

## Conway Township Planning Commission Meeting Agenda

August 10, 2020

Next meeting September 14, 2020 at 7:00pm

- 1) Call to order and pledge of allegiance
- 2) Roll Call and sign-in: (Londa Horton, Larry Parsons, George Pushies, Chuck Skwirsk, Mike Stock, Meghan Swain-Kuch, Todd Thomas, Keith Wasilenski)
- 3) Approve August 2020 Meeting Agenda
- 4) Approve minutes of the July 13, 2020 meeting
- 5) Communications
  - a. *Introduce Meghan Swain-Kuch as our new Planning Commissioner*
- 6) Call to Public
- 7) Old Business
  - a. Review *Historical Reference* Zoning Ordinances
    - i. Article IV for definitions of Nuisances
    - ii. Definition for Accessory Building of Structure Article XXIV 24.1 A.
    - iii. Article III Classification of Uses, Section 3.2 I. 1-5 (Accessory buildings)
    - iv. Article VIII Minimum Lot Area Per Family
  - b. Reviewing zoning revisions list. Will use Abby's revised list as review reference.
    - i. Accessory Buildings draft 8/4/20– Chris Atkins
    - ii. Event Barns draft 8/4/20 – Chris Atkins
    - iii. Outdoor Furnace Ordinance new section 6.27 with comments - Abby Cooper
    - iv. Airport Zoning revised with new maps– Abby Cooper
    - v. Sign Standards
- 8) New Business
- 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	
Larry Parsons	
George Pushies	
Chuck Skwirsk	
Mike Stock	
Meghan Swain-Kuch	
Todd Thomas (Zoning Administrator)	
Keith Wasilenski	

# Conway Township Planning Commission Meeting Minutes

July 13, 2020

Conway Township Hall – 8015 N. Fowlerville Rd., Fowlerville, MI

Agenda	Items Discussed	Actions to be Taken
<b>Attendees</b>	<ul style="list-style-type: none"><li>• Public: Three attendees.</li><li>• Township Board Members: Larry Parsons, Trustee present</li><li>• Planning Commission Members present: George Pushies, Londa Horton, Mike Stock, Keith Wasilenski, Chuck Skwirsk</li><li>• Planning Commission Members absent: -0-, note resignation of Caleb Jenkins.</li><li>• Zoning Administrator: Todd Thomas, absent</li><li>• Township Attorney: Abby Cooper, absent</li><li>• Township Planner: Chris Adkins, absent</li></ul>	
<b>Call to Order and Pledge to Flag</b>	<p>Chairperson Mike Stock called the Conway Township Planning Commission meeting to order at 7:00pm and led in the Pledge of Allegiance. He called roll call. All present.</p> <p>The next meeting is August 10, 2020 at 7pm.</p>	
<b>Minutes from last meeting</b>	<p>Larry Parsons moved to approve tonight's agenda with addition of adding old business of handing out new ZO documents for insertion into ZO member books. Second Chuck Skwirsk. All in favor. Motion passed.</p> <p>Larry Parsons moved to approve the minutes of the March 9, 2020 meeting. Second by George Pushies. All in favor. Motion passed.</p>	
<b>Communications</b>	<ul style="list-style-type: none"><li>• Keith Wasilenski mentioned that Handy township is addressing waste management transfer stations according to the local newspaper.</li></ul>	
<b>Call to the Public</b>	-0-	

# Conway Township Planning Commission Meeting Minutes

July 13, 2020

Conway Township Hall – 8015 N. Fowlerville Rd., Fowlerville, MI

Agenda	Items Discussed	Actions to be Taken
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Old Business	<ul style="list-style-type: none"> <li>Review zoning revisions provided by Abby Cooper. There are only three items we are still working on: <ol style="list-style-type: none"> <li>Event barns – comments to add it to special use 13.10. George Pushies recommended tabling this issue until the next meeting when members have time to review Chris Adkins' draft.</li> <li>Accessory structures – Mike Stock gave a definition of an accessory. An attached garage is now part of the accessory. <ul style="list-style-type: none"> <li>ZO page 5 and 6 defines dwelling</li> <li>ZO 6.6E – Mike Stock wants to take out attached garage. We should allow two detached accessory buildings. Discussion over different lot sizes and number of accessories.</li> <li>Chris Adkins to take our two ordinances and simplify them.</li> </ul> </li> <li>Outdoor furnaces – Abby Cooper drafted ZO 6.27. Larry Parsons recommended we table this until the next meeting. Have Abby redistribute to the PC members and then we will discuss. We also need to know how many applications for outdoor furnaces Todd Thomas has received.</li> <li>The nuisance item needs to be addressed by the township board as this is a general law.</li> <li>Airport Approach – Dennis Bowdoin wants to include the 2006 airport approach amendment and send us the revised section 6.23.</li> </ol> </li> <li>Bylaw revisions: The <b>deadline for submission for agenda items</b> to the Planning Commission Chair and Secretary is <b>Tuesday at noon the week prior to meeting</b>. If you cannot make the deadline, then make your own copies to share with all PC members to the meeting. Reminder that if you miss the deadline then that item will not be on the agenda for that weeks' meeting.</li> </ul>	<p><b>Mike Stock to send all PC members draft of event barns from Chris Adkins.</b></p> <p><b>Mike Stock to talk Chris Adkins through his thinking on how to simplify these two ordinances regarding accessories.</b></p> <p><b>Abby Cooper to send all PC members her outdoor furnace draft ordinance.</b></p> <p><b>Abby Cooper to send all PC members revised section 6.23 including 2006 airport approach amendment.</b></p>
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# Conway Township Planning Commission Meeting Minutes

July 13, 2020

Conway Township Hall – 8015 N. Fowlerville Rd., Fowlerville, MI

Agenda	Items Discussed	Actions to be Taken
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New Business	<ul style="list-style-type: none"><li>• Discussion of upcoming membership changes to PC with Caleb Jenkins resigning and George Pushies on the August ballot to move to the township board. In addition, Larry Parsons will no longer be the ex officio member to the PC.<ul style="list-style-type: none"><li>◦ Recommendations for residents expressing interest in the past: Isaac on Robb Rd. on Parsons' lake and Moltz on Vogt Rd.</li></ul></li><li>• Londa Horton directed PC members to insert newly revised ZO documents into their ZO notebooks and discarding old sections.</li></ul>	
Zoning Administrator Report	-0-	
Update from the Board and Land Division Committee	<ul style="list-style-type: none"><li>• Larry Parsons gave an update from the Township Board.</li><li>• Update from the Land Division Committee given by George Pushies. There was one land division and two more are coming.</li></ul>	
Call to public	Dennis Bowdoin commented that in the March packet there was an update on Michigan Aeronautics and how to proceed.	
General Discussion		
Adjournment	George Pushies made a motion to adjourn at 8:40pm, second by Larry Parsons. All in favor. Motion passed.	

**PROPOSED ZONING ORDINANCE AMENDMENTS  
FOR ACCESSORY BUILDINGS AND STRUCTURES  
CONWAY TOWNSHIP, MI**

August 4, 2020

**Section 6.06 Supplemental Regulations Pertaining to Accessory Buildings and Structures**

~~Accessory Lot/parcels in the R-Residential and AR-Agricultural Residential zoning districts are permitted one (1) detached single-family dwelling, as defined by ordinance, one (1) principal building, as defined by ordinance, and accessory buildings and structures, as defined by ordinance, 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 detached single-family dwelling, 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. 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. 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.
- D. 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. All impervious surface runoff (roof, drive and parking area(s)) shall be directed away from all adjacent lots/parcels. Method of diversion shall be subject to review and approval by the Zoning Administrator.
- F. **Number of Accessory Structures.** On AR Agricultural Residential and R Residential zoned lots /parcels, of two (2) acres in area or less, only one attached garage or accessory building or structure and one detached garage or accessory buildings and structures shall be permitted. ~~On AR Agricultural Residential and R Residential zoned lots of greater than two (2) acres,~~ the number of accessory buildings and structures shall be regulated by the maximum coverage requirements of Section 6.06(I) unless accessory buildings and structures are for active agricultural conduct and are eligible for an agricultural waiver under 6.06(F) below.
- G. **Number of Agricultural Accessory Structures.** On AR Agricultural Residential zoned lots /parcels 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 /parcels, 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. **Maximum Coverage.** On all R Residential zoned lots /parcels and AR Agricultural Residential zoned lots /parcels 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.
- K. **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.

- L. 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.
- M. 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 detached single-family dwelling and/or 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.
- N. 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.
- O. 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 detached single-family 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 or detached single-family dwelling, 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.

- P. 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.
- Q. 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.

**PROPOSED ZONING ORDINANCE LANGUAGE  
FOR SPECIAL EVENT/WEDDING BARNs AND VENUES  
CONWAY TOWNSHIP, MI**

August 4, 2020

**Special Event/Wedding Barns and Venues in the A-1 District.**

This special land use is for the conversion of existing farm buildings or construction of new buildings of a farm, rustic or similar style, and the use of surrounding grounds for organized meeting and/or reception space as a gathering place for weddings, parties, and corporate events. All Special Event/Wedding Barns, Venues, and surrounding grounds ~~event barns~~ shall be subject to the following requirements and standards:

- a. All approved special land uses for special Event/Wedding Barns, Venues, and surrounding grounds are subject to an annual review by the Zoning Administrator for compliance purposes as stated in Section 13.06 D.
- ~~a.b.~~ The minimum parcel size shall be twenty (20) acres.
- ~~b.c.~~ A two hundred (200) foot open buffer shall be provided on all sides of the property not abutting a public roadway. Special event/commercial business activities are not permitted within this buffer area. Where possible, agricultural crops shall remain or be grown in the buffer area, or suitable landscaping, to maintain the rural/agricultural character of the site.
- ~~c.d.~~ A landscape buffer meeting the requirements of Article 6 shall be installed along all property boundaries abutting a residentially zoned district or residential use. The Planning Commission may request additional landscaping to provide further screening/buffer from lights or noise.
- ~~d.e.~~ Parcels shall have unobstructed frontage along and provide direct ingress and egress to a public solid surface road. road for direct access.
- ~~e.f.~~ All ingress/egress shall be designed in such a manner to minimize traffic hazards associated with entering and exiting the public roadway and meet the requirements and standards of Article 16.
- ~~f.g.~~ Access drives on private easements are not permitted.
- ~~g.h.~~ The increase in traffic volume generated by any event shall not create a nuisance to nearby residents by way of traffic, noise or significant increases.
- ~~h.i.~~ Event parking area design shall meet the requirements and standards of Article 16.
- ~~i.j.~~ Parking is not permitted within the designated front yard, required buffer area, public or private right of way, or within any other setback areas required by the Zoning Code.
- ~~j.k.~~ Barrier-free parking spaces and pathway shall be a solid surface and meet ADA requirements.
- ~~k.l.~~ Lighting shall be the minimum necessary to provide for site safety and comply with ordinance standards. Lighting shall be directed away from all adjacent properties.
- ~~l.m.~~ Structures shall meet Fire Code standards and shall be inspected by the Fire Inspector and Building Inspector prior to issuance of a certificate of occupancy.
- ~~m.n.~~ Amplified music and dancing are permitted only within the barn structure as part of the conditional use permit. Township noise ordinances shall be observed and complied with.
- ~~n.o.~~ Outside amplified music events are only permitted by special permit from the Village Zoning Administrator prior to each such event permit.

~~8.2.~~ The sale and consumption of alcohol beverages on the premises are subject to all applicable local and state licensing requirements.

~~8.3.~~ Tents are permitted only for outdoor wedding ceremonies.

~~8.4.~~ Applicants for a conditional use permit under this Subsection shall provide the following information at the time of application:

1. Ownership of the property.
2. A site plan for the entire parcel, including ingress/egress and parking areas and capacity.
3. Proposed hours/days of operation.
4. The size of the barn facility and guest capacity, including a floor plan of the barn and other areas/structures to be utilized.
5. The anticipated number of events per year.
6. The maximum number of attendees per event.
7. Number of full- and part-time employees.
8. Provision of restroom facilities.
9. Location of refuse receptacles and method of disposal.
10. Proposed signage.
11. Use of music at the facility, including types of sound amplification.
12. Temporary structures or tents to be used in association with events.
13. Insurance coverage.
14. Any other documentation required by the Zoning Administrator.

## Section 6.27 Outdoor Wood Furnaces

- A. Definition.** Outdoor wood furnace: An accessory structure intended not to be located within a building occupied by humans or domestic animals, which is designed for heating spaces or liquids within such occupied buildings, or outdoor swimming pools and spas, through the burning of fuel.
- B. Approval Procedure.** No person shall install an outdoor wood furnace until they have been approved and issued a land use permit for this specific purpose. A permit for an outdoor wood furnace will be issued by the Zoning Administrator upon receipt of a completed land use application, including a drawing, showing compliance with this Ordinance and indicating all of the following:
1. The furnace shall be for the purpose of heating a dwelling or accessory structure on the same lot.
  2. The lot shall be a minimum of 2 acres in size.
  3. The furnace shall be located no closer than 40 feet from all onsite buildings and a minimum of 50 feet from any property line.
  4. The furnace shall not be in any front yard.
  5. An area of at least 15 feet in diameter around the furnace shall be kept free of ignitable materials.
  6. The furnace shall be used and located in accordance with the manufacturer's instructions. A copy of the manufacturer's instructions shall be submitted to the Zoning Administrator.
  7. The height of the chimney above grade and the distance from the furnace to nearby residences, showing compliance with the provisions of this Ordinance.
- C. Requirements and Standards.** An outdoor wood furnace may be installed and used in Conway Township only in accordance with the following provisions:
1. The furnace shall have a permanently attached chimney with a minimum stack height of 15 feet above grade that also extends at least 2 feet above the highest peak of any residence not served by the furnace located less than or equal to 200 feet from the furnace and intended for human occupancy.
  2. The furnace shall be constructed, established, installed, operated, and maintained in conformance with the manufacturer's instructions and

**Commented [H1]:** Cohoctah and Putnam has this set at 40 feet  
Howell only requires 10

**Commented [H2]:** Marion is 50  
Putnam is 100

**Commented [H3]:** Marion also prohibits it to be in the side yard

**Commented [H4]:** Putnam is 30, but Howell is 5

**Commented [H5]:** Most townships say 15 feet, but Putnam says 20

**Commented [H6]:** Other possible distances seen in Ordinances:  
150 feet  
500 feet (Deerfield)  
1,000 feet

the requirements of the Ordinance. In the event of a conflict, the requirements of the Ordinance shall apply, unless the manufacturer's instructions are stricter, in which case the manufacturer's instructions shall apply.

3. The furnace shall be equipped with properly functioning spark arrestors.
4. The furnace shall comply with all applicable building codes, and all other regulations and requirements of county, state, and federal agencies.
5. Fuel burned in the furnace shall be only clean wood, wood pellets made from clean wood, or other listed fuels specifically permitted by the manufacturer's instructions such as fuel oil, natural gas, or propane backup.
6. The furnace shall not constitute a nuisance to neighboring properties.

**D. Prohibited Fuel Materials.** The following items are strictly prohibited in an outdoor wood furnace:

1. Wood that has been painted, varnished, or coated with similar material or has been pressure treated with preservatives and contains resins or glues as in plywood or other composite wood products.
2. Rubbish or garbage, including but not limited to food wastes, food packaging, or food wraps.
3. Any plastic materials including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.
4. Rubber, including tires or other synthetic rubber-like products.
5. Any animal carcasses.
6. Newspaper, cardboard, or any paper with ink or dye products.
7. Any other items not specifically allowed by the manufacturer.

**E. Liability.** A person utilizing or maintaining an outdoor wood furnace shall be responsible for all fire suppression costs and any other liability resulting from damage caused by the furnace.

**Commented [H7]:** This appears to be a device that keeps flammable debris from coming out of engines, fireplaces, and wood burning stoves. Some townships had this in their ordinance and some didn't.

**Commented [H8]:** Other options:  
Cohoctah has this whole section simplified down to the requirement: "The boiler or furnace shall not be used to burn refuse or junk."  
Marion: "shall not be used to burn refuse, leaves, green vegetative matter or noxious plants."

### **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.

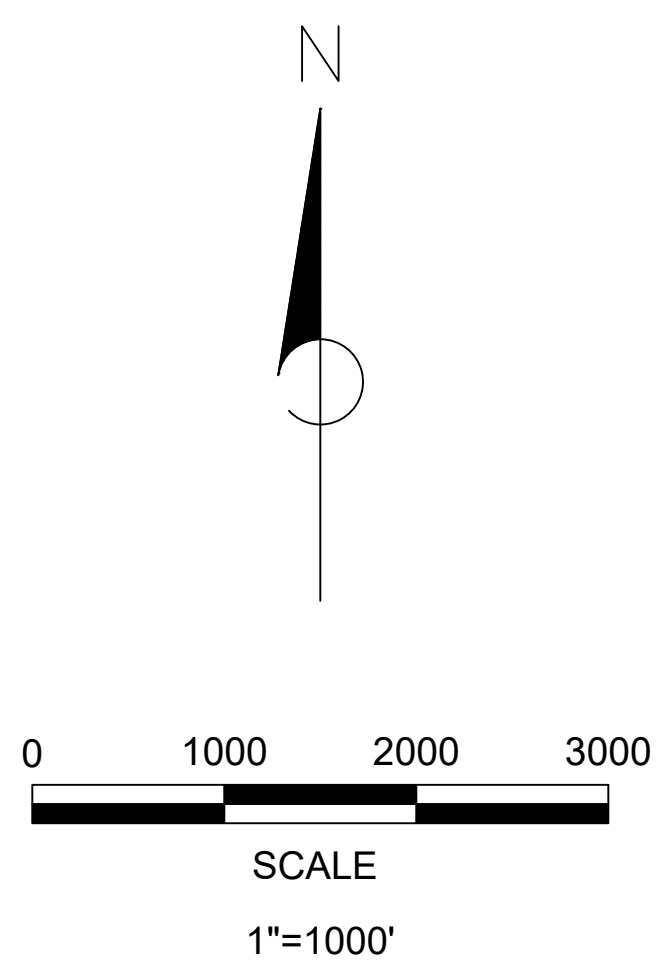
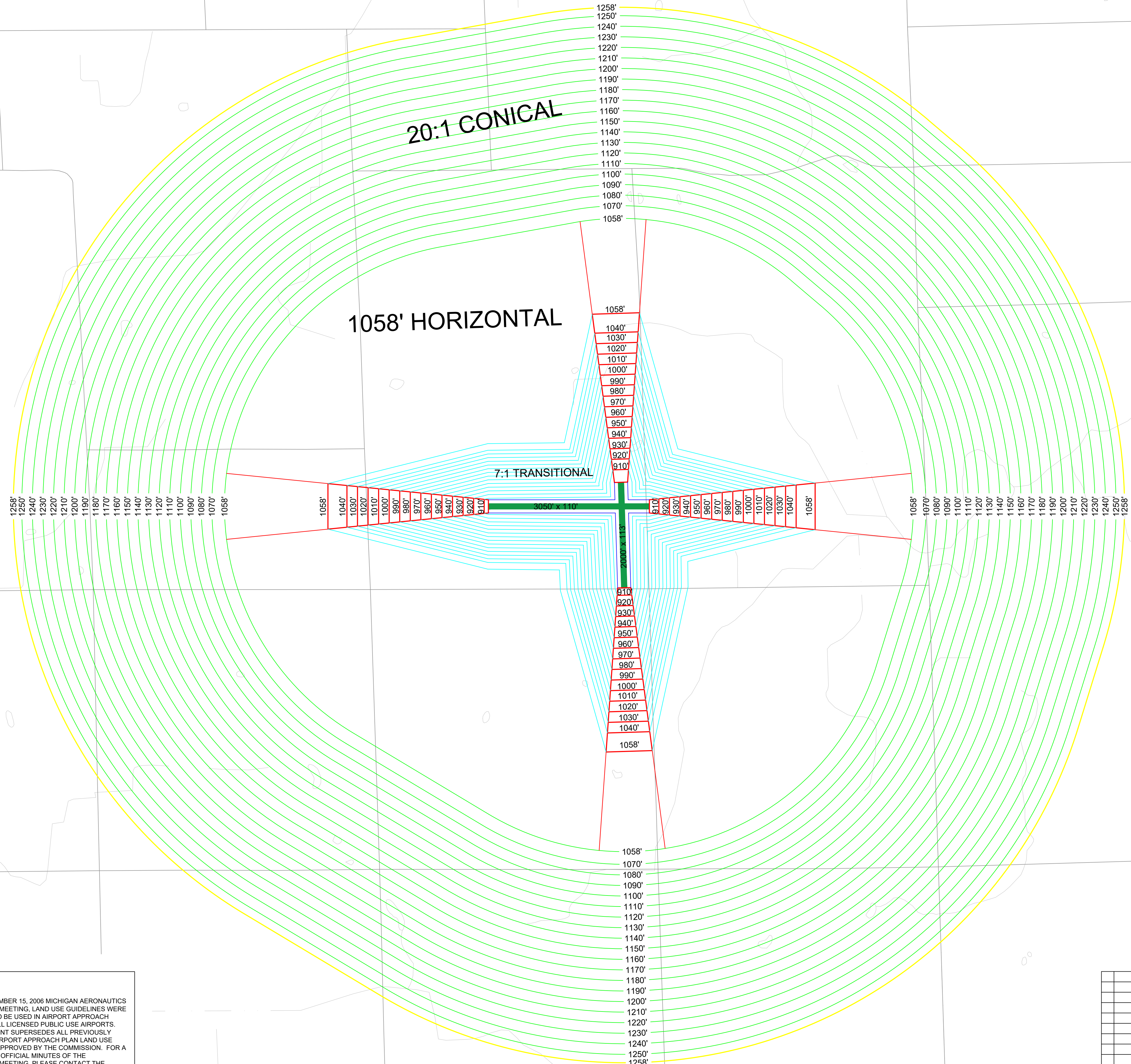
7. Airport zoning regulations; conflict, determination by Commission. In the event of conflict between any airport zoning regulation applicable to the same area, whether such other regulations were adopted by the political subdivision which adopt the airport zoning regulations or by some other political 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.





Maple Grove  
908' Airport Elevation



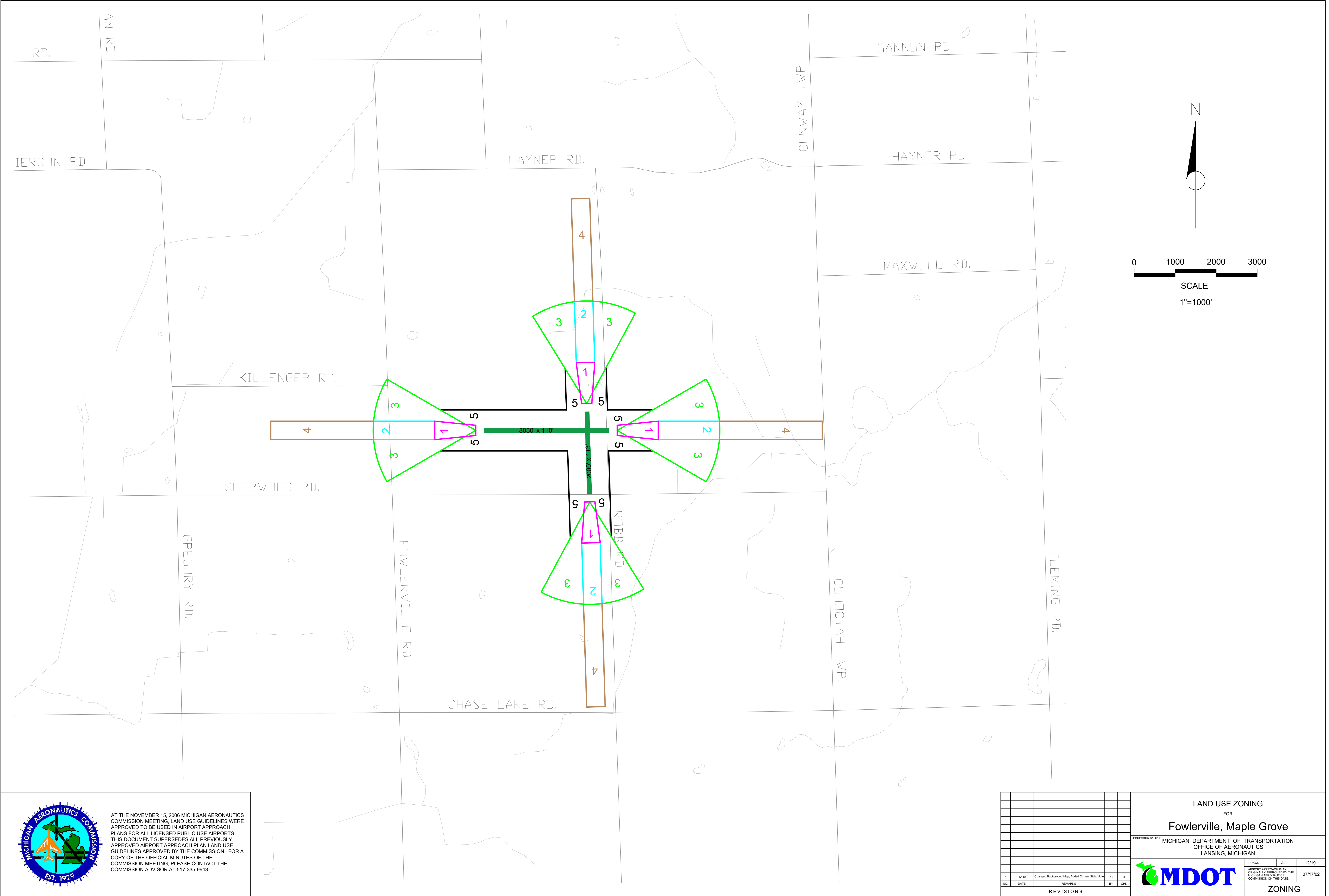
AT THE NOVEMBER 15, 2006 MICHIGAN AERONAUTICS COMMISSION MEETING, LAND USE GUIDELINES WERE APPROVED TO BE USED IN AIRPORT APPROACH PLANS FOR ALL LICENSED PUBLIC USE AIRPORTS. THIS DOCUMENT SUPERSEDES ALL PREVIOUSLY APPROVED AIRPORT APPROACH PLAN LAND USE GUIDELINES APPROVED BY THE COMMISSION. FOR A COPY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

NO.	DATE	REVISIONS	BY	CHK
1	12/19	Changed Background Map, Added Current State Note	ZT	LS

FAA PART 77 FOR Fowlerville, Maple Grove		
MICHIGAN DEPARTMENT OF TRANSPORTATION OFFICE OF AERONAUTICS LANSING, MICHIGAN		
DRAWN	ZT	12/19
CHECKED	LS	12/19
PLOTTED		
ZONING		







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
1		12/19	Changed Background Map, Added Current Blk. Note
NO		DATE	REMARKS
BY		CHK	
REVISIONS			
FILE NUMBER		47-08	



ACCIDENT SAFETY ZONES, LAND USE GUIDELINES AND PLANNING STRATEGIES FOR NEW DEVELOPMENT

Accident Safety Zone	Land Use Characteristics	Land Use Guidelines	Land Use Planning Strategies *All aviation uses are acceptable
Zone 1 (See Special Note)	Population Density	Avoid land uses which concentrate people indoors or outdoors.	1. 0-5 people/acre. 2. Airport sponsor should purchase property if possible. 3. 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. Create a height hazard overlay ordinance around the airport. 2. Airport sponsor should purchase property if possible. 3. Airport sponsor should obtain aviation and obstruction easements. 4. During the 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.

Special Note: Since the dimensions of Zone 1 are similar to the dimensions of the Runway Protection Zone (RPZ), those airports receiving federal grant dollars from the FAA's Airport Improvement Program, should strongly consider purchasing the RPZ, or otherwise acquire rights to the property for the RPZ.

COMPATIBLE LAND USE MATRIX

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.	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. Create a height hazard overlay ordinance around the airport. 2. Obtain aviation and obstruction easements. 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 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.

COMPATIBLE LAND USE MATRIX

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 uses, 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 easements. 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 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.

COMPATIBLE LAND USE MATRIX

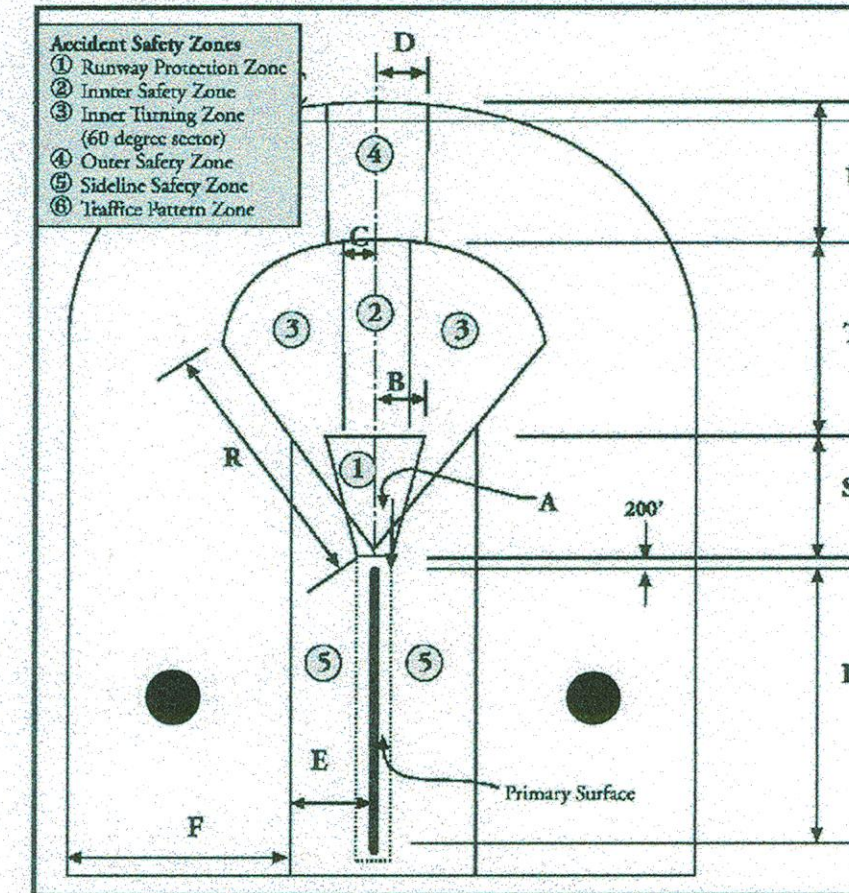
Accident Safety Zone	Land Use Characteristics	Land Use Guidelines	Land Use Planning Strategies *All aviation uses are acceptable
Zone 4	Population Density	Limit population concentrations.	1. < 40 people/acre in buildings, < 75 persons/acre outside buildings.
	Residential vs. Non-Residential Land Use	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 easements. 3. Clustered development to maintain density as long as open space remains unbuilt. Place clustered development away from extended runway centerline. 4. Prohibit 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/steam, etc.

COMPATIBLE LAND USE MATRIX

Accident Safety Zone	Land Use Characteristics	Land Use Guidelines	Land Use Planning Strategies *All aviation 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.

APPENDIX A

AIRCRAFT ACCIDENT SAFETY ZONE DIAGRAM



SAFETY ZONE DIMENSION (IN FEET)

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	505	875
C	225	500	500
D	225	500	500
E	500	1,000	1,000
F	4,000	5,000	5,000
R (60°Sector)	2,500	4,500	5,000
S	1,000	1,700	2,500
T	1,500	2,800	2,500
U	2,500	3,000	5,000

Note: Data Source: NTSB Accident Investigations 1984-1991. Illustration Source: Hedges and Shatt, Institute of Transportation Studies, University of California, Berkeley, 1993.



AT THE SEPTEMBER 16, 2009 MICHIGAN AERONAUTICS COMMISSION MEETING, THESE LAND USE GUIDELINES WERE AMENDED AND APPROVED TO BE USED IN AIRPORT APPROACH PLANS FOR ALL LICENSED PUBLIC USE AIRPORTS. THIS DOCUMENT AMENDS 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 517-335-9568.

ANY AIRPORT SPONSOR OR DULY AUTHORIZED REPRESENTATIVE OF A ZONED LOCAL GOVERNMENTAL UNIT MAY REQUEST THAT THE MICHIGAN AERONAUTICS COMMISSION AMEND AN AIRPORT APPROACH PLAN. ALL SUCH REQUESTS MUST CLEARLY STATE THE CHANGE FROM THE CURRENT PLAN, THE REASON FOR THE REQUESTED CHANGE AND ANY STANDARDS USED TO JUSTIFY THE MODIFICATION. PLEASE CONTACT THE AIRPORT'S DIVISION ZONING SPECIALIST TO REQUEST ANY SUCH AMENDMENTS.



LAND USE GUIDELINES FOR STATE OF MICHIGAN AIRPORT APPROACH PLANS			
MICHIGAN DEPARTMENT OF TRANSPORTATION AIRPORTS DIVISION LANSING, MICHIGAN			
APPROVED		DRAWN NAB 8/03	
CHECKED		PLOTTED	
DATE		DATE	
REVISIONS			
NO.	DATE	REVISIONS	BY
E	11/29/09	CHANGED SPECIAL NOTE	LPS RH
D	10/30/06	ZONE 3 MODIFICATIONS, TITLE CHANGE	LPS RH
C	8/25/03	SAFETY ZONE DIAGRAM	NAB
B	4/16/02	Delete Zone 6	NAB
A	3/01/02	New guidelines / strategies	NAB

Signature: Rick [Name] 11/23/09  
AIRPORTS DIVISION ADMINISTRATOR