ordinance states the required timeline.</b> 12. Cargo containers associated with an approved building construction project shall be permitted to remain on-site until the approval of the earlier of the project’s final building inspection or the expiration of the building permit. At the time a cargo container is no longer intended for temporary use, the owner must apply for a land use permit for a cargo container for permanent storage as described in section B of this ordinance.</p>
6	<p>Section 6.18(C). It is not clear to me why some of the regulations previously contained in this section were removed, and which would otherwise apply to portable/temporary storage containers, since this section is the only place where the temporary/portable storage container use is addressed (unless the recent revisions to 6.18(A) are meant to include portage/temporary storage containers, see above Comment #2). For example, with the removal of the regulation relating to time limits (prior draft section 6.18(E)(11)), there is no time limit/guide on this particular temporary use from a permitting perspective as Zoning Ordinance 6.09 calls forth specific time limits as to each of the enumerated uses in that section and would not otherwise provide a time limit for a temporary land use permit for a portable/temporary storage container.</p>	<p>Page 2, section A, 12</p>	<p><b>The ordinance states the required timeline.</b> 12. Cargo containers associated with an approved building construction project shall be permitted to remain on-site until the approval of the earlier of lesser of the project’s final building inspection or the expiration of the building permit. At the time a cargo container is no longer intended for temporary use, the owner must apply for a land use permit for a cargo container for permanent storage as described in section B of this ordinance.</p>

## Conway Township Cargo Container Ordinance Attorney and Livingston County Comment Reconciliation

Number	Comment	Ordinance Reference	PC Comment/Response
7	Section 6.18(E) calls for the scheduling of inspections within 30 days of “obtaining a land use permit.” However, the container may not be installed within 30 days from getting the permit. I would suggest revising to provide for inspection within 30 days from installation. Any cost associated with this should be the responsibility of the owner, this should be added to the Township fee schedule. Also, Section 6.18(E) could be further modified to make clear that the inspection requirement applies to both cargo containers and portable/temporary storage containers.	Page 3, E	<p><b>The ordinance has been changed to include from installation.</b></p> <p>E. The scheduling of inspections must occur within thirty (30) days from installation of the storage container. Any cost associated with the inspection is the responsibility of the applicant and must be paid within thirty (30) days of the completed inspection.</p>
8	I recommend deleting Section 6.18(F) since Zoning Ordinance Section 3.05(D) already specifically calls for this method of enforcement as to the entire zoning ordinance and therefore it is not necessary to repeat that option in any subsequent subsection.	Page 3, F	<p><b>To be discussed.</b> Attorney references Zoning Ordinance Section 3.05D. Does it hurt to list in this ordinance? This section is only making reference to the Civil Infraction found in the Zoning Ordinance. This ordinance is not currently in the Zoning Ordinance and this ordinance would be silent on the subject?</p>
9	There appear to be a number of recommendations made by the planning staff at the LCPC that have not been included in the Amendments.		<p><b>See comments below related to the Livingston County PC.</b></p>

## Conway Township Cargo Container Ordinance Attorney and Livingston County Comment Reconciliation

Number	Comment	Ordinance Reference	PC Comment/Response
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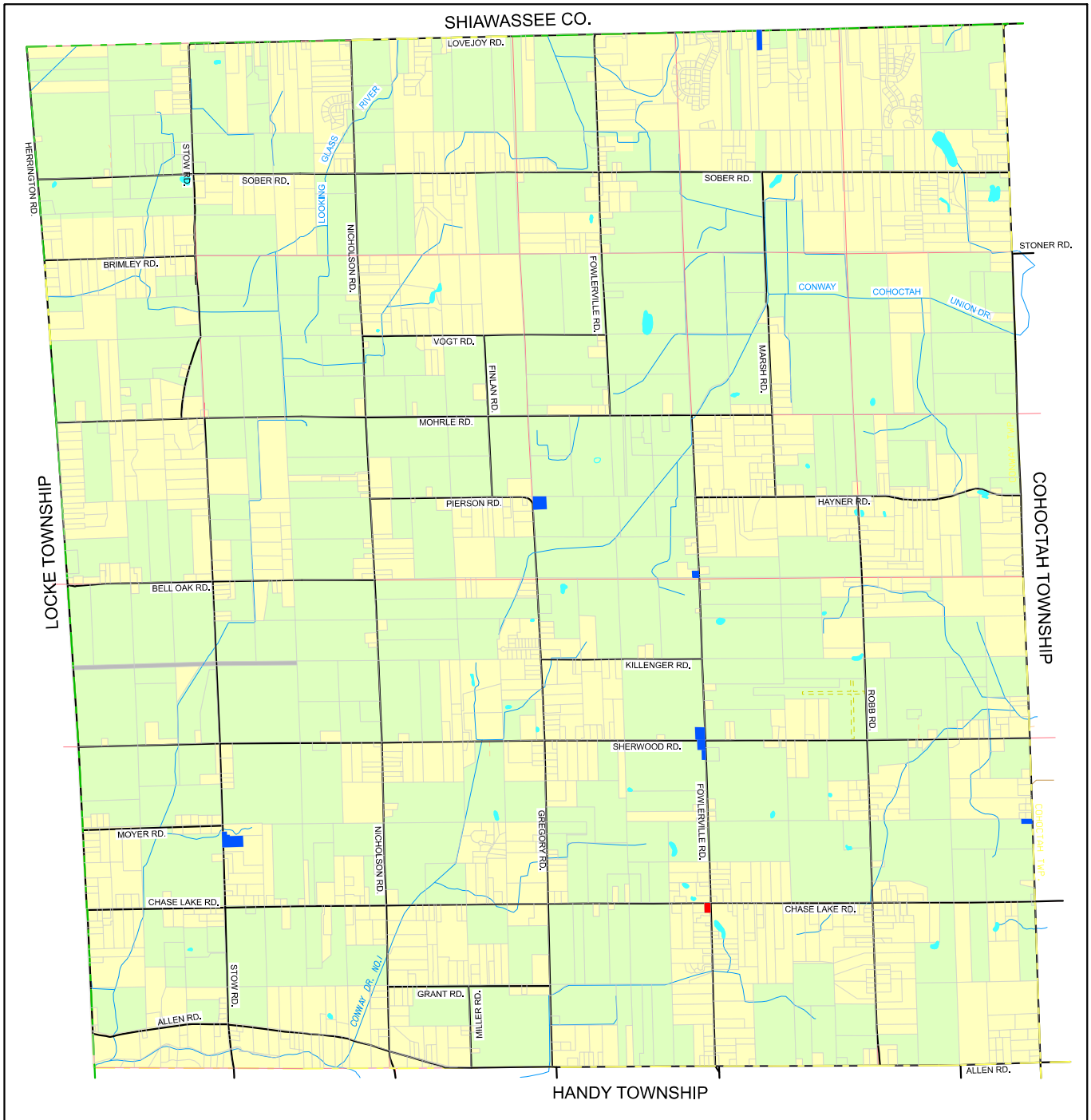
### Livingston County Planning Commission Comments

1	The proposed ordinance does not address the density or identify how many cargo containers are allowed per acre, or per parcel.	Page 3, B1	<p><b>The ordinance was revised after Liv Co PC review.</b></p> <p>Permanent Cargo Containers are limited in quantity as follows:</p> <p>a. On a parcel between two (2) to five (5) acres, one (1) cargo container with a maximum of two hundred (200) square feet.</p> <p>b. On a parcel of five (5) to ten (10) acres, up to two (2) cargo containers with a maximum of two hundred (200) square feet per container, not to exceed four hundred (400) total square feet.</p> <p>c. On a parcel of ten (10) plus acres, up to four (4) cargo containers with a maximum of three hundred sixty (360) square feet per container, not to exceed one thousand four hundred forty (1,440) total square feet.</p>
2	The proposed ordinance states in Item 6.18(B)(1) that: "All applicable building regulations are followed." While this may be suitable at the most basic form, Staff would encourage the township to expand on this requirement with more specifics with which the resident layperson relying on this ordinance as their regulatory guideline would have a better understanding as to what SPECIFIC building regulations are to be met, and through which SPECIFIC governing/regulating body they should seek such compliance (State, County, Local, etc.).	Page 3, B5	<p><b>The ordinance was revised after Liv Co PC review to include 'county building regulations'.</b></p> <p>5. All applicable county building regulations must be followed when cargo containers exceed two (200) square feet.</p>
3	The proposed ordinance does not identify a maximum allowable size of cargo container. This may or may not be of concern to the township in general, but the size of a cargo container used in this regard certainly does have some effect on permitting processes at the County Building Department level. Refer to further discussion of this point below.	Page 3, B1	<p><b>See question #1 above.</b></p>

## Conway Township Cargo Container Ordinance Attorney and Livingston County Comment Reconciliation

Number	Comment	Ordinance Reference	PC Comment/Response
4	The amendments as proposed do not identify how the number of cargo containers permanently placed on a parcel count towards the maximum allowed cumulative square footage of all garages and accessory structures on the individual parcel in which it/they is/are located (plural references included in the case of more than one allowed permanent cargo container on site, if this is the township's intent – however, this is not clearly defined, as highlighted in Item #1 above).	Page 2, B3	<p><b>The ordinance was revised after the Liv Co PC review.</b></p> <p>3. Cargo containers shall meet the Maximum Coverage restrictions of Section 6.06 I.</p>
5	While the amendments do require that the cargo container be screened “so as to not be visible from the street or nearby buildings, drives, and roads”. Staff would encourage the township to include additional standards regarding the type of screening required in this regard. In the least, these standards should align closely with current screening standards found in the Conway Township Zoning Ordinance (according to Section 6.16: Required Landscaping and Screening).	Page 3, B4	<p><b>The ordinance was revised after Liv Co PC review to include additional screening criteria.</b></p> <p>4. Cargo containers must be screened with shrubbery, trees, privacy fencing and/or natural surrounding so as to not be visible from the street/road and/or neighboring properties.</p>

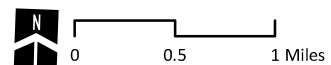
Map 5: Conway Township Existing Land Use



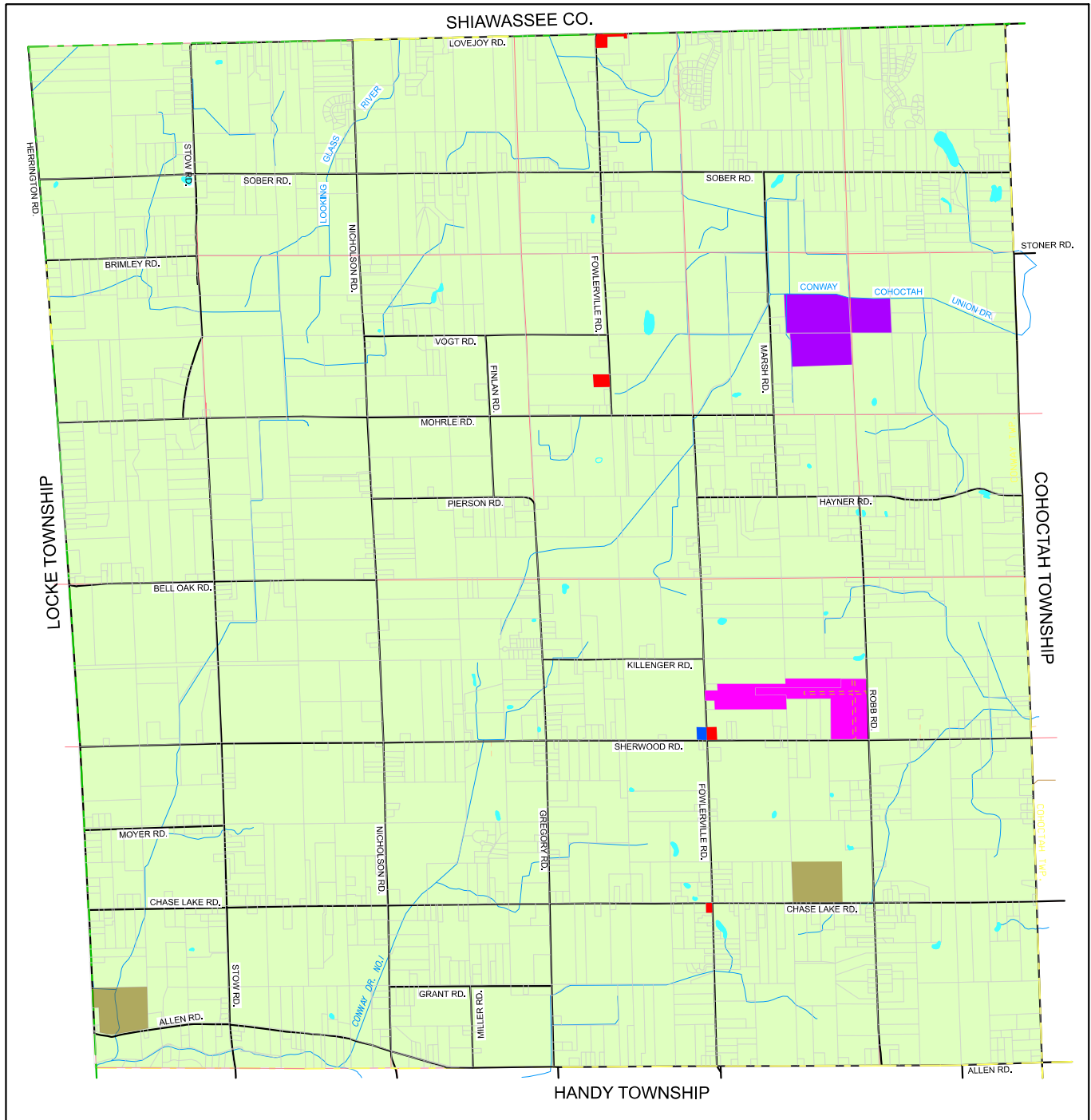
- Agricultural
- Commercial
- Governmental / Industrial
- Single-family Residential
- Transportation, Communication and utility
- Waterbody
- River/Stream
- County Road

## EXISTING LAND USE

CONWAY TOWNSHIP, LIVINGSTON COUNTY



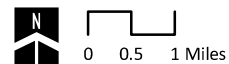
Map 6: Conway Township Future Land Use Map



-  County Road
-  River/Stream
-  Waterbody
-  Agricultural/Residential
-  Manufactured Home Community ≥ 50 Acres
-  Commercial
-  Industrial
-  Township Hall
-  Solar/Wind Energy System

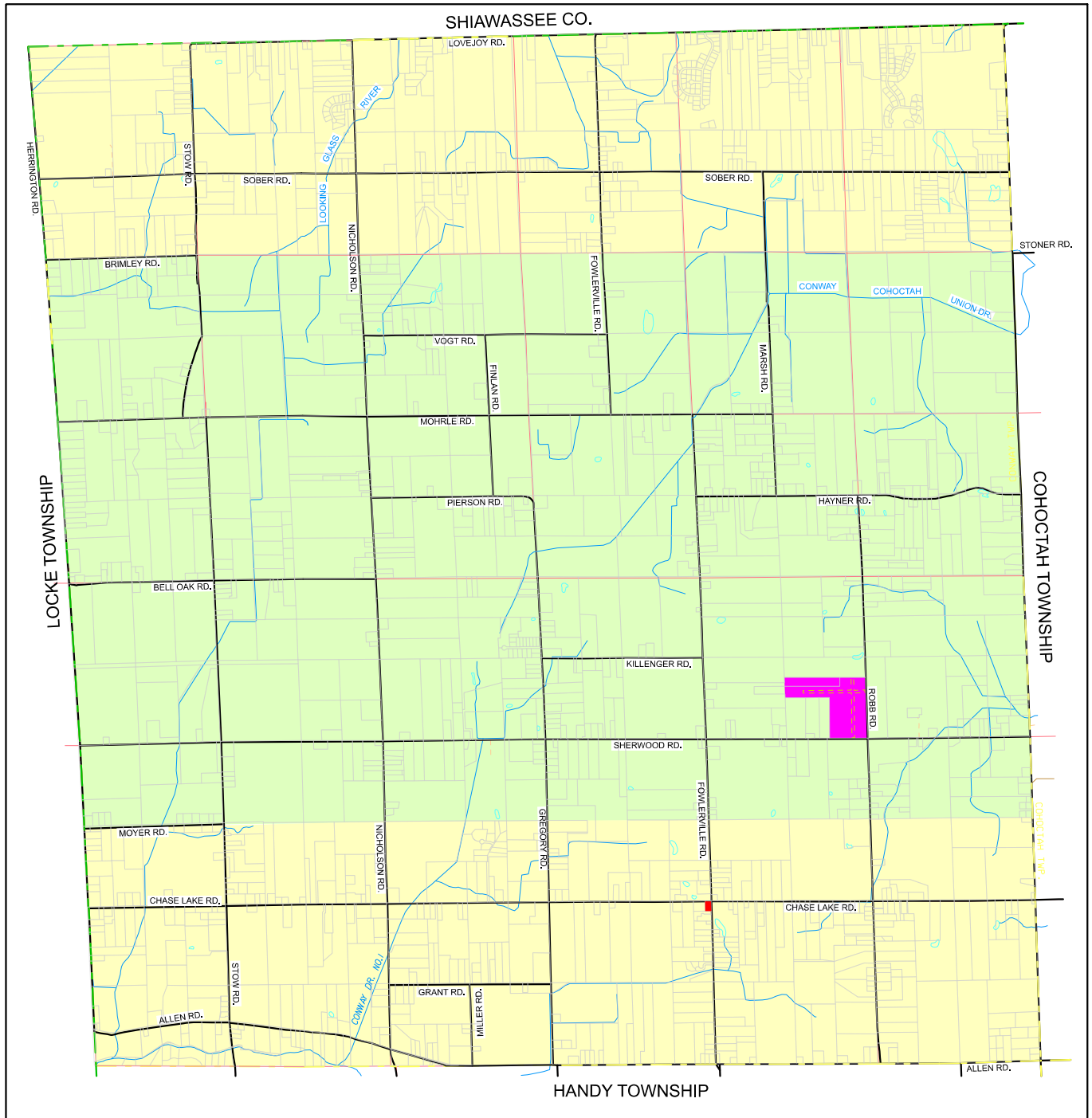
## FUTURE LAND USE

CONWAY TOWNSHIP, LIVINGSTON COUNTY





Map 7: Conway Township Zoning Map



- Agricultural/Residential
- Residential
- Commercial
- Industrial
- Solar/Wind Energy System
- Waterbody
- River/Stream
- County Road

## ZONING DISTRICTS

CONWAY TOWNSHIP, LIVINGSTON COUNTY

