

# Conway Township Planning Commission Meeting Agenda

March 9, 2020

Next meeting April 13 2020 at 7:00pm

- 1) Call to order and pledge of allegiance
- 2) Roll Call and sign-in
- 3) Approve February Meeting Agenda
- 4) Approve minutes of the February 10, 2020 meeting
- 5) Communications
  - a. Locke Township reviewing/amending their Master Plan
- 6) Call to Public
- 7) Old Business
  - a. Continue reviewing zoning revisions. Will use Abby Cooper's revised list as review reference. Chris Atkins to provide information on our open issues
    1. List of proposed ZO amendments
    2. Signs
    3. Airport - **From Abby:** On the Airport Zoning section, I added the content Dennis requested, which is that the height restriction in Zone 5 is 18 inches (not feet) and the date of the most recent approval. These facts do not appear on the maps or in the communication received but Dennis believes them to be accurate.
  - b. **From Chris Atkins:** Accessory Buildings -clean copy, and ZO Section 6.06 Accessory Buildings
- 8) New Business
  - a. Discuss revision to Planning Commission Bylaws regarding administering of meeting agenda's. Particular focus will be Sections 12 and 13 of the PC Bylaws.
- 9) Zoning Administrator Report
- 10) Update from the Board
- 11) Update from Land Division Committee
- 12) Last call to Public
- 13) General Discussion
- 14) Adjournment

**Planning Commission Member Meeting Sign-in**

**Date:** \_\_\_\_\_

Londa Horton	
Caleb Jenkins	
Larry Parsons	
George Pushies	
Chuck Skwirsk	
Mike Stock	
Todd Thomas (Zoning Administrator)	
Keith Wasilenski	



**LOCKE TOWNSHIP 3805 BELL OAK ROAD WILLIAMSTON MI 48895**  
phone 517 468-3405 fax 517 468-0105 [www.locketownship.com](http://www.locketownship.com)  
office hours - Tuesday & Thursday 10 am - 4 pm

Conway Twp Planning Commission  
P O Box 1157  
Fowlerville MI 48836

January 23, 2020

This notice is to inform you that the Locke Township Planning Commission is reviewing/amending their Master Plan. In accordance with Section 39 of the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3839, this notice is to inform our neighboring local governments, planning entities, and any public utilities and railroad companies of Locke Township's intent to review/amend a Master Plan. The Locke Township Planning Commission welcomes your cooperation and comments on the proposed plan.

The Locke Township Planning Commission will send you a copy of the Master Plan as soon as we have completed the draft for review. If you would like to receive the draft copy of the Master Plan in digital format, please submit a written request via email and include an email address. The Master Plan will also be posted and available free of charge on the Township's website at [www.locketownship.com](http://www.locketownship.com).

Any comments you submit may be sent via email to: [deankitchenmaster@hotmail.com](mailto:deankitchenmaster@hotmail.com)

Sincerely,

Dean Kitchenmaster  
Locke Twp Planning Commission chairperson

**PROPOSED ZONING ORDINANCE AMENDMENTS (Phase II)**  
**March 9, 2020**

	<b>SUBJECT</b>	<b>ZO SECTION</b>	<b>STATUS</b>	<b>COMMENTS</b>
1.	Sign Standards--- amend per <i>Reed</i> , 135 S Ct 2218 (2015)	New Article 17	DONE	PC approved with added definitions/acronyms 2/10/20
2.	Event Barns	Add new Section 13.10(W)	Planner presented sample language; table discussion until March meeting	
3.	Further work re: LCPC comment in Z-30-18	Articles 7-11	DONE	Draft approved by PC at 10/14/19 meeting
4.	Accessory Structures- consider a max % coverage allowance	Section 6.06	Planner to draft reworked Section 6.06 (A, E, I) for March meeting	
5.	Shared Drive	16.06(A) remove site plan review requirement; 16.06(F) must build before LUP for house- add shared driveways to this provision	DONE	Draft approved by PC at 12/9/19 meeting
6.	Keeping of Animals/RTFA	Section 6.22 (A), (B)	DONE	Draft approved by PC at 10/14/19 meeting
7.	Outdoor Furnaces	New Section 6.27	Draft to PC for discussion at Feb meeting	
8.	[Nuisance]	GENERAL LAW ORDINANCE	Being presented to Board at their Feb meeting; will recommend public hearing be set for March	JUST FYI; not necessary for PC to vote but may make a recommendation to the Board
9.	Airport Approach	Revised Section 6.23	Draft to PC for March meeting	

\*Note: Any requested changes in formatting of the Zoning Ordinance are best discussed with Liz or Diana. I believe Livingston County Department of Planning is maintaining those duties for the Township.

## ARTICLE 17. SIGN STANDARDS

### **Section 17.01 Purpose**

The purpose of this Article is to provide a framework for the display of signs to accommodate the legitimate identification, advertising, and informational needs of all land uses and to ensure free speech rights guaranteed by the First Amendment to the U.S. Constitution, including the expression of personal, religious, political, and ideological views. It is the purpose of this Article to provide such signage needs and opportunities in a manner that is balanced with the desired stability and enhancement of residential and non-residential areas including property values, the safety of the Township's road corridors, and the Township's prevailing desired visual character. It is recognized that unrestricted or unregulated signage does not support the desired character of the Township nor benefit private enterprise of the community-at-large. Unrestricted signage encourages traffic safety hazards, visual clutter, confusion for vehicle drivers, visual blight, and decreased property values, and undermines the desired visual character of the Township. This Article recognizes that certain activities and uses of land are temporary in nature and, although temporary, have reasonable signage needs, and this Article is intended to permit temporary signage consistent with the regulatory framework described above.

### **Section 17.02 Definitions**

The following terms, phrases, words and their derivatives shall have the meaning given herein:

- A. Awning/Canopy Sign.** A sign part of or otherwise affixed to a sheet of canvas, plastic or other non-rigid material stretched on a frame so as to be roof-like in function for coverage of the ground area below and/or for architectural purposes. An awning/canopy sign may be in a permanently extended position or may be retractable.
- B. Electronic Message Center (EMC) Signs.** A sign that is capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. An EMC sign may be a free-standing sign or wall sign.
- C. Freestanding Sign (FS).** A sign that is erected upon or supported by the ground, including yard signs and ground signs as defined herein and signs supported by one or more poles, columns, or similar supports.
- D. Ground Sign (GS).** A self-supporting, base-mounted freestanding sign, consisting of two (2) or more sides extending up from the base, and upon which a message is painted, posted, or otherwise affixed. A ground sign may also consist of a base-mounted cylindrical structure upon which a message is affixed, and a sign that is supported by one (1) or more posts that are less than two (2) feet in height.
- E. Illumination/Illuminate.** The act of highlighting the visual presence and/or impact of a sign by the use of artificially created light, such as through electrical devices.

- a. "Internal illumination" refers to the incorporation of the light source behind the sign face intended to be highlighted and enclosed within the framing of the sign. For the purposes of this Article, an EMC sign shall be construed to be an internally illuminated sign.
- b. "External illumination" refers to the placement of the light source in front, above, below, and/or to the side of the sign face intended to be highlighted. External illumination is not enclosed within the framing of the sign but may be attached to the sign.

**F. Marquee Sign.** A sign affixed to a permanent rigid roof-like structure that extends from a building for coverage of the ground or entrance area below, and/or for architectural purposes, and which is not supported by columns, posts or other similar features.

**G. Permanent Sign.** A sign designed and/or intended to last indefinitely in the same location, structurally attached to the ground, or a wall or other structure, in such manner that the sign cannot be easily removed and/or relocated. A permanent sign shall be construed to be the same permanent sign despite modifications to the message of such sign.

**H. Projecting Sign.** A sign, other than a wall sign, that projects more than eighteen (18) inches from the face of the building of structure upon which it is located, irrespective of the direction from which the sign is intended to be viewed.

**I. Sign.** Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, banner, flag, pennant, trade names or marks, or other representation, or combination thereof, designed for the purpose of directing or attracting attention to, advertising, identifying, expressing, or making known something. Unless otherwise indicated, the definition of "sign" includes interior and exterior signs that are visible from any public street, sidewalk, alley, park, or public or private property, but not signs that are primarily directed at persons within the premises upon which the sign is located. Words, lettering, parts of letters, figures, or other representations, or combinations thereof, placed on multiple structures or other supports that are each no greater than two (2) square feet in area but exceeds two (2) square feet in total cumulative area, and are intended to be read or viewed together as a single message, shall constitute a sign.

- a. Exception: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, banner, flag, pennant, trade names or marks, or other representation, or combination thereof, that do not exceed two (2) square feet in area, are permanent in nature, and designed for the purpose of directing or attracting attention to, advertising, identifying expressing, or making known something, shall not be construed as a sign.

**J. Temporary Sign.** A sign designed to be moved periodically or displayed for a limited and comparatively short period of time only, without foundation, footing or similar permanent underground, wall, or structure anchoring system, such as in the case of a "grand opening" sign, a sign announcing an upcoming community event, or signs

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**Deleted:** Unless otherwise indicated, the definition of "sign" includes interior and exterior signs that are visible from any words, letting, parts of letters, figures, or other representations, or combinations thereof, placed on multiple structures or other supports that are each no greater than two (2) square feet in area but exceed two (2) square feet in total cumulative area, and are intended to be read or viewed together as a single message, shall constitute a sign.

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mounted on wheeled trailers. A temporary sign shall be construed to be the same temporary sign despite modifications to the location or message of such sign during the period the sign is displayed.

- K. Swinging Sign.** A sign installed on an arm, mast, spar or building overhang that is not rigidly attached to such arm, mast, spar or building overhang.
- L. Wall Sign.** A sign that is attached directly to a building wall that is flat against or generally parallel to the building wall and not extending more than eighteen (18) inches from the face of the wall, including signs painted on a building wall, and including signs on a marquee, canopy, or awning-type structure. A wall sign shall not be construed to include a sign attached to or otherwise part of a roof, a sign attached to a wall but which extends above the lowest portion of a roof, or a projecting sign.
- M. Window Sign.** A sign that is attached to the interior or exterior of any window. Permanent window signs that are not affixed directly to a window or are positioned within twelve (12) inches of a window so that they are visible from the outside, shall be considered wall signs.
- N. Yard Sign.** A temporary freestanding sign placed on private property within a street-facing yard for the purpose of notification of events, activities or expression. A temporary yard sign may consist of a frame or skeleton made of steel, wood or similar sturdy material placed into the ground, that resists bending or movement and is capable of withstanding wind turbulence while supporting a sign of permitted size. A temporary yard sign may also typically consist of a fairly pliable "H"-shaped metal frame, one end of which is typically inserted into a plastic sign and the other end is inserted into the ground.

### **Section 17.03 Application and Permit Requirements**

#### **A. Permits and Review.**

1. Required Permit and Review. All signs shall require a land use permit prior to placement, erection, replacement, or alteration unless exempted by subsection (2) below. If site plan review is required for a proposed project that a proposed sign shall be part of, the proposed signage shall be reviewed as part of the site plan review procedure for the entire project, pursuant to Article 14, and a separate sign application shall not be necessary. If the proposed signage is to be part of an existing development for which site plan approval has already been granted or was not necessary, the Zoning Administrator shall review the sign application to ensure all applicable ordinance standards have been met prior to issuing a permit for the sign.
2. Signs Exempt from Permit and Review. The following signs are exempt from the provisions of subsection (1) above but shall conform to all other regulations and standards of this Article including area and height.
  - i. Signs erected by a governmental entity.
  - ii. Indoor signs affixed to or covering windows.

- iii. Temporary signs authorized under Section 17.07 that do not require a permit.
- iv. The maintenance or replacement of sign information on a previously approved sign.
- v. Signs less than six (6) square feet in area.

**B. Application Information.** Application for a land use permit for a sign shall include the following minimum information, as applicable, which shall be submitted to the Zoning Administrator.

- 1. Name, address, and telephone number of the applicant.
- 2. A copy of the approved or proposed site plan for the lot on which the sign is to be placed.
- 3. Construction specifications including dimensions, materials, height, ground clearance if applicable, total display area, method of attachment to the wall or ground, and in the case of an EMC sign, the manufacturer's sign brightness specifications according to nit level.
- 4. Location of the sign on the building and, in the case of a ground sign, its location on the lot and in relation to nearby buildings, structures, and property lines, and setbacks from lot lines, right-of-ways, and access drives.
- 5. The height and width of the building if the sign is a wall sign.
- 6. Lot area and frontage.
- 7. Elevational view of sign including proposed sign copy.
- 8. Information concerning required electrical connections.
- 9. Certification by the manufacturer that the sign complies with the Michigan Construction Code.
- 10. Written consent of the owner or lessee of the premises upon which the sign is to be erected, if different than the applicant.
- 11. Other information as may be required to ensure compliance with all applicable laws and regulations.

**C. Completeness.** Within fourteen (14) days of receiving a request for a land use permit for a sign, the Zoning Administrator shall review it for completeness. If the Zoning Administrator finds that it is complete, the permit request shall then be processed. If the Zoning Administrator finds that it is incomplete, the Zoning Administrator shall, within such fourteen (14) day period, send to the applicant a notice of the specific ways in which the permit request is deficient, with appropriate references to the applicable sections of this Ordinance.

**D. Action.** Within thirty (30) days of the submission of a complete request for a land use permit for a sign, the Zoning Administrator shall either:

- 1. Issue the sign permit, if the sign that is the subject of the request conforms in every respect with the requirements of this Ordinance; or
- 2. Reject the request for a permit if the sign that is the subject of the request fails in any way to conform to the requirements of this Ordinance. In case of a rejection, the Zoning Administrator shall specify in the rejection the sections of the Ordinance with which the sign is inconsistent.



**E. Sign Permit – Continuing.** The owner of a lot containing signs requiring a permit under this Ordinance shall at all times maintain in force a sign permit for such property. An issued land use permit for a sign shall remain valid until such time as a sign requires substantial modification or becomes obsolete.

**F. Lapse of Sign Permit.** A continuing sign permit shall lapse automatically if the sign requires substantial modification or if any approval relating to use of the sign lapses, is revoked, or is not renewed. A land use permit for a sign shall also lapse if the activity on the premises is discontinued for a period of thirty (30) days or more and is not renewed within ten (10) days of a notice from the Township to the last permittee, sent to the premises, that the sign permit will lapse if such activity is not renewed.

#### **Section 17.04 Design and Construction Standards**

##### **A. Materials, Construction, and Maintenance.**

1. All signs shall be constructed and maintained in a manner consistent with building code provisions and maintained in good structural condition at all times, free of hazards to the general public. Signs shall not be constructed from materials that are remnants or manufactured for a different purpose. All signs shall be kept neatly painted, stained, sealed, or preserved including all metal parts and supports. Signs shall be maintained free of peeling material, fading, rust, rot, insect infestation or other conditions reflective of a state of disrepair.
2. A sign shall be integrally designed so that its elements are of a unified character versus comprised of an assemblage of different sign types and materials. In the case where two (2) opposing sign faces are of differing shapes or sizes, resulting in the back of one (1) face not being fully obscured by the opposing face of the sign, the exposed backing shall be of a finished material and designed and constructed to appear as an integral part of the entire sign and of a similar character. No pole, column, or similar support shall be used to accommodate more than one (1) sign serving the same business, tenant, or occupant of a lot.
3. All signs shall be designed so that the supporting framework, other than the supporting poles of a freestanding sign, is contained within or behind the face of the sign or within the building to which it is attached so as to be totally screened from view.

**B. Wall Sign Dimensions and Heights for Non-Residential Uses.** Wall signs in association with commercial, industrial, and other non-residential uses shall comply with the following:

1. Wall Sign Vertical Dimension. The maximum vertical dimension of any wall sign shall not exceed one third (1/3) of the building height.
2. Wall Sign Horizontal Dimensions. The maximum horizontal dimension of any wall shall not exceed three-fourths (3/4) of the width of the building.

3. Wall Sign Height. The top of a wall sign shall not be higher than the lowest of the following:
  - a. Twenty-five (25) feet.
  - b. The top of the sills on windows above the first story.
  - c. The height of the building wall on which the sign is located.

#### C. Lighting.

1. Authorized Lighting. Signs may be illuminated internally or externally, unless specified otherwise.
2. Moving Illumination. No sign shall include flashing, blinking, intermittent, moving, or variable intensity illumination except as authorized in association with an electronic message center (EMC) sign.
3. Exterior Illumination. Exterior illumination of a sign shall not result in reflected light that exceeds a brightness level of 0.3 foot candles above ambient light as measured according to the same specifications for EMC signs in Section 17.09(A). Use of glaring undiffused lights or bulbs is prohibited. Sign illumination shall not distract motorists or otherwise create a traffic hazard.
4. Interior Illumination. Within Agricultural Residential, Residential, and Manufactured Housing Park Districts, sign illumination shall be external, unless the interior illumination is limited to individual letters, lettering, symbols and logos on a sign, and all other sign elements are opaque or otherwise not illuminated. This subsection shall not apply to temporary signs authorized by Section 17.07.
5. Source and Projection of Illumination. The source of sign illumination shall be shielded from traffic and adjacent properties and shall not be visible beyond the property line of the lot on which the sign is located. All externally lit signs shall be illuminated by lights affixed to the sign and only directed downward on the sign face. This subsection shall not apply to neon lights and exposed bulbs, including marques signs, provided such lights and bulbs shall not exceed fifteen (15) watts.
6. EMC Signs. See Section 17.09(A) regarding lighting requirements for EMC signs.

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#### D. Measurements.

1. Sign Area. The area of the sign shall be computed by calculating the square footage of a sign face as measured by enclosing the most protruding points or edges of all sign faces of the sign within a parallelogram, rectangle, triangle, circle, cylinder, cone, or combination thereof, including any framing.
  - a. Where a sign has two (2) or more similarly shaped faces placed back-to-back, and at no point are less than eighteen (18) inches apart from one another, the area of the sign shall be the area of one (1) face. Where a sign has two (2) or more similarly shaped faces placed back-to-back, and are greater than eighteen (18) inches apart from one another at any point, the area of the sign shall be the combined area of each face.

- b. Where a sign has two (2) faces placed back-to-back, and at no point are less than eighteen (18) inches apart from one another, but the signs are of differing sizes, the size area shall be that of the larger sign.
  - c. In the case of a sign with three or more faces, the area of the sign shall be the areas of all faces combined.
- 2. Sign Setbacks.
  - a. The distance between two signs shall be measured along a straight horizontal line that represents the shortest distance between the nearest parts of the two signs as viewed from above in plain or bird's eye view.
  - b. The distance between a sign and a property line, parking lot, or building shall be measured along a straight horizontal line that represents the shortest distance between the property line or outer edge of the parking lot or building, and the leading edge of the sign as viewed from above in plain or bird's eye view.
- 3. Sign Height. The height of a sign shall be measured from the highest point of the sign, including all frame and structural members of the sign, to the ground elevation directly below the sign face. The height of a sign placed upon a berm or other artificially raised area shall be measured from the base elevation of the berm or artificially raised ground area.

#### **Section 17.05 Nonconforming Signs**

**A. General.** Nonconforming signs shall be subject to the provisions of Article 18 except as otherwise provided by the following:

- 1. Destruction: A nonconforming sign that is destroyed to an extent greater than thirty percent (30%) of the sign's replacement cost, exclusive of the foundation, shall not be reconstructed.
- 2. Maintenance: Normal sign maintenance is permitted including painting of chipped or faded signs, replacement of faded or damaged surface panels, and repair or replacement of electrical wiring or electrical devices.
- 3. Change of Copy: The sign copy of a nonconforming sign may be changed provided that the change does not create any greater nonconformity or otherwise alter the sign's framing and structural features.

#### **Section 17.06 Prohibited Signs**

**A. Signs Prohibited.** The following signs are prohibited, whether temporary or permanent, except where expressly authorized elsewhere in this Article.

- 1. Signs that, due to location, design, color or lighting, encourage confusion among drivers due to unauthorized traffic signs, signals or devices, or signs that make use of the words "stop," "look," "danger" or any word, phrase, symbol or character in such manner as to interfere with, mislead, or confuse drivers or pedestrians.
- 2. Signs that obstruct free and clear vision of approaching, intersecting, or merging traffic as required by Section 16.16(I).

3. Signs greater than fifteen (15) square feet in area, affixed to a parking vehicle or truck trailer, where such vehicle or trailer is being used principally for advertising purposes due to its parked location, rather than for transportation purposes.
4. Signs that extend higher than the surface of a roof, and signs that extend above the top edge of a roof or building parapet, whichever is higher, excluding cupolas, pylons, chimneys, and similar minor projections.
5. A sign, other than a flat wall sign, that projects more than eighteen (18) inches from the face of the building or structure upon which it is located.
6. Signs that obstruct ingress or egress from a required door, window or other required point of access.
7. Signs comprising of banners except as otherwise expressly authorized in association with a temporary sign according to Section 17.07.
8. Signs placed in, upon, or over any public right-of way, alley, or other public place, except upon approval of the governmental entity having jurisdiction over such right-of-way.
9. Signs that have moving or flashing lights, signs that revolve or have any visible moving parts, revolving parts of visible mechanical movement of any type, or signs that have other apparent visible movement irrespective of the cause of the movement.
  - a. Banners, pennants, festoons, spinners and streamers, and similar devices, that move due to wind or mechanical devices and that are intended to draw attention to a location are considered moving signs and are prohibited except as otherwise expressly authorized in association with a temporary sign according to Section 17.07. This limitation shall not be construed to prohibit EMC signs or signs that rely on light-emitting diodes (LEDs) provided such signs are in compliance with Section 17.09(A).
10. Signs that have any words, lettering, photographs, silhouettes, drawings, or pictorial representations of a sexually explicit character including any sign elements portraying specified anatomical areas or specified sexual activities as defined in Section 13.10(V)(2).
11. Signs that constitute a temporary sign as defined in this Article, except as authorized according to Section 17.07.
12. All other signs not expressly authorized by this Ordinance.

#### **Section 17.07 Permitted Temporary Signs**

- A. Authorization.** Temporary signs are permitted according to the requirements and limitations of this Section. Signs permitted by this Section shall not be applied toward the permissible sign areas authorized by other sections of this Article.
- B. Purpose.** A temporary sign may be used for any purpose including, but not limited to, announcements pertaining to a grand opening, an upcoming special event, or the availability of a dwelling or real estate for sale or rent; seasonal celebrations; signs erected during construction activities; and expressions of political, religious, and ideological views.

**C. Limitations.** Temporary signs shall comply with the standards of Table 17.07-1 and 17.07-2.

**Table 17.07-1**

**Table Of Sign Standards For Signs That Do Not Require A Permit**

<b><u>Sign Types, Districts Permitted</u></b>	<b><u>Site Restrictions</u></b>	<b><u>Additional Restrictions</u></b>
<b><u>Temporary Freestanding Commercial and Industrial Yard Signs and Swinging Signs.</u></b>  Permitted in the Commercial and Industrial Districts	<b><u>Number.</u></b> Total number of signs shall not exceed an aggregate side face of twenty (20) square feet.  <b><u>Sign Area.</u></b> The total sign's surface for a single sign shall not exceed eight (8) square feet.  <b><u>Height.</u></b> No sign shall exceed a maximum height of four (4) feet.	No sign shall be in place for a period exceeding six (6) consecutive months. Swinging signs may be wall or ground mounted. No sign shall be placed in a public right-of-way. Direct illumination is prohibited.
<b><u>Temporary Freestanding Residential Yard Signs and Swinging Signs.</u></b>  Permitted in the Agricultural Residential, Residential, and Manufactured Housing Park Districts	<b><u>Number.</u></b> Total number of signs shall not exceed an aggregate side face of eighteen (18) square feet.  <b><u>Sign Area.</u></b> The total sign's surface for a single sign shall not exceed six (6) square feet.  <b><u>Height.</u></b> No sign shall exceed a maximum height of four (4) feet.	No sign shall be in place for a period exceeding three (3) consecutive months. Swinging signs may be wall or ground mounted. No sign shall be placed in a public right-of-way. Direct illumination is prohibited.

**Table 17.07-2**

**Table Of Sign Standards For Signs Subject To A Permit Unless Otherwise Specified**

<b><u>Sign Types, Districts Permitted</u></b>	<b><u>Site Restrictions</u></b>	<b><u>Additional Restrictions</u></b>

<p><b><u>Temporary Banners</u></b></p> <p>Permitted in all Districts subject to a land use permit for a sign.</p>	<p><b><u>Number.</u></b> One (1) per street front.</p> <p><b><u>Sign Area.</u></b> Shall not exceed an area of thirty two (32) square feet.</p>	<p>Shall be permitted to be displayed for up to thirty (30) days. Signs are limited to no more than three (3) events per calendar year. If mounted to the ground, a two-sided sign is permitted but shall not exceed the maximum sign dimensions.</p>
<p><b><u>Temporary Event Signs.</u></b></p> <p>Permitted in all Districts</p>	<p><b><u>Number.</u></b> One (1) per event.</p> <p><b><u>Sign Area.</u></b> Shall not exceed an area of twelve (12) square feet. Signs in the right-of-way may not be more than four (4) feet tall or four (4) feet wide.</p>	<p>The temporary signs noted in this section may not be displayed more than ten (10) consecutive days in any thirty (30) day period. If mounted to the ground, a two-sided sign is permitted but shall not exceed the maximum sign dimensions.</p>

#### **Section 17.08 Permitted Permanent Signs by District**

Table 17.08-1 identifies authorized permanent signs in each district according to the limitations specified in the Table regarding sign type, number, area, height, and setbacks. Nothing in this Table shall be construed as authorizing a sign, sign area, sign height, or sign setback that is otherwise regulated by other sections of this Article. The signs authorized by this Section are permitted in addition to other signs authorized by the Article, and the signs permitted by this Section shall not be applied toward the permissible sign areas.

**TABLE 17.08-1**

**FS** = Free-Standing Sign    **WS** = Wall Sign

<b><u>District</u></b>	<b><u>Authorized Signs and Number</u></b>	<b><u>Maximum Area of Signs</u></b>	<b><u>Maximum Height of Signs</u></b>	<b><u>Maximum Sign Setback from Lot Lines</u></b>
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<p><b><u>Agricultural Residential District</u></b></p>	<p><b><u>FS:</u></b> 1 per road frontage provided the frontage dimension meets a minimum of 50% of the District's required frontage dimension.</p> <p><b><u>WS:</u></b> 1 per road frontage provided the frontage dimension meets a minimum of 50% of the District's required frontage dimension.</p>	<p><b><u>FS:</u></b> 32 square feet.</p> <p><b><u>WS:</u></b> 32 square feet.</p>	<p><b><u>FS:</u></b> 6 feet if part of a planting bed; 5 feet otherwise.</p> <p><b><u>WS:</u></b> Top of wall to which it is attached, but no higher than the roof eave.</p>	<p><b><u>FS:</u></b> 15 feet, except 50 feet from an adjacent yard if such yard is in the Agricultural Residential or Residential District.</p>
<p><b><u>Residential, and Manufactured Housing Park Districts</u></b></p>	<p><b><u>FS:</u></b> 1 per road frontage provided the frontage dimension meets a minimum of 50% of the District's required frontage dimension.</p> <p><b><u>WS:</u></b> 1 per road frontage provided the frontage dimension meets a minimum of 50% of the District's required frontage dimension.</p>	<p><b><u>FS:</u></b> 20 square feet.</p> <p><b><u>WS:</u></b> 32 square feet.</p>	<p><b><u>FS:</u></b> 5 feet if part of a planting bed; 4 feet otherwise.</p> <p><b><u>WS:</u></b> Top of wall to which it is attached, but no higher than the roof eave.</p>	<p><b><u>FS:</u></b> 15 feet, except 25 feet from an adjacent yard if such yard is in the Agricultural Residential or Residential District.</p>

<p><b><u>Commercial and Industrial Districts</u></b></p>	<p><b>FS:</b> 1 per road frontage provided the frontage dimension meets a minimum of 50% of the District's required frontage dimension.</p> <p><b>WS:</b> 1 per road frontage provided the frontage dimension meets a minimum of 50% of the District's required frontage dimension.</p>	<p><b>FS:</b> 2 square feet per 1 foot of building length, measured as a straight line between building corners, but no single sign shall exceed 48 square feet.</p> <p><b>WS:</b> 10% of the vertical surface area of the building façade to which the sign is attached, but not to exceed 48 square feet.</p>	<p><b>FS:</b> 6 feet if part of a planting bed; 5 feet otherwise. If not a ground sign, the maximum height shall be 12 feet.</p> <p><b>WS:</b> Top of wall to which it is attached, but no higher than the roof eave.</p>	<p><b>FS:</b> 15 feet, except 50 feet from an adjacent yard if such yard is in the Agricultural Residential, or Residential District.</p>
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**Table 17.08-1: Special Provisions**

**A. Dwellings.** Permanent signs on a lot on which the principal use is one (1) or more dwelling units shall comply with the following:

1. Single and Two-Family Dwellings: One (1) sign may be erected for each dwelling unit on a lot where such lot is used for single-family or two-family dwelling purposes, each not to exceed three (3) square feet in area and shall be setback a minimum distance of five (5) feet from all lot lines.
2. Multiple Family Dwelling: One (1) sign may be erected within ten (10) feet of a building entrance within a multiple family dwelling development. Such sign shall not exceed six (6) feet in height and six (6) square feet in area, and shall comply with the setback standards of Table 17.08-1.
3. Postal Address: The limitations of subsections (a) and (b) shall not prohibit the display of an additional non-illuminated address identification sign, part of a mailbox or mailbox support, to facilitate identification of the property for postal, emergency, and other vehicles. Such sign shall not exceed one (1) square foot in area.

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**B. Driveway/Entrance Signs.** The following permanent signs are permitted, excluding on lots used for single and two-family dwelling purposes:

1. One (1) sign is permitted at the intersection area of a public road and an access drive to a parking lot. Such sign shall not exceed four (4) square feet in area and three (3) feet in height and shall be located within ten (10) feet of the edge of the driveway and the road right-of-way.
2. One (1) sign is permitted at an entrance to a residential or non-residential development consisting of a platted subdivision, condominium subdivision, multiple family development, manufactured housing community, or other



unified development consisting of at least five (5) dwelling units or at least three (3) buildings used for commercial or industrial purposes. Such sign shall not exceed thirty-two (32) square feet in area and six (6) feet in height, and shall comply with the setback standards of Table 17.08-1.

3. One (1) sign is permitted at a door of a building. Such sign shall have a maximum height of six (6) feet and shall not exceed six (6) square feet in area. The sign shall not be farther than ten (10) feet from such door and shall comply with the setback standards of Table 17.08-1.

#### **Section 17.09 Additional Provisions for Specific Signs**

**A. Applicability.** The following provisions shall apply in addition to other provisions of this Article:

1. Window Signs. Temporary and permanent window signs shall be permitted in the Commercial and Industrial Districts only, and only on the inside of first story windows.
  - a. The total combined area of all temporary and permanent window signs shall not exceed thirty percent (30%) of the total first-floor window area.
  - b. The total sign area of permanent window signs shall not exceed ten percent (10%) of the total first-floor window area. The area of permanent window signs shall be counted in determining compliance with standards for total area of wall signage.
  - c. Temporary window signs shall not exceed ten percent (10%) the total first-floor window area. The area of temporary window signs shall not be counted in determining compliance with standards for total area of wall signs.
2. Electronic Message Center (EMC) Signs.
  - a. That portion of a sign comprised of an EMC sign shall not exceed sixteen (16) square feet in area.
  - b. That portion of a sign comprised of an EMC sign shall not exceed a height of eight (8) feet.
  - c. One (1) EMC sign may be erected on a lot, irrespective of the number of road frontages along the lot.
  - d. Lighting:
    - i. An image of an EMC sign, and any portion of an image on an EMC sign, shall stay constant for a minimum of fifteen (15) seconds, without any change in movement, light intensity, or color. Message scrolling and similar moving messages, including animation and animation-like imaging, are prohibited.
    - ii. Any change or transition in display on an EMC sign shall not exceed one (1) second in duration.
    - iii. An EMC sign shall be equipped with an automatic dimming technology that automatically adjusts the sign's brightness in direct correlation with ambient light conditions. No EMC sign shall exceed a brightness level of 0.3 foot candles above

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ambient light as measured using a foot candle meter at a distance determined by the square root of the sign's square foot area multiplied by 100. An example of such a determination in the case of a 12 square foot sign is:  
 $\sqrt{\text{of the product of } (12 \times 100)} = 34.6 \text{ feet measuring distance.}$

3. Marquee Signs. Marquee signs shall be permitted according to the following provisions:
  - e. Marquee signs shall be permitted only in the Commercial District.
  - f. Marquee signs shall be constructed of hard, noncombustible materials.
  - g. The written message shall be affixed flat to the vertical face of the marquee structure.
  - h. A minimum vertical clearance of ten (10) feet shall be provided beneath any marquee structure.
  - i. Marquee signs shall comply with the setback requirements for the district in which they are located.
  - j. No portion of a marquee sign shall be higher than the roof.
  - k. One (1) marquee sign shall be permitted per road frontage.
  - l. The area of any permanent information on a marquee sign shall be counted in determining compliance with the standards for total area of permanent wall signs permitted on the lot according to Table 17.08-1.
  - m. The area of any temporary information on a marquee sign shall be counted in determining compliance with the standards for total area of permanent wall signs permitted on the lot according to Table 17.07-1.
4. Awning/Canopy Signs. Awning/canopy signs shall be permitted according to the following provisions:
  - a. Awning/canopy signs are only permitted in Agricultural Residential, Commercial, and Industrial Districts.
  - b. The total area of the sign shall not exceed twenty-five percent (25%) of the total area of the awning or canopy that is visible from beyond the lot.
  - c. The area of awning/canopy signs shall be counted in determining compliance with the standards for total area of permanent wall signs permitted on the lot according to Table 17.07-1.
  - d. Awning/canopy signs shall comply with the setback requirements for the district in which they are located.

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### **Section 6.23 Airports, Heliports and Related Uses**

- A. Location requirements.** Airports, heliports and related uses are permitted in the Industrial District. These regulations shall not apply to private air strips that are used only by the owner or lessee of the premises for the maintenance of aircraft.
- B. Site Requirements.**
1. Minimum lot size shall be twenty (20) acres.
  2. The parcel shall abut a paved, county thoroughfare and public ingress and egress shall be provided from that thoroughfare.
- C. Performance Standards.**
1. Plans shall be approved by the FAA and the Michigan Department of Transportation, Bureau of Aeronautics, prior to submittal to the Township for review and approval.
  2. The “clear zone” (as defined by the FAA) shall be owned by the owner of the airport.
  3. Paved parking shall be provided for the airport and all accessory uses, with a minimum of two (2) parking spaces per hanger.

4. Heliports shall be clearly defined outside of parking lots. Outdoor routine maintenance of helicopters shall be prohibited from dusk to dawn. Heliport landing approaches shall be clearly noted on a site plan as being clear of vertical obstructions.
5. There shall be no landing nor take off of aircraft (excluding balloons) except at federally approved sites.

**D. Conway Township Airport Zoning Act.**

1. Definitions; Airport Zoning. For the purpose of the Airport Zoning Act (“this Act”), the words, terms and phrases set forth in this Act shall have the meanings prescribed herein.
  - a. Airport. Any location which is used for the landing or taking off of aircraft, which provides facilities for the shelter, supply or care of aircraft or for receiving or discharges passengers or cargo and all appurtenant areas used or acquired for airport buildings or other airport facilities and all appurtenant rights-of-way, either heretofore or hereafter established.
  - b. Airport hazard. Any structure or tree or use of land or of appurtenances thereof which obstructs the air space required for the safe flight of aircraft in landing or taking off at an airport or is otherwise hazardous or creates hazards to such safe landing or taking off of aircraft.
  - c. Airport hazard area. Any area of land or water or both upon which an airport hazard might be established if not prevented as provided in this Act, including any such area which has been declared to be an airport hazard area” by the Michigan Aeronautics Commission in connection with any airport approach plan adopted by said commission.
  - d. Commission. The Michigan Aeronautics Commission or any successor thereto established by law.
  - e. Person. Any individual, homeowner, firm, partnership, corporation, company, association, joint stock association, municipal corporation or other body politic; and includes any trustee, receiver, assignee or other similar representative thereof.
  - f. State. The State of Michigan.

- g. Structure. Any object constructed or installed by man, including, but without limitation, buildings, tower, smoke stacks and overhead transmission lines, but not including highways and their appurtenances.
    - h. Tree. Any object of natural growth.
- 2. Airport hazard declared nuisance; prevention. It is hereby found that an airport hazard endangers the lives and property of the general public, of users of the airport and of occupants of land in its vicinity, and also, if of the obstruction type, in effect reduces the size of the area available for the landing, taking-off, and maneuvering of aircraft, thus tending to destroy or impair the utility of the airport. Accordingly, it is hereby declared; (a) That the creation or establishment or maintenance of an airport hazard is a public nuisance and an injury to the community served by the airport in question; and (b) that it is therefore necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of airport hazards be prevented. It is further declared that, where airport hazards exist, they must be eliminated, removed, altered, mitigated, or abated as necessary, and they should not be either marked or lighted.
- 3. Airport approach plan; adoption by Aeronautics Commission, Conway Township, considerations. The Commission has formulated and adopted an airport approach plan for the airport located in Conway Township. The plan indicates and determines the circumstances in which structures and trees are or would be an airport hazard, the airport hazard area within which measures for the protection of the airport's aerial approaches should be taken and what the height limits and other objectives of such measures should be. In adopting or revising in the future, the Commission considered among other things, the character of the flying operations expected to be conducted at the airport, the traffic pattern and regulations affecting flying operations at the airport, the nature of the terrain, the height of existing structures and trees above the level of the airport and the possibility of lowering or removing existing obstructions.
- 4. Airport hazard area; determination; zoning regulations/development ~~code~~
  - a. In order to prevent the creation or establishment of airport hazards, every political subdivision having an

airport hazard area wholly or partly within its territorial limits or jurisdiction may make an official determination that the area is in fact an airport hazard area and may thereupon adopt, administer and enforce, in the interest of public safety and in the manner and upon the conditions prescribed in this Act, airport zoning regulations for that part of the airport hazard area which is within its territorial limits or jurisdiction. The regulations may divide the area into zones, and within those zones, may specify the land use permitted and regulate and restrict the height to which structures and trees may be erected or allowed to grow.

- b. A political subdivision in which is wholly or partially located an airport hazard area, may adopt, administer, and enforce zoning regulations for that part of an airport hazard area within the political subdivision's territorial limits or jurisdiction to protect public health and safety. The political subdivision may divide the area into zones and specify within the zones the land uses or developments permitted. As used in this subsection, "development" means an activity which materially alters or affects the existing conditions or use on any land.
- 5. Airport zoning regulations; incorporation into zoning ordinance. In the event that a political subdivision has adopted or hereafter adopts a comprehensive zoning ordinance regulating, among other things, the height of buildings, any airport zoning regulations applicable to the same area or portion thereof may be incorporated in and made a part of such comprehensive zoning regulations and may be administered and enforced as an integral part thereof.
  - 6. Airport zoning regulations; amendment. Every airport zoning regulation for an airport hazard area existing in connection with an airport shall be designed to effectuate the Commission's airport approach plan, as amended by it, whenever necessary, for such airport, and said regulations shall likewise be amended, when necessary to conform to any revision of the applicable airport approach plan that may be made by the Commission.

It is hereby resolved that Conway Township adopts the airport approach protection plan for Maple Grove Airport (65G) located in Conway Township as presented and adopted by the Commission on July 17, 2002, and as amended on January 7, 2020. The approach protection plan consists of height protection for the FAR Part 77 surfaces surrounding the airport and land use protection using standards shown on the enclosed material. See Map at the end of this Section. Zone 1 establishes ~~a height~~ a height restriction of fifteen (15') feet, Zone 2 establishes a height restriction of thirty- five (35') feet, Zone 3 establishes a height restriction one hundred twenty-five (125') feet, ~~and~~ Zone 4 establishes a height restriction of two hundred (200') feet, and Zone 5 establishes a height restriction of eighteen (18") inches.

7. Airport zoning regulations; conflict, determination by Commission. In the event of conflict between any airport zoning regulation applicable to the same area, whether such other regulations were adopted by the political subdivision which adopt the airport zoning regulations or by some other political subdivision, and whether the conflict be with respect to the height of structures or trees, the use of land, or any other matter, those limitations or requirements which may be determined by the Commission to be most conducive to airport and air travel safety shall govern and prevail.
8. Airport zoning regulations; construction permits required. For all structures, uses, and trees subject to this Act, the airport zoning regulations adopted under this Act shall require that a permit be obtained before any new structure or use may be constructed or established and before any existing use or structure may be substantially changed or substantially altered or substantially repaired. All such regulations shall further provide that before any non-conforming structure or tree may be replaced, substantially altered or substantially repaired, rebuilt, allowed to grow higher or replanted, a permit authorizing such replacement, change or repair must be secured from the Township. No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a non- conforming structure or tree or non-conforming use to be made, become higher, or become a greater hazard to air navigation than it was when the applicable regulation was adopted or than it is when the application for permit is made.

Whenever the Township determines that a non- conforming use or non-conforming structure or tree has been abandoned or more than eighty (80%) percent torn down, destroyed, deteriorated or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

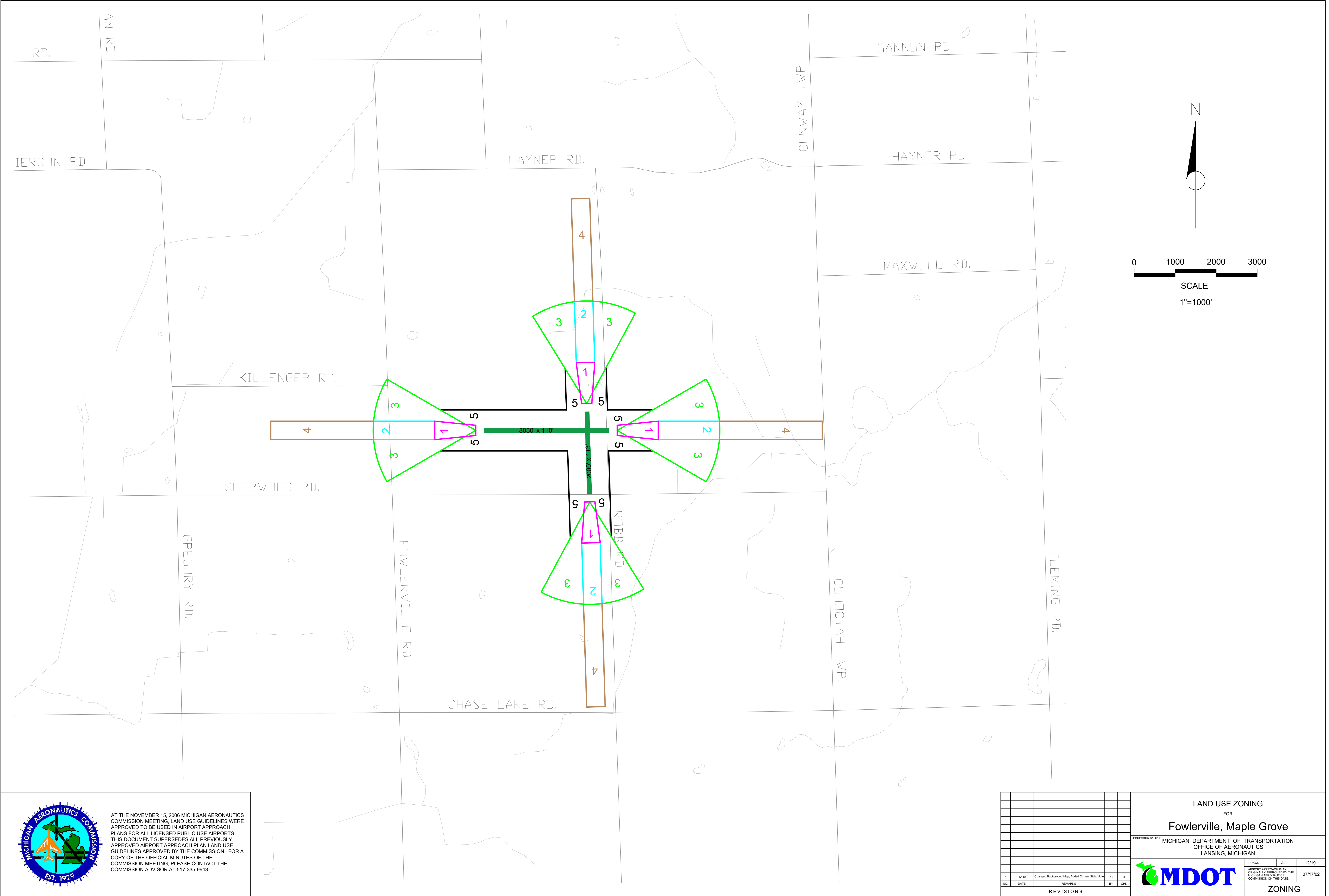
9. Airport zoning regulations; variance. A person desiring to erect a structure or increase the height of a structure or permit the growth of trees or otherwise use property in violation of the airport zoning regulations adopted under this Act, may apply to the Board of Appeals. The Board of Appeals will make their decision with the help of the airport manager or the Commission or both. A variance shall not conflict with a general zoning ordinance or regulation of Conway Township.
10. Airport zoning regulations; variance, markers and lights required. In granting any variance under this subsection, if the Board of Appeals deems such action advisable to effectuate the purpose of this Act and reasonable in view of the surrounding circumstances, the Board of Appeals may condition such variance as to require the owner of the structure or tree in question to permit Conway Township, as the case may be, at the owners expense, to install, operate and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.
11. Airport zoning regulations; administration and enforcement. All airport zoning regulations adopted under this Act shall be administered and enforced by Conway Township.
12. Approach protection; acquisition of property by Aeronautics Commission. In any case in which: (a) it is desired to remove, lower or otherwise terminate a non-conforming structure, tree or use; (b) the approach protection necessary cannot, because of constitutional limitations, be provided by airport zoning regulations under this Act; (c) it appears advisable that the necessary approach protection be provided by acquisition of property rights rather than by airport zoning regulations, the Commission, on behalf of or in the name of the State, within the limitation of available appropriations, or each political subdivision within which the property or non- conforming uses is wholly or partly located, or the political subdivision is served by the airport may acquire by purchase, grant or condemnation in the manner provided



by the law, under which the Commission on behalf of and in the name of the State or political subdivisions are authorized to acquire real property for public purposes, such air right, aviation easement or other estate or interest in the property or non-conforming structure or use in question as may be necessary to effectuate the purposes of this Act.







AT THE NOVEMBER 15, 2006 MICHIGAN AERONAUTICS COMMISSION MEETING, LAND USE GUIDELINES WERE APPROVED TO BE USED IN AIRPORT APPROACH PLANS FOR ALL LICENSED PUBLIC USE AIRPORTS. THIS DOCUMENT SUPERSEDES ALL PREVIOUSLY APPROVED AIRPORT APPROACH PLAN LAND USE GUIDELINES APPROVED BY THE COMMISSION. FOR A COPY OF THE OFFICIAL MINUTES OF THE COMMISSION MEETING, PLEASE CONTACT THE COMMISSION ADVISOR AT 517-335-9943.

LAND USE ZONING			
FOR			
Fowlerville, Maple Grove			
PREPARED BY THE MICHIGAN DEPARTMENT OF TRANSPORTATION OFFICE OF AERONAUTICS LANSING, MICHIGAN			
DRAWN		ZT	12/19
NO		DATE	REMARKS
BY		CHK	
REVISIONS			
FILE NUMBER		47-08	
1	12/19	Changed Background Map, Added Current Blk. Note	ZT JF
NO		DATE	REMARKS
BY		CHK	
AIRPORT APPROACH PLAN ORIGINALLY APPROVED BY THE MICHIGAN AERONAUTICS COMMISSION ON THIS DATE: 07/17/02			
ZONING			



Accident Safety Zone	Land Use Characteristics	Land Use Guidelines	Land Use Planning Strategies
<b>Zone 1</b> (See Special Note)	<b>Population Density</b>	Avoid land uses which concentrate people indoors or outdoors.	<p>*All activities uses are acceptable</p> <ol style="list-style-type: none"> <li>1. 0-3 people/acre.</li> <li>2. Airport sponsor should purchase property if possible.</li> </ol>
	<b>Residential vs. Non-Residential Land Use</b>	Prohibit all residential land uses. All non-residential land uses permitted outright subject to the Population Density and Special Function Land Use guidelines.	<ol style="list-style-type: none"> <li>1. Create a height hazard overlay ordinance around the airport.</li> <li>2. Airport sponsor should purchase property if possible.</li> <li>3. Airport sponsor should obtain aviation and obstruction easements.</li> <li>4. During the site development process, shift all structures away from the runway centerline if possible.</li> <li>5. Landscaping requirements shall establish only low growing vegetation.</li> <li>6. Prohibit high overhead outdoor lighting.</li> <li>7. Require downward shading of lighting to reduce glare.</li> <li>8. Evaluate all possible permitted conditional uses to assure compatible land use.</li> </ol>
	<b>Special Function Land Use</b>	Prohibit all Special Function Land Uses.	<ol style="list-style-type: none"> <li>1. Prohibit overhead utilities and all noise sensitive land uses.</li> <li>2. Zone land for uses other than for schools, play fields, hospitals, nursing homes, daycare facilities and churches.</li> <li>3. Limit storage of large quantities of hazardous or flammable material.</li> <li>4. Ensure permitted uses will not create large areas of standing water, or generate smoke/steam, etc.</li> </ol>

Accident Safety Zone	Land Use Characteristics	Land Use Guidelines	Land Use Planning Strategies *All aviation uses are acceptable
Zone 2	Population Density	Avoid land uses which concentrate people indoors or outdoors.	<ol style="list-style-type: none"> <li>1. 0-5 people/acre.</li> <li>2. Zone land uses, which by their nature, will be relatively unoccupied by people (i.e. mini-storage, small parking lots).</li> </ol>
	Residential vs. Non-Residential Land Use	Prohibit all residential land uses. All non-residential land uses permitted outright subject to the Population Density and Special Function Land Use guidelines.	<ol style="list-style-type: none"> <li>1. Create a height hazard overlay ordinance around the airport.</li> <li>2. Obtain aviation and obstruction clearances.</li> <li>3. During site development process, shift all structures away from the runway centerlines if possible.</li> <li>4. Prohibit mobile home parks.</li> <li>5. Landscaping requirements shall establish only low growing vegetation.</li> <li>6. Prohibit high overhead outdoor lighting.</li> <li>7. Require downward shading of lighting to reduce glare.</li> <li>8. Evaluate all possible permitted conditional uses to assure compatible land use.</li> </ol>
	Special Function Land Use	Prohibit all Special Function Land Uses.	<ol style="list-style-type: none"> <li>1. Prohibit overhead utilities and all noise sensitive land uses.</li> <li>2. Zone land for uses other than for schools, play fields, hospitals, nursing homes, daycare facilities and churches.</li> <li>3. Limit storage of large quantities of hazardous or flammable material.</li> <li>4. Ensure permitted uses will not create large areas of standing water, or generate smoke/steam, etc.</li> </ol>

Accident Safety Zone	Land Use Characteristics	Land Use Guidelines	Land Use Planning Strategies *All aviation uses are acceptable
Zone 3	Population Density	Avoid land uses which concentrate people indoors or outdoors.	1. < 25 people/acre. 2. Zone land relatives, which by their nature, will be relatively unoccupied by people (i.e. mini-storage, small parking lots).
	Residential vs. Non-Residential Land Use	Limit residential development to Low Density housing standards. All non-residential land uses permitted outright subject to the Special Function Land Use guidelines.	1. Create a height hazard overlay ordinance around the airport. 2. Obtain aviation and obstruction clearances. 3. During site development process, shift all structures away from the runway centerlines if possible. 4. Prohibit mobile home parks. 5. Landscaping requirements shall establish only low growing vegetation. 6. Prohibit high overhead outdoor lighting. 7. Require downward shading of lighting to reduce glare. 8. Evaluate all possible permitted conditional uses to assure compatible land use.
	Special Function Land Use	Prohibit all Special Function Land Uses.	1. Prohibit overhead utilities and all noise sensitive land uses. 2. Zone land for uses other than (re)schools, play fields, hospitals, nursing homes, daycare facilities and churches. 3. Limit storage of large quantities of hazardous or flammable material. 4. Ensure permitted uses will not create large areas of standing water, or generate smoke/fog, etc.

Accident Safety Zone	Land Use Characteristics	Land Use Guidelines	Land Use Planning Strategies  * All aviation uses are acceptable
Zone 4	Population Density  Residential vs. Non-Residential Land Use	Limit population concentrations.  Limit residential development to Low Density housing standards. All non-residential land uses permitted outright subject to the Special Function Land Use guidelines.	1. <40 persons/acre in buildings, <75 persons/acre outside buildings.  1. Create a height hazard overlay ordinance around the airport. 2. Obtain aviation easements. 3. Clustered development to maintain density as long as open space remains unbuilt. 4. Place clustered development away from extended runway centerlines. 4. Yrehoit mobile home parks. 5. Require downward shading of lighting to reduce glare. 6. Evaluate all possible permitted conditional uses to assure compatible land use.
	Special Function Land Use	Prohibit all Special Function Land Uses.	1. Evaluate noise sensitive Land uses in light of aircraft noise contour lines (if available) when establishing new zoning. 2. Prohibit high overhead utilities and all noise sensitive land uses. 3. Zone land for uses other than for schools, play fields, hospitals, nursing homes, daycare facilities and churches. 4. Limit storage of large quantities of hazardous or flammable material. 5. Ensure permitted uses will not create large areas of standing water, or generate smoke/stem, etc.

Accident Safety Zone	Land Use Characteristics	Land Use Guidelines	Land Use Planning Strategies * All violation uses are acceptable
Zone 5	Population Density	Avoid land uses which concentrate people indoors or outdoors.	1. 0-5 people/acre. 2. Zone land uses, which by their nature, will be relatively unoccupied by people (i.e. mini-storage, small parking lots).
	Residential vs. Non-Residential Land Use	Prohibit all residential land uses. All non-residential land uses permitted outright subject to the Population Density and Special Function Land Use guidelines.	1. Airport sponsor should purchase property if possible. 2. Create a height hazard overlay ordinance around the airport. 3. Obtain aviation and obstruction easements. 4. During site development process, shift all structures away from the runway centerlines if possible. 5. Landscaping requirements shall establish only low growing vegetation. 6. Prohibit high overhead outdoor lighting. 7. Require downward shading of lighting to reduce glare. 8. Evaluate all possible permitted conditional uses to assure compatible land use.
	Special Function Land Use	Prohibit all Special Function Land Uses.	1. Prohibit overhead utilities and all noise sensitive land uses. 2. Zone land for uses other than for schools, play fields, hospitals, nursing homes, daycare facilities and churches. 3. Limit storage of large quantities of hazardous or flammable material. 4. Ensure permitted uses will not create large areas of standing water, or generate smoke/steam, etc.

**Accident Safety Zones**

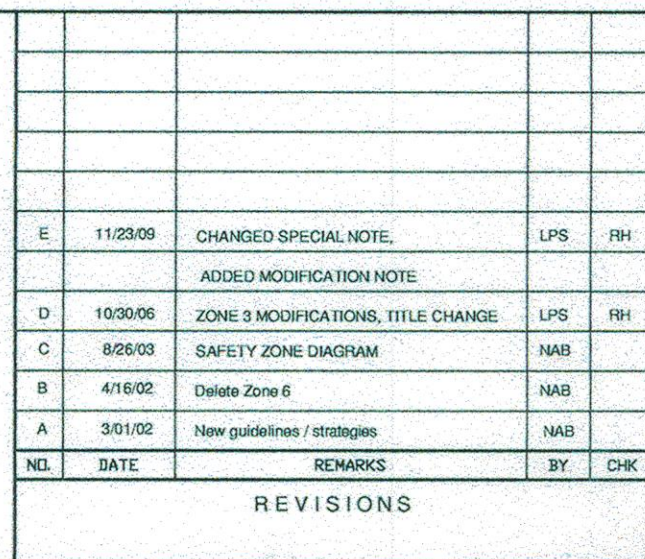
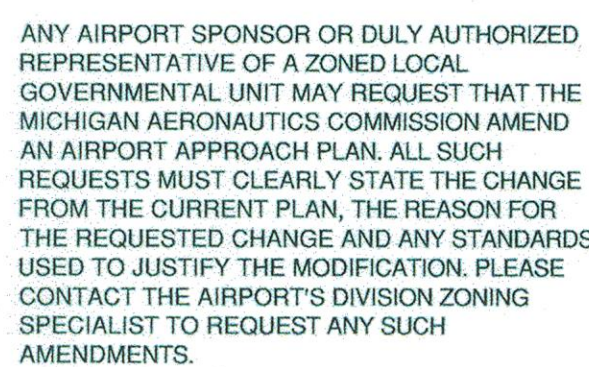
- ① Runway Protection Zone
- ② Inner Safety Zone
- ③ Inner Turning Zone (60 degree sector)
- ④ Outer Safety Zone
- ⑤ Sideline Safety Zone
- ⑥ Traffic Pattern Zone

Diagram labels and dimensions:

- D: Runway width
- R: Turning radius
- B: Inner Safety Zone width
- A: Inner Turning Zone width
- E: Outer Safety Zone width
- F: Sideline Safety Zone width
- U: Inner Safety Zone length
- T': Inner Turning Zone length
- S: Outer Safety Zone length
- L: Sideline Safety Zone length
- 200': Traffic Pattern Zone length
- Primary Surface

Dimension	Runway Length Category (L)		
	Runway less than 4,000	Runway 4,000 to 5,999	Runway 6,000 or more
A	125	250	500
B	225	525	875
C	275	500	500
D	225	500	500
E	500	1,000	1,000
F	4,000	5,000	5,000
R (60°Seconds)	2,500	4,500	5,000
S	1,000	1,700	2,500
T	1,500	2,600	2,500
U	2,500	3,000	5,000

38



MICHIGAN DEPARTMENT OF TRANSPORTATION  
AIRPORTS DIVISION  
LANSING, MICHIGAN

*Rick Arnold* 11/23/09  
AIRPORTS DIVISION ADMINISTRATOR DATE

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CHECKED		
PLOTTED		



## Section 6.06

### **Supplemental Regulations Pertaining to Accessory Buildings and Structures.**

Accessory buildings and structures, except as otherwise permitted in this ordinance, shall be subject to the following regulations:

- A. Relation to Principal Building.** Accessory buildings, structures and uses are permitted only in connection with, incidental to and on the same lot with a principal building, structure or use which is permitted in the particular zoning district, except an accessory building or structure may be permitted on a separate lot in conjunction with activity of a permitted use under same ownership in the AR Agricultural Residential District.
- B. Maximum Size.**
  - 1. Detached accessory structures on parcels of two (2) acres or less, the accessory gross floor area cannot exceed one hundred fifty percent (150%) of the total square footage of the gross floor area in the principal residence.
  - 2. Detached accessory structures on AR Agricultural Residential and R Residential zoned greater than two (2) acres, an accessory structure, or a combination of two (2) accessory structures, shall not be greater than twenty (20) percent of the unimproved side yard or unimproved rear yard which the accessory structure is located.
- C. Permit Required.** Any accessory building of two hundred (200) square feet or more shall require a building permit from the Livingston County Building Department.
- D. Structurally Attached to Main Buildings.** Where the accessory building is attached to a main building, it shall be subject to and must conform to all regulations of this ordinance applicable to the main building. Attached accessory structures shall not be greater than fifty (50) percent of the gross floor area of the primary structure of which it is attached nor shall the height of attached accessory structures be greater than the highest point of primary structure.
- E. Yard Locations.** Detached accessory buildings and structures shall be located in the rear yards outside of the minimum required yard area except:
  - 1. Private residential garages may be allowed in the side yard, adjacent to the residential structure, but not forward of the front building.
  - 2. Detached parking garages or carports may be permitted in the non-required front yard of attached residential dwelling complexes provided that the Planning Commission approves the site plan, elevation drawings and construction material. In reviewing such structures, the Planning Commission shall consider the impact of headlights and views from nearby public

streets and adjacent properties.

3. Where the lot dimensions make rear yard locations impossible, the Planning Commission may waive restrictions on front yard placement of detached accessory buildings and structures.
- F. **Number of Accessory Structures.** On AR Agricultural Residential and R Residential zoned lots of two (2) acres in area or less, a maximum of one (1) accessory buildings and structures shall be permitted. On AR Agricultural Residential and R Residential zoned parcel or lots of greater than two (2) acres, not more than two (2) detached accessory buildings shall be
- G. **Number of Agricultural Accessory Structures.** On AR Agricultural Residential zoned lots of twenty (20) acres or greater with active agricultural pursuits, the number of accessory buildings and structures shall be regulated by agricultural waiver. Such waiver may be obtained from the Conway Township Zoning Administrator. A waiver shall be obtained from said Administrator prior to building construction. All other applicable requirements of this ordinance shall apply to AR Agricultural Residential zoned lots of twenty (20) acres or greater.
- H. **Height of Non-Farm Accessory Structures.** No accessory non- farm building or structure shall exceed the maximum heights permitted in the R Residential District (See Section 8.04), except for antennas as noted in Section 6.17.
- I. **Height of Farm Accessory Structures.** No accessory farm building or structure shall exceed the maximum heights permitted in AR Agricultural Residential District (See Section 7.04).
- J. **Required Setbacks for Detached, Accessory Residential Buildings and Structures (over 200 square feet total floor area).** Detached accessory residential buildings and structures over two hundred (200) square feet of floor area shall be at least ten (10) feet from the principal building to which they are accessory, at least twenty-five (25) feet from any public street right-of-way line, at least fifteen (15) feet from any side or rear lot line, at least twenty-five (25) feet from any shoreline or drain easement, at least twenty-five (25) feet from the edge of any wetland, and at least forty (40) feet from any principal building on an adjacent property. In no instance shall any accessory building or structure be located within a dedicated easement or road right-of-way.
- K. **Required Setbacks for Detached Accessory Residential Buildings and Structures (less than 200 square feet total floor area).** Detached accessory residential buildings and structures less than two hundred (200) square feet of floor area shall be at least ten(10) feet from the principal building to which they are accessory, at least ten (10) feet from any public street, right-of-way line, at least then (10) feet from any side or rear lot line, at least twenty-five (25) feet from any shoreline or drain easement, and at least twenty-five (25) feet from the edge of any wetland.

In no instance shall an accessory building or structure be located within a dedicated easement or road right-of-way.

- L. Required Setbacks for Detached Accessory Farm Buildings and Structures.** Regardless of size or use, an accessory farm building or structure shall be setback a minimum of one hundred (100) feet from the principal building to which they are accessory. Accessory farm buildings or structures shall also be set back at a distance equal to one hundred (100) feet from the center line of a secondary roadway and one hundred ten (110) feet from the center line of a primary roadway. In addition, an accessory farm building or structure shall be setback at least fifty (50) feet from any shoreline or drain easement and at least twenty-five (25) feet from the edge of any wetland. In no instance shall an accessory building or structure be located within a dedicated easement or road right-of-way.
- M. Waterfront Lots.** Where a residential lot abuts a water body, docks and boat storage buildings and structures for the use of the individual residential property owners are permitted as an accessory use to a residential use. Such docks and boat storage buildings or structures may be located in the water but not nearer than twenty-five (25) feet from any side lot line.
- N. Accessory Structures Constructed Prior to or Without a Principal Building.** Notwithstanding any provision to the contrary in Section 6.06(A), an accessory building and/or structure may be constructed prior to or without a principal building or dwelling provided that a plot plan is submitted to the Zoning Administrator that demonstrates to the Zoning Administrator's satisfaction that such proposed accessory building or structure will not inhibit the future construction of a principal building in compliance with the requirements of this Zoning Ordinance. No commitment to build any future principal building shall be required. If an approval is obtained for an accessory building or structure to be constructed prior to or without a principal building, the location of the accessory building or structure must allow for a future principal building to be located in front of the accessory building or structure, unless otherwise permitted by this ordinance, and shall meet the required setbacks.
- O. Occupancy of Accessory Structures or Basements.** Buildings erected after the effective date of this ordinance such as garages or accessory buildings shall not be used or occupied for dwelling purposes at any time.
- P. Design Standards.** Accessory buildings in the R Residential district shall be harmonious with the height, character and scale of surrounding buildings and topography. Exterior surfaces shall also be similar to that of surrounding structures. Metal pole barns or structures with agricultural or industrial metal finishes may not be permitted if they are not compatible with the surface finish materials of surrounding structures.

## **Section 6.07 Supplemental Regulations Pertaining to Yards**

**A. Permitted Yard Encroachments.**

1. Paved terraces, patios and uncovered porches shall not be subject to yard requirements, provided the following minimum conditions are met:
  - a. The paved area is unroofed and without walls or other forms of solid continuous enclosure that links the paved area to the principal building.
  - b. The highest finished elevation of the paved area is not over three (3) feet above the average surroundings finished grade area. No portion of any paved area is closer than five (5) feet to any lot line or projects into any minimum required front yard area.
  - c. Such paved areas may have constructed wind breaks or walls not over six (6) feet high and not enclosing more than one-half (1/2) the perimeter of the paved area.
2. Unenclosed porches, roofed or unroofed, may project into a required side or rear yard area provided the porch is not higher than one (1) story and is erected on supporting piers. The porch shall not be closer than eight (8) feet to any side or rear lot line.
3. Enclosed porches shall be considered an integral part of the building and shall be subject to all yard and area dimensional requirements established for principal buildings.



## Section 6.06

### Supplemental Regulations Pertaining to Accessory Buildings and Structures.

Accessory buildings and structures, except as otherwise permitted in this ordinance, shall be subject to the following regulations:

**A.** **Relation to Principal Building.** Accessory buildings, structures and uses are permitted only in connection with, incidental to and on the same lot with a principal building, structure or use which is permitted in the particular zoning district, except an accessory building or structure may be permitted on a separate lot in conjunction with activity of a permitted use under same ownership in the AR Agricultural Residential District. ~~On parcels of two (2) acres or less, the accessory gross floor area cannot exceed one hundred fifty percent (150%) of the total square footage of the gross floor area in the principal residence.~~

**B.** **Maximum Size.**

1. ~~Detached accessory structures on parcels of two (2) acres or less, the accessory gross floor area cannot exceed one hundred fifty percent (150%) of the total square footage of the gross floor area in the principal residence.~~

~~A.2. Detached accessory structures on AR Agricultural Residential and R Residential zoned greater than two (2) acres, an accessory structure, or a combination of two (2) accessory structures, shall not be greater than twenty (20) percent of the unimproved side yard or unimproved rear yard which the accessory structure is located.~~

**B.C.** **Permit Required.** Any accessory building of two hundred (200) square feet or more shall require a building permit from the Livingston County Building Department.

**C.D.** **Structurally Attached to Main Buildings.** Where the accessory building is attached to a main building, it shall be subject to and must conform to all regulations of this ordinance applicable to the main building. ~~Attached accessory structures shall not be greater than fifty (50) percent of the gross floor area of the primary structure of which it is attached nor shall the height of attached accessory structures be greater than the highest point of primary structure.~~

**D.E.** **Yard Locations.** Detached accessory buildings and structures shall be located in the rear yards outside of the minimum required yard area except:

1. Private residential garages may be allowed in the side yard, adjacent to the residential structure, but not forward of the front building.
2. Detached parking garages or carports may be permitted in the non-required front yard of attached residential dwelling complexes provided that the Planning Commission approves the

site plan, elevation drawings and construction material. In reviewing such structures, the Planning Commission shall consider the impact of headlights and views from nearby public streets and adjacent properties.

3. Where the lot dimensions make rear yard locations impossible, the Planning Commission may waive restrictions on front yard placement of detached accessory buildings and structures.

**E.F. Number of Accessory Structures.** On AR Agricultural Residential and R Residential zoned lots of two (2) acres in area or less, ~~only one attached garage or accessory building or structure and a maximum of one detached garage or one (1)~~ accessory buildings and structures shall be permitted. On AR Agricultural Residential and R Residential zoned ~~parcel or~~ lots of greater than two (2) acres, ~~the number of not more than two (2) detached accessory buildings and structures shall be regulated by the maximum coverage requirements of Section 6.06(F) unless accessory buildings and structures are for active agricultural conduct and are eligible for an agricultural waiver under 6.06(F) below.~~

**F.G. Number of Agricultural Accessory Structures.** On AR Agricultural Residential zoned lots of twenty (20) acres or greater with active agricultural pursuits, the number of accessory buildings and structures shall be regulated by agricultural waiver. Such waiver may be obtained from the Conway Township Zoning Administrator. A waiver shall be obtained from said Administrator prior to building construction. All other applicable requirements of this ordinance shall apply to AR Agricultural Residential zoned lots of twenty (20) acres or greater.

**G.H. Height of Non-Farm Accessory Structures.** No accessory non- farm building or structure shall exceed the maximum heights permitted in the R Residential District (See Section 8.04), except for antennas as noted in Section 6.17.

**H.I. Height of Farm Accessory Structures.** No accessory farm building or structure shall exceed the maximum heights permitted in AR Agricultural Residential District (See Section 7.04).

**I. ~~Maximum Coverage.~~** ~~On all R Residential zoned lots and AR Agricultural Residential zoned lots of greater than two (2) acres, the combined square footage of all accessory buildings, structures and uses, excluding swimming pools, may occupy a maximum of twenty percent (20%) of the total yard area.~~

**J. Required Setbacks for Detached, Accessory Residential Buildings and Structures (over 200 square feet total floor area).** Detached accessory residential buildings and structures over two hundred (200) square feet of floor area shall be at least ten (10) feet from the principal building to which they are accessory, at least twenty-five (25) feet from any public street right-of-way line, at least fifteen (15) feet from any side or rear lot line, at least twenty-five (25) feet from any shoreline or drain

easement, at least twenty-five (25) feet from the edge of any wetland, and at least forty (40) feet from any principal building on an adjacent property. In no instance shall any accessory building or structure be located within a dedicated easement or road right-of-way.

- K. Required Setbacks for Detached Accessory Residential Buildings and Structures (less than 200 square feet total floor area).** Detached accessory residential buildings and structures less than two hundred (200) square feet of floor area shall be at least ten (10) feet from the principal building to which they are accessory, at least ten (10) feet from any public street, right-of-way line, at least ten (10) feet from any side or rear lot line, at least twenty-five (25) feet from any shoreline or drain easement, and at least twenty-five (25) feet from the edge of any wetland. In no instance shall an accessory building or structure be located within a dedicated easement or road right-of-way.
- L. Required Setbacks for Detached Accessory Farm Buildings and Structures.** Regardless of size or use, an accessory farm building or structure shall be setback a minimum of one hundred (100) feet from the principal building to which they are accessory. Accessory farm buildings or structures shall also be set back at a distance equal to one hundred (100) feet from the center line of a secondary roadway and one hundred ten (110) feet from the center line of a primary roadway. In addition, an accessory farm building or structure shall be setback at least fifty (50) feet from any shoreline or drain easement and at least twenty-five (25) feet from the edge of any wetland. In no instance shall an accessory building or structure be located within a dedicated easement or road right-of-way.
- M. Waterfront Lots.** Where a residential lot abuts a water body, docks and boat storage buildings and structures for the use of the individual residential property owners are permitted as an accessory use to a residential use. Such docks and boat storage buildings or structures may be located in the water but not nearer than twenty-five (25) feet from any side lot line.
- N. Accessory Structures Constructed Prior to or Without a Principal Building.** Notwithstanding any provision to the contrary in Section 6.06(A), an accessory building and/or structure may be constructed prior to or without a principal building or dwelling provided that a plot plan is submitted to the Zoning Administrator that demonstrates to the Zoning Administrator's satisfaction that such proposed accessory building or structure will not inhibit the future construction of a principal building in compliance with the requirements of this Zoning Ordinance. No commitment to build any future principal building shall be required. If an approval is obtained for an accessory building or structure to be constructed prior to or without a principal building, the location of the accessory building or structure must allow for a future principal building to be located in front of the accessory building or structure, unless otherwise permitted by this ordinance, and shall meet the required

setbacks.

- O. Occupancy of Accessory Structures or Basements.** Buildings erected after the effective date of this ordinance such as garages or accessory buildings shall not be used or occupied for dwelling purposes at any time.
- P. Design Standards.** Accessory buildings in the R Residential district shall be harmonious with the height, character and scale of surrounding buildings and topography. Exterior surfaces shall also be similar to that of surrounding structures. Metal pole barns or structures with agricultural or industrial metal finishes may not be permitted if they are not compatible with the surface finish materials of surrounding structures.

## Section 6.07

### Supplemental Regulations Pertaining to Yards

#### A. Permitted Yard Encroachments.

1. Paved terraces, patios and uncovered porches shall not be subject to yard requirements, provided the following minimum conditions are met:
  - a. The paved area is unroofed and without walls or other forms of solid continuous enclosure that links the paved area to the principal building.
  - b. The highest finished elevation of the paved area is not over three (3) feet above the average surroundings finished grade area. No portion of any paved area is closer than five (5) feet to any lot line or projects into any minimum required front yard area.
  - c. Such paved areas may have constructed wind breaks or walls not over six (6) feet high and not enclosing more than one-half (1/2) the perimeter of the paved area.
2. Unenclosed porches, roofed or unroofed, may project into a required side or rear yard area provided the porch is not higher than one (1) story and is erected on supporting piers. The porch shall not be closer than eight (8) feet to any side or rear lot line.
3. Enclosed porches shall be considered an integral part of the building and shall be subject to all yard and area dimensional requirements established for principal buildings.

## **CONWAY TOWNSHIP PLANNING COMMISSION BYLAWS OF**

Adopted, effective immediately, September 8, 2008

(Revised August 8, 2014)

(Revised October 8, 2018)

### **1. Name Purpose**

- A. The name shall be the Conway Township Planning Commission, hereafter known as the "Commission".
- B. These Bylaws are adopted by the Commission to facilitate the performance of its duties as outlined in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act (M.C.L. 125.3801 et seq.), hereinafter "the Planning Act."
- C. These Bylaws are also adopted to facilitate the duties of the Commission for administration of a zoning ordinance as outlined in P.A. 110 of 2006, as amended, being the Michigan Zoning Enabling Act (M.C.L. 125.3101 et seq.), hereinafter "the Zoning Act."

### **2. Membership**

- A. Members. Members of the Commission are appointed by the Conway Township Board of Trustees pursuant to the Conway Township Planning Commission Ordinance No. 21, as amended. There shall be seven members, which shall include one ex officio member.
  - 1. First priority, each member shall represent and advocate what is best for the Township of Conway as a whole, putting aside personal or special interests.
  - 2. Second priority, the membership of a planning commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the local unit of government, in accordance with the major interests as they exist in the local unit of government, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire territory of Conway Township to the extent practicable, as appointed by the Conway Township Board of Trustees.
- B. Ex Officio. As defined by statute, is a planning commission member with full voting rights unless otherwise provided, who serves on the planning commission by virtue of holding another office, for the term of that other office.
- C. Omitted.
- D. Attendance. If any member of the Commission is absent from three consecutive regularly scheduled meetings, then that member shall be considered delinquent. Delinquency shall be grounds for the Conway Township Board of Trustees to remove a member from the Commission for nonperformance of duty, or misconduct, after holding a public hearing on the matter. The Commission Secretary, or acting Secretary in the absence of the elected Secretary, shall keep attendance records and shall notify the Conway Township Board of Trustees whenever any member of the Commission is absent from three consecutive regularly scheduled meetings; this is not to include the Township Board of Trustee meetings; so the Conway Township Board of Trustees can consider further action allowed under law or excuse the absences.
- E. Conflict of Interest and Incompatibility of Office.
  - 1. Each member of the Commission shall avoid conflicts of interest and/or incompatibility of office. Each member shall disclose to the Planning Commission any

matter in which the member may reasonably be considered to have a conflict of interest or an appointment which creates an incompatibility of office.

2. As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:
    - a. Deliberating on, voting on, or reviewing a case concerning him or her.
    - b. Deliberating on, voting on, or reviewing a case concerning land owned by him or her.
    - c. Deliberating on, voting on, or reviewing a case concerning a neighboring property to property owned by a member or to property a member has a financial interest in. For purposes of this subsection, a neighboring property shall include any property falling within the notification radius for the particular application or request, as required by the Zoning Ordinance or other applicable statute; or, in the event no notification provision applies, 300 feet.
    - d. Deliberating on, voting on, or reviewing a case involving a corporation, company, partnership, or any other entity in which he or she is a part owner, or any other relationship where he or she may stand to have a financial gain or loss.
    - e. Deliberating on, voting on, or reviewing a case which is an action which results in a pecuniary benefit to him or her.
    - f. Deliberating on, voting on, or reviewing a case concerning his or her spouse, children, step-children, grandchildren, parents, brothers, sisters, grandparents, parents in-law grandparents in-law, or members of his or her household.
    - g. Deliberating on, voting on, or reviewing a case where his or her employee or employer is:
      - (1) an applicant or agent of an applicant, or
      - (2) Has a direct interest in the outcome.
    - h. There is a reasonable appearance of a conflict of interest, as determined by a majority vote of the remaining members of the Commission.
  3. When a conflict of interest exists, the member of the Commission, shall do all of the following immediately, upon first knowledge of the case and determining that a conflict exists:
    - a. declare a conflict exists at the next meeting of the Commission:
    - b. cease to participate at the Commission, or in any other manner, or represent one's self before the Commission, or others; and
    - c. during deliberation of the agenda item before the Commission, remove one's self from the front table where members of the Commission sit, until that agenda item is concluded.
  4. If a member of the Commission is appointed to another office, which is an incompatible office with his or her membership on the Commission, then on the effective date of the appointment to the other office, that shall result in an automatic resignation from the Commission. If a member of another office is appointed to the Commission, which is an incompatible office with his or her membership in the other office, then on the effective date of the appointment to the Commission, that shall result in an automatic resignation from the other office.
- F. Duties of all members.
1. Ex Parte contact.

- a. Members shall avoid ex parte contact about cases where an administrative decision is before the Commission whenever possible.
  - b. Despite one's best efforts it is sometimes not possible to avoid ex parte contact. When that happens, the member should take detailed notes on what was said and report to the Commission at a public meeting or hearing what was said, so that every member and other interested parties are made aware of what was said.
2. Site inspections.
  - a. Site inspections shall be done by the Zoning Administrator. An oral report of the site inspection shall be presented to the Commission at a public meeting. Written presentation may be requested by the Commission.
  - b. If desired, no more than one member of the Commission may accompany the Zoning Administrator on a site inspection.
3. Omitted.
4. Accepting gifts.
  - a. Gifts shall not be accepted by a member of the Commission from anyone connected with an agenda item before the Commission.
  - b. As used here, gifts, shall mean cash, any tangible item, or Service, regardless of value; and food valued over \$10.00 ten dollars.
  - c. This section does not apply to the Commission accepting gifts For the exercise of its functions pursuant to M.C.L. 125.3823(3), Section 23(3) of the Planning Act.
  - d. In Township gifts shall only be accepted by the Township Board on behalf of the planning Commission
5. Spokesperson for the Commission.
  - a. Free and open debate should take place on issues before the Commission. Such debate shall only occur at meetings of the Commission.
  - b. Once a vote is taken and an issue is decided by vote, the duty of each member of the Commission is to represent the position reflected by the outcome of the vote. Minority reports and requests for reconsideration may take place only at an open meeting of the Commission.
  - c. From time-to-time or on a specific issue the Commission may appoint a spokesperson for the Commission for all matters which occur outside of the meetings of the Commission.
6. Code of Conduct. Each member, upon appointment, shall sign a code of conduct. The current Code of Conduct for the Planning Commission is attached to these Bylaws.
7. Officers
  - a. Selection. At the regular meeting in January of each year, the Commission shall select from its membership a Chair, Vice-Chair, and Secretary. All officers are eligible for reelection. In the event the office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Commission shall select a successor to the office of Vice-Chair for the unexpired term. In the event the office of the Secretary becomes vacant, the Commission shall select a successor to the office of Secretary for the unexpired term. The Commission or Secretary may also designate another person who is not a member of the Commission to be the recording Secretary.

- b. Tenure. All officers shall take office at the meeting following their selection and shall hold office for a term of three years or until their successors are selected and assume office.
- c. Chair's Duties. The Chair retains his or her ability to discuss, make motions and vote on issues before the Commission. The Chair shall:
  - (1) Preside at all meetings with all powers under parliamentary procedure.
  - (2) Shall rule out of order any irrelevant remarks; remarks which are personal; remarks about another's race, religion, sex, physical condition, ethnic background, beliefs, or similar topics; profanity or other remarks which are not about the topic before the Commission.
  - (3) Restate all motions as pursuant to these Bylaws.
  - (4) Appoint committees.
  - (5) Appoint officers of committees or choose to let the committees select their own officers.
  - (6) May call special meetings pursuant to these Bylaws.
  - (7) Act as an Ex-Officio member of all committees of the Commission.
  - (8) Appoint an Acting-Secretary in the event the Secretary is absent from a Commission meeting.
  - (9) Review with the Secretary, prior to a Commission meeting, the items to be on the agenda if he or she so chooses.
  - (10) Periodically meet with the Planner hired by the Board of Trustees, the County Planner to review Planning procedures, and to monitor progress on various projects.
  - (11) Act as the Commissions chief spokesman and lobbyist to represent the Commission at local, regional, and state government levels.
  - (12) Represent the Commission before the Conway Township Board of Trustees.
  - (13) Perform such other duties as may be ordered by the Commission.
- d. Vice-Chair's Duties. The Vice Chair shall:
  - (1) Act in the capacity of the Chair, with all the powers and duties of the Chair.
  - (2) Perform such other duties as may be ordered by the Commission.
- e. Secretary's Duties. The secretary shall:
  - (1) Execute documents in the name of the Commission;
  - (2) Be responsible for the minutes of each meeting.
  - (3) Review the draft of the minutes, sign them, and submit them for approval to the Commission and shall have them spread in suitable volumes. Copies of minutes shall be distributed to each member of the Commission prior to the next meeting of the Commission.
  - (4) Keep attendance records pursuant to these Bylaws.
  - (5) Provide notice to the public and members of the Commission for all regular and special meetings, pursuant to the Open Meetings Act, P.A. 267 of 1976, as amended, M.C.L. 15.261 et seq.
  - (6) Prepare an agenda for the Commission meetings pursuant to these Bylaws.
  - (7) Perform such other duties as may be ordered by the Commission.

## G. Meetings



1. Regular meetings. Meetings of the Commission will be held the 2<sup>nd</sup> Monday of every month at 7:00 p.m. at the Conway Township Hall. When the regular meeting day falls on a legal holiday, the Commission shall select a suitable alternate day in the same month. As annual notice or regularly scheduled Commission meeting shall comply with P.A. 267 of 1976, as amended, (being the Michigan Open Meeting Act M.C.L. 15.261 et seq.)
2. Special Meetings. Special meetings shall be called in the following manner:
  - a. By the Chair.
  - b. By any two members of the Commission.
  - c. By the Chair at the request of any non-member of the Commission, upon payment of a non-refundable fee to cover costs of the special meeting. The fee shall be set by the Conway Township Board of Trustees.
  - d. Notice of special meetings shall be given by the Secretary to members of the Commission at least forty eight (48) hours prior to such meeting and shall state the purpose, time, day, month, date, year and location of the meeting. In addition notices shall comply with P.A. 267 of 1976, as amended, (being the Michigan Open Meetings Act M.C.L. 15.261 et seq.).
3. Recess. The Chair, or the Commission, after the meeting has been in session for two hours (not including site inspections), may suspend the Commission's business and evaluate the remaining items on its agenda. The Commission shall then decide to finish that meeting's agenda, may act to continue the meeting on another day (fix the time at which to adjourn), or complete some agenda items and continue the meeting on another day to complete other agenda items or postpone certain agenda items to the next meeting. If applicable such action shall include the time, day, month, date, year, and location the Commission will reconvene. If more than 18 hours will pass before the reconvened Commission, public notice shall be given to comply with P.A. 267 of 1976 as amended, (being the Michigan Open Meeting Act M.C.L. 15.261 et seq.). Upon reconvening, a roll call of attendance shall be the first item of business before proceeding with the same agenda. The Commission shall resume with the same meeting agenda, proceeding at the same point where they left off, without the addition of additional business.
4. Quorum. More than half the total number of seats for members of the Commission, regardless if vacancies exist or not, shall constitute a quorum for the transaction of business and the taking of official action for all matters before the Commission. Whenever a quorum is not present at a regular or special meeting, those present shall adjourn the meeting to another day.
5. Motions.
  - a. Motions shall be restated by the Chair before a vote is taken.
  - b. Findings of Fact. All actions taken in an administrative capacity (including but not limited to, special use permits, subdivisions, zoning, site plan review, planned unit developments, review and submission on another municipality's proposed plan, review and submission on a capital improvement, review of township zoning) shall include each of the following parts.
    - (1) A finding of fact, listing what the Commission determines to be relevant facts in the case in order to eliminate misleading statements, hearsay, irrelevant, and untrue statements;

- (2) Conclusions to list reasons based on the facts for the Commission's action, often directly related, or not, to a finding of compliance, or noncompliance, to standard;
  - (3) The Commission's action; and
  - (4) As applicable, recommendation or decision on approval, approval with conditions, or disapproval.
- 6. Voting. Voting shall be by voice and shall be recorded as passing or Failing. Roll call votes will be recorded only upon request by a member of the Commission and shall be recorded by "yes" or "no". Members must be present to cast a vote. Voting by proxy shall not occur. The affirmative vote of a majority of those present or a majority of a quorum, whichever is greater, shall be necessary for the adoption of motions. The affirmative vote of a majority of the total number of seats for members of the Commission, regardless if vacancies or absences exist or not, shall be necessary for the adoption, or recommendation for adoption, of any plan or amendment to a plan.
- 7. Commission Action. Action by the Commission on any matter on which a hearing is held shall not be taken until the hearing has been concluded.
- 8. Parliamentary Procedure. Parliamentary procedure in Commission meetings shall be informal. However, if required to keep order, Commission meetings shall then be governed by Roberts Rules of Order, as amended and revised, for issues not specifically covered by these Bylaws. Where these Bylaws conflict, or are different than Robert's Rules of Order, then these Bylaws control.
- 9. Public Participation. All regular and special meetings, hearings, records, and accounts shall be open to the public. All public comment on all agenda items should be presented at the beginning of the meeting where provided in the printed agenda. After that point during the meeting, public comment is normally not allowed; however, sometimes the Commission may direct questions to members of the public. Public comment is at the beginning of the meeting so the Commission can hear concerns and questions before acting on an issue. Those making public comment are expected to be familiar with the issue and have prepared comments ahead of time. To help the public in preparing for the meeting, any written material shall be made available without cost for members of the public asking for a copy prior to the meeting. The Chair may limit the amount of time allowed for each person wishing to make public comment at a Commission meeting. The Chair may ask members of the audience to caucus with others sharing similar positions so they may select a single spokesperson. If a single spokesperson is selected, that individual shall be able to make public comment at the Commission meeting with an extended time limit set by the Chair.
- 10. Consensus Business. Certain items of business before the Commission are routine matters where no discussion normally occurs or is expected to occur and a consensus for adoption normally occurs or is expected to occur. The individual preparing the agenda may mark such items on the agenda as a Consent Item, if that individual feels it qualifies as consensus business. The agenda or material presented on the issue should indicate the proposed action (approve, disapprove, no comment, approve with modification).
  - a. Any Consent Item can be removed by request of a member. It is automatically removed if discussed during Public Participation.

- b. A motion to adopt the Consent Items can be made, in effect adopting all agenda items still included as Consent Items. The approval of minutes could be proposed on the agenda as a Consent Item.
  - c. Consensus business can be proposed for any item on the agenda, but shall never include any of the following.
    - (1) Review of plans and zoning ordinances, or any part or amendment thereto.
    - (2) Action on special use permits, planned unit developments, site plans, and similar administrative actions. Election of officers.
    - (3) Any item not printed on the agenda which is delivered, along with adequate supporting information, to Commissioners prior to the meeting.
  - d. The motion to adopt Consent Items in the minutes shall clearly list each item and indicate its action/disposition.
11. Order of Business/Agenda. The Secretary, or designee, shall prepare an Agenda for each meeting and the order of business shall be as follows:
- a. Call to order, Pledge of Allegiance.
  - b. Matters pertaining to citizens present at the meeting, as advertised public hearings. The Chair will declare such a public hearing open and state its purpose. The petitioner, or proponent of the action advertised will be heard first
  - c. Housekeeping business such as, consent business, approval of minutes, communication, other.
  - d. Unfinished business and reports to include but not limited to, a report from the Conway Township Board of Trustees about the action taken by the Board on the items sent to them by the Commission for their action.
  - e. New business.
  - f. Public participation for items not on this agenda.
  - g. Adjournment.
12. Delivery of Agenda. The agenda and accompanying materials shall be mailed or delivered to Commission members so it is reasonably expected to be received prior to the weekend prior to the regular meeting date, generally accepted to be, but not always, mailed by first class mail on the Thursday of the week prior to the Commission meeting or by email.
13. Placement of Items on the Agenda.
- a. The Conway Township Clerk shall be the office of record for the Commission.
  - b. The Zoning Administrator may receive items on behalf of the Commission between the time of the adjournment of the previous Commission meeting and eight business days prior to the next regularly scheduled Commission meeting.
  - c. Items received by the Zoning Administrator between seven business days prior to the next regularly scheduled Commission meeting and the next regularly scheduled Commission meeting shall be set aside to be received by the Commission at its next regularly scheduled Commission meeting. The Commission may act on those items of a minor nature or table action to the subsequent regular or special Commission meeting. Those items of a major nature, or items normally receiving review, analysis, or recommendation shall be tabled until the subsequent regular or special Commission meeting.

- d. The deadline to add items to the Commission's meeting agenda  
Shall be seven business days prior to the next regularly scheduled Commission meeting.

14. Record

- a. Minutes and Record. The Commission Secretary shall keep, or caused to be kept, a record of Commission meetings, which shall at a minimum include an indication of the following:
  - (1) Copy of the meeting posting pursuant to P.A. 267 of 1976, as amended, (being the Michigan Open Meetings Act, M.C.L. 15.261 et seq.).
  - (2) Copy of the minutes, and all its attachments which shall include a summary of the meeting, in chronological sequence of occurrence.
  - (3) Time and place the meeting was called to order.
  - (4) Attendance.
  - (5) Indication of others present.
  - (6) Summary or text of points of all reports including reports of what was seen and discussed at a site inspection given at the meeting, and who gave the report and in what capacity.
  - (7) Summary of all points made in public participation or at a hearing by the applicant, officials, and guests and an indication of who made the comments. An alternative is to attach a copy of the public's statement, petition, or letter if it is provided in written form.
  - (8) Full text of all motions introduced, whether seconded or not, who made the motion and who seconded the motion. For each motion, the following should be included: who testified and a summary of what was said, a statement of what is being approved, the location of the property involved including tax parcel number ID, what exhibits were submitted, what evidence was considered, the administrative body's findings of fact, reasons for the decision made and if denied then each reason should refer to a section of an ordinance which would be violated or with which not complied, the decision if denied, approved, or approved with modification, a list of all required improvements, a list of all changes to the map/drawing/site plan that was submitted, who called the question, what type of vote and its outcome, that a person making a motion withdrew it from consideration, all the Chair's rulings, all challenges, discussion and vote/outcome on a Chair's ruling, all parliamentary inquiries or points of order, when a voting member enters or leaves the meeting, when a voting member has a conflict of interest and when the voting member ceases and resumes participation in discussion, voting and deliberations at a meeting, all calls for an attendance count, the attendance, and ruling if a quorum exists or not, the start and end of each recess, all Chair's rulings of discussion being out of order, full text of any resolutions offered, summary of announcements, summary of informal actions, or agreement on consensus, time of adjournment.
- b. Records of any action, support documents, maps, site plans, photographs, correspondence received, attached as an appendix to the minutes.
- c. Retention. Commission records shall be preserved and kept on

file according to the Township's record retention schedule.

15. Mileage and Per Diem. Mileage and per diem shall be paid to members of the Commission at the will of and at the rate established by the Conway Township Board of Trustees. No mileage or per diem is paid to any member to attend the Board of Trustee meetings.
16. Hearings. Before the adoption of any part of a plan, as defined in the Planning Act, or any amendment to a plan, or recommending approval of an amendment to the Conway Township Board of Trustees, the Commission shall hold a public hearing on the matter. Notice of the time and place of the hearing shall be given, not less than 15 days prior to such hearing, by at least one publication in each newspaper of general circulation. Notice of special hearings for the purposes of presenting preliminary master plans, obtaining public opinion on a problem, or discussion of a particular problem with interested parties will be given in the most practical manner and to persons, or group representatives most interested and as required by the Planning Act, Zoning Act, and relevant local zoning ordinance. A written notice containing the decision of the Commission will be sent to petitioners and originators of a request for the Commission to study a special problem.
17. Zoning Responsibilities. All the powers of zoning are transferred to this Commission, pursuant to M.C.L. 125.3301 of the Zoning Act. The Commission shall review and act on all proposed zoning ordinances, or zoning amendments pursuant to the Zoning Act. At least one hearing shall be held on each proposed zoning ordinance or amendment, with notices given as specified in the zoning ordinance and the Zoning Act. After the hearing, action shall be in the form of a recommendation to the Conway Township Board of Trustees. At a minimum the recommendation shall include the text of a zoning ordinance or amendment with the necessary maps and zoning regulations to be adopted for a zoning district or the zoning jurisdiction as a whole; and the manner of administering and enforcing the zoning ordinance. The Commission shall review and act on all special use permits pursuant to the Zoning Act and the zoning ordinance. At least one hearing shall be held on each proposed zoning ordinance or amendment, with notices given as specified in the zoning ordinance and the Zoning Act. After the hearing, action shall be in the form of a motion which contains a finding of fact, conclusions as to a list of reasons for action, the Commission's action pursuant to these Bylaws and a recommendation to the Conway Township Board of Trustees. The Commission shall review and act on all those site plans which the zoning ordinance requires Commission action. Action shall be in the form of a motion which contains a finding of fact, conclusions as to a list of reasons for the action, and the Commission's action, pursuant to these Bylaws. The Commission shall not act, or otherwise hear issues on zoning ordinance interpretations, zoning map interpretation, or variances. Such matters shall be exclusively the jurisdiction of the Zoning Board of Appeals.
18. Other Matters to be Considered by the Commission
  - a. The following matters shall be presented for consideration at a meeting of the Commission:
    - (1) Preparation of an annual report of the Commission.
    - (2) Selection of Consultants and a recommendation to the Conway Township Board of Trustees for same.
19. Adoption, Repeal, Amendments

- a. Upon adoption of these Bylaws of 9/8/2008, they shall become effective and all previous Bylaws, shall be repealed.
- b. The Commission may suspend any one of these Bylaws, for a duration of not more than one agenda item or meeting.
- c. These Bylaws may be amended at any regular or special meeting by a two-third (2/3) vote of the members present.

Amended by the Conway Township Planning Commission at a regular meeting held on October 8, 2018.

/s/ Londa Horton  
Londa Horton, Secretary

## **CODE OF CONDUCT AND OATH OF OFFICE**

The Appointed Member of the Conway Township Planning Commission agrees to abide by this Code of Conduct.

As a member I will:

1. Accept responsibility to represent the Conway Township Planning Commission which I am appointed to with dignity and pride by being a positive role model.
2. Conduct myself in a businesslike manner, respecting the rights and opinions of other members and of the public. Abusive, insulting, profane or excessively argumentative language or conduct should not be tolerated.
3. Abstain from, and not tolerate, physical or verbal abuse.
4. Accept the responsibility to promote and support development of effective planning and zoning programs.
5. Attend the meetings of the Planning Commission on a regular basis and provide prior notification of any necessary absences.
6. Read the Master Plan, Zoning Ordinance, other ordinance, rules of procedure, bylaws, and other pertinent documents which pertain to the business of the Planning Commission and continue to gain knowledge and understanding through self-study, inquires and attending appropriate training when possible.
7. Respect, adhere to, and help enforce the rules, policies, and guidelines established by the Planning Commission and Township Board of Trustees.
8. Read meeting packet materials ahead of time and otherwise be prepared for the meetings.
9. Refrain from deciding cases before the meeting discussion.
10. Participate in the Planning Commission deliberation at the meetings when appropriate.
11. Do not engage in criminal activities, and other activities including but not limited to situations of conflict of interest, ex parte contact, or accepting gifts as a form of influencing your vote.
12. In public forums, after a vote by the Planning Commission has been taken, I will represent the adopted majority position of the Planning Commission when speaking on behalf of the Planning Commission.
13. I will follow, and will help my community follow the community planning principles established by the Michigan Association of Planning, the Michigan Chapter of the American Planning Association.

## **OATH OF OFFICE**

I, \_\_\_\_\_ solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Michigan, and that I will discharge the duties of the office of a member of the Planning Commission in and for Conway Township to the best of my ability.

Signed: \_\_\_\_\_ Date \_\_\_\_\_

# **Conway Township**

8015 N. Fowlerville Road

PO Box 1157

Fowlerville MI 48836

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Phone 517-223-0358

Fax 517-223-0533

**From:** Todd Thomas Conway Township Zoning Administrator

**To:** Conway Twp. Board of Trustees / Conway Twp. Planning Commission

**Subject:** Zoning Administrator report

February land use permits issued

Land division applications

Kato Trust 8333 Morhle rd. divide one parcel into three parcels ( approved February 5,2020 )

Complaints

Violations