



## Conway Township Planning Commission

Monday, February 12, 2024 | 7:00pm

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

1. **CALL TO ORDER / PLEDGE**
2. **ROLL CALL**
3. **CALL TO THE PUBLIC**
4. **APPROVAL OF PLANNING COMMISSION MEETING February 12, 2024 AGENDA**
5. **APPROVAL OF THE January 8, 2024 MEETING MINUTES**
6. **COMMUNICATIONS**
  - a. Zoning Administrator's Report
  - b. Livingston County Planning Commission Update/Report
7. **OLD BUSINESS**
  - a. Cargo Container discussion with Rick Swanson – Livingston County Building Department
  - b. Cargo Container – Ordinance 2023-05
  - c. Update on Wind Ordinance – Submitted to LCPC
  - d. Planner Update
8. **NEW BUSINESS**
  - a. Addressing the Master Plan
  - b. Survey of Conway Township Citizens – What questions should be included in the citizens survey
  - c. Update Planning Commission Bylaws
9. **PLANNING COMMISSION MEMBER DISCUSSION**
10. **2<sup>nd</sup> CALL TO THE PUBLIC**
11. **ADJOURNMENT**

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

***Next Meeting will be Monday, March 11, 2024***



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

Agenda	Items Discussed	Actions to be Taken
<b>Attendees</b>	PC Members Present: George Pushies - Ex-Officio, Mike Brown, Mike Stock, Lucas Curd- Chair, and Kayla Poissant- Secretary (1 open position) Absent- Shawn Morrison  Zoning Administrator – Becky Dockery  Livingston County Planning Commissioner: Dennis Bowdoin  Township Attorney: Michael D. Homier	None
<b>Call to Order/Pledge</b>	Chair, L. Curd called the Conway Township Planning Commission meeting to order at 7:00pm and led the Pledge of Allegiance.	None
<b>Approval of Agenda</b>	<b>Motion to accept the meeting agenda for January 8<sup>th</sup>, 2024. Motion by M. Brown. Support M. Stock. Motion Approved.</b>	<b>Motion Approved</b>
<b>Approval of Minutes</b>	<b>Motion to accept meeting minutes from December 11<sup>th</sup>, 2023. Motion by L. Curd. Support by M. Brown. Motion Approved.</b>	<b>Motion Approved</b>
<b>Approval of Annual Report 2023</b>	<b>Motion to accept the 2023 Annual Report as amended. Motion by L. Curd. Support by G. Pushies. Motion Approved.</b>	<b>Motion Approved</b>
<b>1<sup>st</sup> Call to the Public</b>	Steve Smith- Robb Rd.- Thanked Becky Dockery for looking up a section for him regarding current ordinances. Stated he would speak more on the proposed ordinance during the Public Hearing section.	None
<b>Communications</b>	a. Zoning Administrator Report: B. Dockery stated that there were two permits last month (one for covered porch and one wavier for electrical). She also mentioned setting future PC Meeting dates and times at the meeting. L. Curd replied that it is on the agenda.  b. Board Ex-Officio Report: None	None

	<p>b. Livingston County Planning Commission Report: D. Bowdoin mentioned a few upcoming trainings. One is a webinar and one is in person. (Details have been provided)</p>	None
<p><b>Public Hearing on Proposed WES Overlay District and Replacement of Existing Section 6.24</b></p>	<p><b>Motion to open the Public Hearing on Proposed WES Overlay District and Replacement of Existing Section 6.24 at 7:07pm. Motion by L. Curd. Support by G. Pushies. Motion Approved.</b></p> <p>Steve Smith- He stated that the Township already has height limitations around the airport in section 6.23. It is a 200 ft height limit within 2 miles of the airport. He would like to see the height clarified and corrected so that it remains consistent throughout the ordinances.</p> <p>Mr. Homier was asked to comment, and was looking into the map that went with that ordinance. K. Poissant was able to find a clearer map of the section in question and gave it to Mr. Homier. He stated that he believed that based on the map the ordinance would not affect the overly district. He also stated that reducing the height to 200 ft would be ok legally, and that there were other pieces of the ordinance that would cover this section like variances. Mr. Homier discussion a few different options the PC could do, and the recent laws and how they could affect it.</p> <p><b>Motion to close the Public Hearing at 7:25pm. Motion by L. Curd. Support by G. Pushies. Motion Approved.</b></p>	<p><b>Motion Approved</b></p> <p><b>Motion Approved</b></p>
<p><b>Old Business</b></p>	<p><b>a. Zoning Ordinance Amendment 2024-01-</b> L. Curd asked about any changes the PC would like to make in reference to the Public Hearing Comments, and Sarah Porter’s email that was sent. M. Stock made a comment regarding S. Porter’s email being sent to the attorney as well as the PC. He believes the email should be sent the Board. G. Pushies stated that she wanted to expediate communications.</p> <p><b>Motion to reduce the height limit of the turbines to 200 ft. Motion by G. Pushies. Support by M. Brown. Motion Approved.</b></p> <p><b>Motion to accept Sarah Porter’s email as stated and adopt it into the proposed ordinance. Motion by G. Pushies.</b></p>	<p><b>Motion Approved</b></p>



	<p>G. Pushies was concerned about the enforceability of the ordinance within the Township. M. Stock agreed and also brought up the current accessory building ordinance. K. Poissant asked about just allowing on farm land. The discussion also included the taxability of the container. Discussion continued.</p>	
<p><b>New Business</b></p>	<p><b>a. New Vacant PC Board Member Position-</b>  L. Curd stated that there is a position open on the PC. There was an email by Sarah Porter stating her interest in the position.</p> <p><b>b. Election of PC Officers-</b></p> <p><b>Motion to appoint Lucas Curd as PC Chair. Motioned by G. Pushies. Supported by M. Brown. Motion Approved.</b></p> <p><b>Motion to appoint Mike Brown as PC Vice Chair. Motioned by L. Curd. Supported by G. Pushies. Motion Approved.</b></p> <p><b>Motion to appoint Kayla Poissant as PC Secretary. Motioned by G. Pushies. Supported by M. Stock. Motion Approved.</b></p> <p><b>c. Cadence of Meetings-</b></p> <p>L. Curd asked the PC about when and what time the PC would like to continue meeting. He listed the dates in the packet.</p> <p><b>Motion to continue the PC Meetings on the 2<sup>nd</sup> Monday of the month at 7:00pm. Motioned by L. Curd. Supported by G. Pushies. Motion Approved.</b></p> <p><b>d. Addressing the Master Plan-</b></p> <p>L. Curd brought up the Master Plan review that needs to be done, and that there are currently no planners assigned to Conway Township. Discussion included Rowe Professional Services as a recommended planner, M. Brown discussed going through the Master Plan section by section.</p> <p><b>Motion to recommend appointing Rowe Professional Services as the next Township Planner to the Township Board. Motioned by L. Curd. Supported by G. Pushies. Motion Approved.</b></p>	<p><b>Motion Approved</b></p> <p><b>Motion Approved</b></p> <p><b>Motion Approved</b></p> <p><b>Motion Approved</b></p>

<p><b>Commission Discussion</b></p>	<p>G. Pushies asked the PC if they knew anyone that wanted to join the PC. Sarah Porter's email of interest was brought up, as well as the Township Posting the position. Mr. Homier stated that the open PC position does not have to post the position to be filled.</p> <p><b>Motion to recommend appointing Sarah Porter to the open PC position to the Township Board. Motioned by G. Pushies. Supported by M. Brown. Motion Approved.</b></p> <p>The PC discussed different job duties/responsibilities per each position.</p> <p>K. Poissant brought up reviewing the PC Bylaws and redefining job responsibilities. Discussion continued. M. Stock agreed that the PC should review the Bylaws. It was asked who post the minutes and who creates the agenda. The Clerk/Deputy Clerk post the minutes and uploads things to the website/FB group, and L. Curd created the agenda was discussed. Conflict of interest was discussed, and K. Poissant read the section of the bylaws containing it. Discussion continued regarding Conflict-of-Interest section of the Bylaws. Mr. Homier discussed with the PC about a situation that could occur when there is no quorum that can be made due to conflict-of-interest issues.</p> <p>M. Brown brought up if the PC was ok starting to review the Master Plan. K. Poissant stated that she was fine starting to review the Master Plan, but wanted to have Planners at the meetings.</p> <p>The PC discussed getting the latest copies of the Bylaws, the Master Plan, and Passed Ordinances so that the PC has a place to start. It was discussed whom was in charge of keeping updated documents, and updating the website. K. Poissant stated that she had no access to website or Facebook group to update them, and that she believed it was the Clerk/Deputy Clerk to update them.</p> <p>Mr. Homier discussed with the PC on postings of Public Notices and the requirements of each type of Public Notices. He also stated that if errors occur it is always best to start over.</p>	<p><b>Motion Approved</b></p>
<p><b>Last Call to the Public</b></p>	<p>Sarah Porter- She stated that it was a great PC Discussion. She said that Master Plan is found under the</p>	<p>None</p>

	<p>PC section of the website, and that the Bylaws mention having two meetings a month, one paid and one not paid. She mentioned that it would be prudent to have a master document section on the website where all updated documents could be listed and available. She also mentions be cautious when working on the Master Plan, and may need sections in there to protect the Township. She also talked about the not receiving all the comments from LCPC, and believes that someone should be tasked with attend the LCPC meetings to make sure all relevant information is brought back to the Township/PC. She also brought up the Solar Ordinance on the website and that it is in the FOIA section but also as a word document which could be altered.</p> <p>There was discussion about asking for a printer to be accessible to PC members and during meetings to be able to print agendas, documents, etc. as needed. It was specifically discussed having printed agendas for the public. There was pro and opposition to the printing of the agendas.</p> <p>Mr. Homier was thanked for answering multiple issues and questions this evening.</p>	
<b>Adjournment</b>	<b>Motion to adjourn at 9:16pm. Motion by L. Curd. Support by G. Pushies. Motion Approved.</b>	<b>Motion Approved</b>

Respectfully Submitted:

Kayla Poissant,  
PC Secretary

Approved:

Lucas Curd,  
PC Chair

**CONWAY TOWNSHIP**  
**ORDINANCE NO. 2023-05**

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

The Township of Conway ordains:

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

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

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

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

**Section 2. Addition of New Section 6.18, entitled “Cargo Containers and Portable Storage Containers.”**

New Section 6.18, currently designated as “Reserved,” entitled “Cargo Containers and Portable Storage Containers,” is added to the Township’s Zoning Ordinance and reads as follows:

**Section 6.18 — Cargo Containers and Portable Storage Containers**

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

1. Cargo containers shall not be stacked above the height of a single container device.
2. Cargo containers shall meet all required setbacks.
3. Cargo containers shall be located in rear yards with the exception that cargo containers may be allowed in the side yard but not forward of the front building.
4. Cargo containers must be screened so as to not be visible from the street or nearby buildings, drives, and roads.
5. No plumbing may be run or connected to a cargo container.



6. Cargo containers shall not be used to store hazardous materials, as defined by the Michigan Fire Prevention Code, 1941 PA 207, MCL 29.1 *et seq.*
7. Cargo containers shall not occupy required off-street parking, fire lanes, loading or landscaping areas.
8. No cargo container shall be placed in a location which may cause hazardous conditions or constitute a threat to public safety.
9. No cargo container may be used as living quarters.
10. No structural modifications may be made to cargo containers.
11. No livestock or pets may be stored in cargo containers.

**B. Cargo Containers for Permanent Storage.** Cargo containers may be permanently placed on the property for storage purposes upon issuance of a land use permit from the Zoning Administrator. The following regulations shall also apply:

1. All applicable building regulations are followed.
2. A solid foundation (road base material/gravel or better) is required.
3. Cargo containers shall be painted in solid colors (colors which blend into the surrounding area).
4. Cargo containers shall not be used for any advertising purpose and shall be kept clean of all alpha-numeric signage and writing.
5. Any writing or graffiti that may be placed on the container is the responsibility of the property owner and shall be promptly removed.

**C. Cargo Containers for Temporary Use.** Property owners will be required to obtain a temporary land use permit (Section 6.09) from the Zoning Administrator for the temporary use of cargo containers. The following regulations shall also apply:

1. Cargo containers shall be removed from the property within 180 calendar days from the date of initial placement. Property owners are allowed one additional period of up to 180 days.
2. Cargo containers associated with an approved building construction project shall be permitted to remain on-site until the earlier occurrence of approval of the project's final building inspection or the expiration of the building permit.

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

1. No portable storage container may be stacked on top of another or on top of any other object.
2. Portable storage containers shall not be used to store hazardous materials, as defined by the Michigan Fire Prevention Code, 1941 PA 207, MCL 29.1 *et seq.*
3. No electricity or plumbing may be run or connected to a portable storage container.
4. Portable storage containers used in a residential district or associated with a residential use must be placed on a driveway or paved area.

5. Portable storage containers used in a non-residential district or associated with a nonresidential use shall not occupy required off-street parking, loading or landscaping areas.
6. No portable storage container shall be placed in a location which may cause hazardous conditions or constitute a threat to public safety.
7. No portable storage container may be used for living quarters.
8. No livestock or pets may be stored in a portable storage container.
9. Portable storage containers may not be placed on a vacant lot, unless that lot is associated with an approved building construction project.
10. Time Limits.
  - a. Portable storage containers shall be removed from the property within 180 calendar days from the date of initial placement. Property owners are allowed one additional period of up to 180 days.
  - b. Portable storage containers associated with an approved building construction project shall be permitted to remain on-site until the earlier occurrence of approval of the project's final building inspection or the expiration of the building permit.

**E. Referral to Planning Commission.** At any time after receipt of an application for a cargo container or portable storage container pursuant to this Section, the Zoning Administrator may elect to refer the application for review and approval by the Planning Commission at no additional cost to the applicant.

### **Section 3. Validity and Severability.**

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

### **Section 4. Repealer.**

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

### **Section 5. Effective Date.**

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



# Livingston County Department of Planning

October 19, 2023

Conway Township Board of Trustees  
c/o Elizabeth Whitt, Clerk  
8015 N. Fowlerville Road  
P.O. Box 1157  
Fowlerville Michigan 48836

Scott Barb  
AICP, PEM  
Director

**Re: Livingston County Planning Commission Review of Zoning Ordinance Amendments:**

**Z-32-23: Text Amendment, Cargo Containers and Portable Storage**

Robert A. Stanford  
AICP  
Principal Planner

Dear Board Members:

Martha Haglund  
Principal Planner

The Livingston County Planning Commission met on Wednesday, October 18, 2023, and reviewed the zoning ordinance text amendment referenced above. The County Planning Commissioners made the following recommendations:

## **Z-32-23: APPROVAL WITH CONDITIONS**

If it is truly the desire and intent of Conway Township to allow for this land use activity, Staff would recommend an Approval with Conditions regarding these proposed amendments which address the regulation of temporary and permanent cargo containers in all township zoning districts. Conditions of Approval being that the township assess and carefully consider all suggestions and recommendations highlighted in Staff's review, especially those provided by the County Building Department. There are many concerns raised which give pause and rise to the level of important reassessment of the ordinance provisions as proposed, prior to any final approval that is undertaken by the Conway Township Board.

Copies of the staff review and draft Livingston County Planning Commission meeting minutes are enclosed. Do not hesitate to contact our office should you have any questions regarding this county action.

Sincerely

Robert Stanford  
Principal Planner

Enclosures

c: Meghan Swain-Kuch: Chair, Conway Township Planning Commission  
Gary Klein, Zoning Administrator

Meeting minutes and agendas are available:  
<https://milivcounty.gov/planning/commission/>

### Department Information

Administration Building  
304 E. Grand River Avenue  
Suite 206  
Howell, MI 48843-2323

(517) 546-7555  
Fax (517) 552-2347

Web Site  
<https://milivcounty.gov/planning/>



# Livingston County Department of Planning

## MEMORANDUM

Scott Barb  
AICP, PEM  
Director

Robert A. Stanford  
AICP  
Principal Planner

Martha Haglund  
Principal Planner

**TO:** Livingston County Planning Commissioners and the  
Conway Township Board of Trustees

**FROM:** Robert Stanford, Principal Planner

**DATE:** October 2, 2023

**SUBJECT:** Z-32-23 Amendments to Zoning Ordinance Article

*Article 2: Definitions*

*Article 6: General and Supplemental Regulations*  
**Section 6.18 (new):** *Cargo Containers and Portable Storage Containers*

The Conway Township Planning Commission has proposed the above-referenced zoning amendment to define and regulate cargo containers.

Proposed additions to existing text are noted in red underline, deletions in ~~strikethrough~~.

**ITEM 1 - The township proposes to add the following definitions to Article 2: Definitions of the Township Zoning Ordinance.**

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

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

### Department Information

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**ITEM 2 - The township proposes to add the following new section (Section 6.18) to Article 6 (General and Supplemental Regulations) pertaining to the regulation of cargo containers in the township, and reads as follows.**

### **Section 6.18 - Cargo Containers and Portable Storage Containers**

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

1. Cargo containers shall not be stacked above the height of a single container device.
2. Cargo containers shall meet all required setbacks.
3. Cargo containers shall be located in rear yards with the exception that cargo containers may be allowed in the side yard but not forward of the front building.
4. Cargo containers must be screened so as to not be visible from the street or nearby buildings, drives, and roads.
5. No plumbing may be run or connected to a cargo container.
6. Cargo containers shall not be used to store hazardous materials, as defined by the Michigan Fire Prevention Code, 1941 PA 207, MCL 29.1 et seq.
7. Cargo containers shall not occupy required off-street parking, fire lanes, loading or landscaping areas.
8. No cargo container shall be placed in a location which may cause hazardous conditions or constitute a threat to public safety.
9. No cargo container may be used as living quarters.
10. No structural modifications may be made to cargo containers.
11. No livestock or pets may be stored in cargo containers.

**B. Cargo Containers for Permanent Storage.** Cargo containers may be permanently placed on the property for storage purposes upon issuance of a land use permit from the Zoning Administrator. The following regulations shall also apply:

1. All applicable building regulations are followed.
2. A solid foundation (road base material/gravel or better) is required.
3. Cargo containers shall be painted in solid colors (colors which blend into the surrounding area).
4. Cargo containers shall not be used for any advertising purpose and shall be kept clean of all alpha-numeric signage and writing.
5. Any writing or graffiti that may be placed on the container is the responsibility of the property owner and shall be promptly removed.



**C. Cargo Containers for Temporary Use.** Property owners will be required to obtain a temporary land use permit (Section 6.09) from the Zoning Administrator for the temporary use of cargo containers. The following regulations shall also apply:

1. Cargo containers shall be removed from the property within 180 calendar days from the date of initial placement. Property owners are allowed one additional period of up to 180 days.
2. Cargo containers associated with an approved building construction project shall be permitted to remain on-site until the earlier occurrence of approval of the project's final building inspection or the expiration of the building permit.

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

1. No portable storage container may be stacked on top of another or on top of any other object.
2. Portable storage containers shall not be used to store hazardous materials, as defined by the Michigan Fire Prevention Code, 1941 PA 207, MCL 29 .1 *et seq.*
3. No electricity or plumbing may be run or connected to a portable storage container.
4. Portable storage containers used in a residential district or associated with a residential use must be placed on a driveway or paved area.
5. Portable storage containers used in a non-residential district or associated with a nonresidential use shall not occupy required off-street parking, loading or landscaping areas.
6. No portable storage container shall be placed in a location which may cause hazardous conditions or constitute a threat to public safety.
7. No portable storage container may be used for living quarters.
8. No livestock or pets may be stored in a portable storage container.
9. Portable storage containers may not be placed on a vacant lot, unless that lot is associated with an approved building construction project.
10. Time Limits.
  - a. Portable storage containers shall be removed from the property within 180 calendar days from the date of initial placement. Property owners are allowed one additional period of up to 180 days.
  - b. Portable storage containers associated with an approved building construction project shall be permitted to remain on-site until the earlier occurrence of approval of the project's final building inspection or the expiration of the building permit.

**E. Referral to Planning Commission.** At any time after receipt of an application for a cargo container or portable storage container pursuant to this Section, the Zoning Administrator may elect to refer the application for review and approval by the Planning Commission at no additional cost to the applicant.

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### Staff Comments:

According to the County Equalization Department, cargo containers, if not affixed to ground via a permanent foundation, are typically taxed as personal property.

Staff has a few specific concerns regarding the text amendments as proposed. They are as follows:

1. The proposed ordinance does not address the density or identify how many cargo containers are allowed per acre, or per parcel.
2. The proposed ordinance states in Item 6.18(B)(1) that: “All applicable building regulations are followed.” While this may be suitable at the most basic form, Staff would encourage the township to expand on this requirement with more specifics with which the resident layperson relying on this ordinance as their regulatory guideline would have a better understanding as to what SPECIFIC building regulations are to be met, and through which SPECIFIC governing/regulating body they should seek such compliance (State, County, Local, etc.).
3. The proposed ordinance does not identify a maximum allowable size of cargo container. This may or may not be of concern to the township in general, but the size of a cargo container used in this regard certainly does have some effect on permitting processes at the County Building Department level. Refer to further discussion of this point below.
4. The amendments as proposed do not identify how the number of cargo containers permanently placed on a parcel count towards the maximum allowed cumulative square footage of all garages and accessory structures on the individual parcel in which it/they is/are located (plural references included in the case of more than one allowed permanent cargo container on site, if this is the township’s intent – however, this is not clearly defined, as highlighted in Item #1 above).
5. While the amendments do require that the cargo container be screened “so as to not be visible from the street or nearby buildings, drives, and roads”. Staff would encourage the township to include additional standards regarding the type of screening required in this regard. In the least, these standards should align closely with current screening standards found in the Conway Township Zoning Ordinance (according to Section 6.16: Required Landscaping and Screening).

### Planning Staff discussion with County Building Department:

County Planning Staff met with Deputy County Building Department Director Rick Swanson, and discussed at length the proposed amendments. The following is a list of observances and proposed recommendations that were generated from this meeting:

1. Even as descriptive as the current definitions for both “Cargo Container” and “Portable Storage Container” are, County Building found them to be too broad and should be revised, to a more narrow and limited definition. As currently proposed, the definitions provide a very wide variation of metal boxes that could comply with the ordinance. The types of cargo containers as currently defined run the gamut of possibilities, most of which are not durable or sustainable forms of containers. Possibilities to strengthen the ordinance would be to include maximum allowable sizes, materials (such as requiring higher grade steel



(thickness) and steel or metal flooring instead of wood). The definition should align itself, to the extent possible, with the highest-grade industry standard for such a cargo container for compliance purposes. Anything less, and the township runs the risk of realizing unintended and undesirable outcomes.

2. The ordinance should clearly define permanent and temporary storage containers as being of a size 200 square feet or smaller, therefore eliminating the need for a County Building Permit to be secured, as these size accessory structures are not regulated by the County Building Department and the County Building Code. In addition, while proposed Item 6.18(B)(2) states that, cargo containers for permanent storage:

**“A solid foundation (road base material/gravel or better) is required”...**

Permanent accessory structures that are over 200 square feet require a County Building Permit and a permanent foundation (12” wide minimum, 24” deep perimeter footing). Anchoring is also required if the container is intended to be a permanent structure (over 200 square feet). Wood flooring would require elevating the structure for adequate air flow and provision of a vapor barrier.

3. Item 6.18(B)(1) in the proposed ordinance should be strengthened and revised to state that placement of permanent cargo containers (those larger than 200 square feet) are required to comply with the most current State of Michigan Building Code as well as the Livingston County Building Department standards.
4. With regards to the planned location of either a temporary or more importantly a cargo container placed for permanent storage, any structure placed closer than 5 feet from a lot line requires a fire rated system – and there are very few if any ways to do this to a cargo container. In addition, these structures should be placed no closer than 10 feet from any water or septic line.
5. In the same vein as Item 4 above, County Building Department staff highly recommends that a general disclaimer or statement be added to the proposed amendments that speaks to the placement of cargo containers. The statement should state that the temporary or permanent placement of these structures be isolated a recommended and proper distance so as to not interfere with or obstruct well and septic facilities located on the parcel, as regulated by the Livingston County Environmental Health Department. In addition, these structures should also be located in a manner so as to not interfere with or obstruct any recorded easements (utility, transportation, etc.).
6. The key at the County-level is to try to limit the allowable size of these structures to 200 square feet or smaller, so that the County Building Department (and other associated County Departments, i.e., Environmental Health) are not involved with any regulatory review or permitting processes, to make things as simple as possible for everyone involved.
7. In general, County Planning and Building Department Staff would contend that allowing cargo containers on residential sites within the township, especially those less than 5 (five) acres in area, do not enhance quality of life for residents, provide little to no overall community benefit, can become an eyesore and have the potential to contribute to the blight of the community if not properly maintained. Nor do the enhance the aesthetic rural charm of the township. As an alternative, there are many commercially available sheds, barns and other outbuilding products available from a wide variety of local home and garden retailers that provide a much more aesthetically pleasing form of storage





opportunities, that would also better serve the intent of the Master Plan with regards to preserving rural character and charm and eliminating blight.

8. Finally, the along with the County Planning Department, the County Building Department welcomes the opportunity to speak further to township officials to help collaborate and deal with the regulation of this land use activity at any time. (Contact Jim Rowell, Director, or Rick Swanson: Deputy Director, County Building Dept: 517-546-3240, or County Planning Staff)

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**Township Recommendation: Approval.**

The Conway Township Planning Commission recommended Approval of this zoning amendment at its September 11, 2023. There were a few public comments noted in the minutes, both in support and opposition to the proposed amendments.

**Staff Recommendation: Approval With Conditions**

Approval With Conditions: If it is truly the desire and intent of Conway Township to allow for this land use activity, Staff would recommend an Approval With Conditions regarding these proposed amendments which address the regulation of temporary and permanent cargo containers in all township zoning districts. Conditions of Approval being that the township assess and carefully consider all suggestions and recommendations highlighted in Staff's review, especially those provided by the County Building Department. There are many concerns raised which give pause and rise to the level of important reassessment of the ordinance provisions as proposed, prior to any final approval that is undertaken by the Conway Township Board.

# CONWAY TOWNSHIP PLANNING COMMISSION BYLAWS OF

Adopted, effective immediately, September 8, 2008

(Revised August 8, 2014)

(Revised October 8, 2018)

(Revised February 14, 2022)

## 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 one year 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 Commission's 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.
  - a. A digital copy of the agenda and accompanying materials shall be emailed to Commission members so it is reasonably expected to be received prior to the weekend prior to the regular meeting date. A hard copy may be available for pick up upon request.
  - b. Any agenda materials must be submitted to the Chair and Secretary no later than noon the Tuesday before the meeting.
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 eh 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 February 14, 2022.

/s/ \_\_\_\_\_  
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 \_\_\_\_\_