

**HOWELL TOWNSHIP  
LIVINGSTON COUNTY, MICHIGAN  
ZONING ORDINANCE AMENDMENT**

**ORDINANCE NO. 291**

At a regular meeting of the Township Board of Howell Township, Livingston County, Michigan, held at 3525 Byron Rd., Howell, Michigan 48855 on the 14<sup>th</sup> day of April, 2025, at 6:30 P.M., Township Board Member Hohenstein moved to adopt the following Ordinance, which motion was seconded by Township Board Member Boal:

*An ordinance to amend the Zoning Ordinance of Howell Township; to amend and add provisions for permitted uses and additional regulation for portable storage containers and cargo containers and to provide for severability and repealer of any ordinances inconsistent herewith.*

**HOWELL TOWNSHIP ORDAINS AS FOLLOWS:**

**SECTION 1. AMENDMENT TO THE HOWELL TOWNSHIP ZONING ORDINANCE TO AMEND SECTION 2.02, SECTION 4.04, SECTION 5.04, SECTION 8.04, SECTION 10.04, SECTION 11.04, SECTION 12.04, SECTION 13.04, SECTION 14.07 AND SECTION 14.20:**  
The Howell Township Zoning Ordinance shall be amended and read as follows:

**PORTABLE STORAGE CONTAINER AND CARGO CONTAINER ORDINANCE**

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**STATEMENT OF PURPOSE**

The purpose of the Storage Container Ordinance amendment is to recognize that there are certain conditions concerning land uses that warrant specific exceptions, regulations, or standards in addition to the requirements of the Zoning District in which they are permitted to be located.

**Article 2, Section 2.02 – DEFINITIONS**

As used in this Section, the following words and terms shall have the meaning specified, unless the context clearly indicates otherwise.

**Portable Storage Containers:** Portable, weather-resistant receptable designed and used for the temporary storage and/or shipment of household goods or building materials (i.e. PODS or MODS), which are typically leased on a short-term basis.

**Cargo Containers:** A primarily metal weather-resistant receptacle designed to store and ship goods or building materials. Such containers, and those with similar qualities which are intended for use as an accessory building or structure.

**Article 4, Section 4.04 – AR PERMITTED USES**

Subsection 4.04 will be modified to include cargo containers as a permitted accessory use within the Agricultural Residential District.

**Article 5, Section 5.05 – RT PERMITTED USES**

Subsection 5.05 will be modified to include cargo containers as a permitted accessory use within the Research Technology District.

**Article 8, Section 8.08 – OS PERMITTED USES**

Subsection 8.08 will be modified to include cargo containers as a permitted accessory use within the Office Service District.

**Article 10, Section 10.04 – RSC PERMITTED USES**

Subsection 10.04 will be modified to include cargo containers as a permitted accessory use within the Regional Service Commercial District.

**Article 11, Section 11.04 – HSC PERMITTED USES**

Subsection 11.04 will be modified to include cargo containers as a permitted accessory use within the Highway Service Commercial District.

**Article 12, Section 12.04 – IF PERMITTED USES**

Subsection 12.04 will be modified to include cargo containers as a permitted accessory use within the Industrial Flex District.

**Article 13, Section 13.04 – INDUSTRIAL PERMITTED USES**

Subsection 13.04 will be modified to include cargo containers as a permitted accessory use within the Industrial District.

**Article 14, Section 14.07 – ACCESSORY BUILDING PROVISIONS**

The following subsections in Section 14.07 will be amended as follows:

- A. A. Residential accessory building or structures having two-hundred (200) square feet or less of internal floor area, which is used for any purpose other than the housing of humans, but is primarily to be used for the housing of non-human purpose such as pets, yard equipment, yard maintenance supplies, tools, toys, including motorized or non-motorized bicycles and types of household equipment, and which structures do not have to meet the requirements of the Livingston County Construction Code and will not be built on a structural foundation as required in the Construction Code for other types of buildings, shall still adhere to the requirements of this section including the need for zoning permits and payment of fees required under other provisions of this Ordinance including the requirements in subsection B. below.

- B. Detached accessory buildings and structures shall be located entirely in the rear yard outside of the side and rear setback with the following exceptions:
1. Said building or structure is being constructed pursuant to a Special Use Permit, and in that case, the Township Board after receiving the recommendation of the Planning Commission may authorize the location of the accessory building in any required yard.
  2. For accessory buildings or structures to a residential use, if the primary residence is situated in the rear portion of a parcel over 2 acres, an accessory buildings or structure may be in the front yard if it:
    - a. Is setback at least 100 feet from the edge of the road right-of-way.
    - b. Meets the required side yard setback.
    - c. Is designed to be architecturally compatible with the principal building or structure, or screening that provides 80% opacity is provided between the buildings or structure and immediately adjacent neighboring properties and the road.
    - d. Has a roof overhang or eave of not less than twelve (12) inches on all sides, or alternatively with windowsills or roof drainage systems concentrating roof drainage at collection points along the sides of the building or structure.
    - e. In no instance shall an accessory building or structure be located within a dedicated easement right-of-way
- C. Accessory buildings located on lots and parcels in all Zoning Districts shall be subject to the following regulations:

<b>Lot or Parcel Area Regulation</b>	<b>Regulation</b>	<b>Maximum Square Footage</b>
12,000 sq. ft. to 0.9 acre	4% of lot area	800 sq. ft.
1 acre to 1.9 acres	4% of lot area	2000 sq. ft.
2 acre to under 19.9 acres	4% of lot area, except that commercial agricultural farm operations shall be excluded from this regulation	3000 sq. ft.
20 acres and above	Subject to Max Lot Coverage	No limit

- D. No detached accessory building – shall be located closer than ten (10) feet to any main building.
- E. No detached accessory building in AR, SFR, MFR, NSC, OS Districts shall exceed one (1) story or twenty (20) feet in height. Accessory buildings in all other districts may be constructed to

equal the permitted maximum height of structures in said districts. Height shall be measured in accordance with Article II Definition 24.

- F. When accessory buildings or structures are located on a corner lot, they shall not be located in any front yard or side yard, unless it is determined by the Zoning Administrator that there is insufficient rear yard in which to locate them, in which case they may be permitted in the side yard so long as the following criteria are met:
1. Insufficient rear yard shall mean there are natural features such as steep slopes, wetlands or that the location of a well or septic field would preclude the placement of such accessory building or structure.
  2. Front Yard: The accessory building or structure shall not encroach into the front yard.
  3. Side Yard Setback: The accessory building or structure shall not encroach into the required side yard setback.
  4. Height Limitation: The height of the building or structure must not exceed 15 feet when located in the front or side yard.
  5. Sight Lines at Intersections: The accessory building or structure must not fall within a 15-foot visibility triangle at the corner of the lot.
- G. In no instance shall an accessory building be allowed until there is a principal building or structure located on the lot or parcel of land.
- H. No accessory building or structure shall be used as a dwelling, lodging or sleeping quarters for human beings, except as otherwise permitted in this Ordinance.
- I. Additional standards for Cargo Containers to be used as an accessory building or structure to a residential use.
1. Containers shall not be stacked above the height of a single container.
  2. The exterior appearance of all cargo containers shall be maintained in a clean and structurally sound condition, free from any visible rust, corrosion, holes, or other signs of deterioration that could compromise the container's appearance or structural integrity.
  3. No writing, advertising, or graphics are permitted on the exterior of the container.
  4. Cargo containers shall be completely screened from view of abutting properties and/or rights-of-ways by a fence or vegetative screening that meets the requirements of Section 14.26 Fences and 28.03 Specific Landscaping Requirements for Zoning Districts.
  5. Cargo containers shall be subject to the requirements for Intermodal Shipping Containers in the International Building Code.
  6. No plumbing or electricity may be connected to a cargo container.
  7. No livestock or pets may be housed in a cargo container.
  8. Cargo containers shall not be used to store hazardous materials, as defined by the Michigan Fire Prevention Code, 1941 PA 107, MCL 29.1 et seq.
  9. A cargo container shall not be permitted in the front yard of a residential parcel.

10. No more than one cargo container is permitted per acre, with a maximum of two containers per parcel. This limit does not apply to containers located in the Agricultural Residential Zoning District when they are used in a manner consistent with Generally Accepted Management Practices under the Michigan Right to Farm Act.

#### **Article 14, Section 14.20 – TEMPORARY BUILDINGS AND STRUCTURES**

Subsection 14.20 will be amended with the following addition to include portable storage container provisions:

Temporary buildings and structures are permitted during the period of construction, and sales involving change of ownership or rental occupancy. Such buildings, and structures shall be removed upon completion or abandonment of construction, sale or rental activities and prior to occupancy and use of the building or structure for permitted uses. Also refer to Sections 14.28 and 16.09 for permits to park or use mobile homes on a temporary basis.

Also, refer to Sections 14.25 and 14.28.

- A. Portable Storage Container may be permitted as a temporary building or structure subject to the following conditions:
  1. No portable storage container may be stacked on top of another or any other object.
  2. No electricity or plumbing may be connected to a portable storage container.
  3. Portable storage containers must be placed on a driveway, gravel or paved area.
  4. No portable storage container shall be used for living quarters.
  5. No livestock or pets may be stored in a portable storage container.
  6. Portable storage containers may be placed on a vacant lot only if that lot is associated with an approved building construction project.
  7. Portable storage containers shall not be used to store hazardous materials, as defined by the Michigan Fire Prevention Code, 1941 PA 107, MCL 29.1 et seq.
  8. No portion of a portable storage container shall be placed in a location which may cause hazardous conditions or constitute a threat to public safety.
  9. Portable storage containers in non-residential districts or which are associated with a non-residential use shall not occupy required off-street parking, loading or landscaping areas.
  10. The Zoning Administrator may issue a temporary permit for a Portable Storage Container for a period not to exceed 3-months in a single calendar year. A 1-month extension can be requested up to 3 times upon demonstration of need.

**SECTION 2. REPEAL:** This Ordinance hereby repeals any ordinances in conflict herewith.

**SECTION 3. SEVERABILITY:** The various parts, sections and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

**SECTION 4. SAVINGS CLAUSE:** That nothing in this Ordinance hereby adopted be construed to affect any just or legal right or remedy of any character nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

**SECTION 5. PUBLICATION AND EFFECTIVE DATE:** This Ordinance is hereby declared to have been adopted by the Howell Township Board at a meeting thereof duly called and held on the 14 day of April, 2025, was ordered to be given publication in the manner required by law, and was ordered to be given effect as mandated by statute.

YEAS: Hohenstein, Boal, Coddington, Daus, Counts

NAYS: Wilson, Fagan

ABSENT/ABSTAIN: None

HOWELL TOWNSHIP:

BY: Sue Daus  
Sue Daus, Clerk

ADOPTED: April 14, 2025

PUBLISHED: April 23, 2025

EFFECTIVE: April 30, 2025

### CERTIFICATION

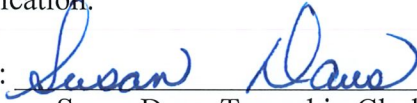
I, Susan Daus, the Clerk of Howell Township, Livingston County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 291, adopted by the Howell Township Board at a regular meeting held on April 14, 2025.

The following members of the Township Board were present at that meeting:

Coddington, Daus, Hohenstein, Boal, Counts, Fagan, Wilson

The Ordinance was adopted by the Township Board with Five members of the Board voting in favor and Two members voting in opposition. Notice of adoption and publication of the Ordinance was published in the Livingston Daily on April 23, 2025. The Ordinance shall be effective on April 30, 2025, seven (7) days after publication.

By: \_\_\_\_\_



Susan Daus, Township Clerk