

Eagle Township Planning Commission Agenda

14318 Michigan St, Eagle, MI 48822

February 16, 2024 @ 10:00 A.M.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Meeting Minutes
6. Correspondence
 - a. BS&A Community Development Webex 2/21/24
 - b.
7. Public Comment on Agenda Items
8. Old Business
 - a. Master Plan Survey Results Update
 - b. Project Plan
 - c. Community Workshop February 22, 2024
 - i. Facilitator Script
 - ii. PowerPoint Presentation
 - d. Zoning Ordinance, High Intensity Manufacturing, I1 / I2 Districts
 - e. Mineral Resource (MR) Extraction
 - f.
9. New Business
 - a. Master Plan Future Land Use Workshop
 - b. Zoning Ordinance, Home Occupations
 - c. Processing Deadlines
 - d.
10. General Public Comment
11. Adjournment (Next P/C Board Meeting: March 26, 2024 @ 7 P.M.)

Public Comment: To facilitate orderly and productive discussion and to give everyone an opportunity to speak, comment time might be limited to a set period at planning commission board discretion.

Eagle Township Planning Commission

January 30, 2024 – Meeting Minutes (DRAFT)

Call to Order: Meeting called to order at 6:58 PM at the Eagle Township Hall.

Roll Call: Eric Sutherland (present), Michelle Hoppes (present), Robin Currie (present), John Iszler (present), Brad Rich (Present).

Citizens: Janine Dyer, Dennis Strahle, Brad Rich, Dan Feldpausch, Cori Feldpausch, Laurie Briggs-Dudley, Darrin Gray, Sarah Keilen, Nick Keilen, Chris Khorey – Mckenna

Pledge of Allegiance

Approval of Agenda: Hoppes moved and Rich seconded to approve Agenda. Voice vote - all in favor. Motion passes.

Approval of December 8, 2023 Special Meeting Minutes: Hoppes moved and Currie seconded to approve minutes of December 8, 2023 special joint meeting with the Eagle Township Board with the correction of the number designation of Resolution 2023-12-08-PC1. Voice vote – all in favor to approve minutes as amended. Motion passes.

Approval of January 9, 2024 Special Meeting Minutes: Hoppes moved and Currie seconded to approve minutes of January 9, 2024 special planning commission meeting with several spelling error corrections. Voice vote – all in favor to approve minutes as amended. Motion passes.

Correspondence: None

Public Comment on Agenda Items: None

Old Business

Planning Commission Vacancy: Brad Rich was appointed to the Planning Commission during the January 18, 2024 Eagle Township Board Meeting.

Planning Commission Officers: The Planning Commission voted on the Planning Commission Officers. Chairperson: Iszler moves to approve Currie, Hoppes Seconds. Voice vote: All in favor. Vice Chairperson: Currie moves to approve Rich, Hoppes Seconds. Voice vote: All in favor., Secretary: Currie moves to approve Sutherland, Iszler Seconds. Voice vote: All in favor.

The 2024 Eagle Township Officers are as follows:

Robin Currie – Chairperson

Brad Rich – Vice Chairperson

Eric Sutherland – Secretary

Michelle Hoppes – Ex Officio

John Iszler - Commissioner

Eagle Board Approved Items: During the January 18, 2024 Eagle Township Board Meeting, the Board discussed several items that pertained to the Eagle Township Planning Commission.

- i. **Code Enforcement:** The Board approved to activate Section 9 of the McKenna Associates contract allowing McKenna Associates to perform Code Enforcement and Inspection Services on a bi-weekly basis.
- ii. **Website Hosting:** The Board approved website hosting for Planning and Zoning to be part of the current Eagle Township website hosted and supported by Shumaker Technology Group.
- iii. **BS&A Software:** The Board approved the Planning Commission to use BS&A Cloud software for Planning and Zoning.
- iv. **Lot Splits:** The board set aside the recommended motion from the Planning Commission to amend the Interim Zoning Ordinance to update the lot split permit rules until the survey and public engagement are complete.

Escrow Fee Schedule: Mr. Khorey from McKenna summarized the proposed escrow fee schedule for zoning. Briggs-Dudley noted that some of the columns in the fee schedule didn't add up. The Planning Commission went through the entire schedule and corrected the math errors. Khorey will update the fee schedule, as amended, and resubmit it to the Planning Commission. Hoppes asked how the fees compare to the surrounding townships and the county. Khorey responded that some of the fees are higher and some are lower. However, many townships require the applicants to resubmit after comment for additional fees and the proposed Eagle Township fee schedule includes those costs. Also, the Eagle Township fees are designed to cover costs. Hoppes asked if we could recover the cost that Clinton County incurs by not having to deal with Eagle Township Planning and Zoning. Khorey responded that he didn't believe that was possible.

Sutherland moved and Rich seconded a motion to recommend to the Eagle Township Board to accept the Escrow Fee Schedule, as amended. Roll Call Vote: Hoppes (Y), Rich (Y), Iszler (Y), Sutherland (Y), Currie (Y). Motion Passes.

Planning Commission Budget: Currie presented a summary of a draft budget. He commented that some of the numbers are educated guesses because McKenna is having trouble getting data from Clinton County about the nature and number of zoning applications in Eagle Township. Iszler commented that it may take a year or two to have a good handle on the zoning activity in the township.

Currie moved and Iszler seconded a motion to submit to the Eagle Township Board a budget request of \$65,000 for Planning and Zoning for 2024. Roll Call Vote: Iszler (Y), Hoppes (Y), Rich (Y), Sutherland (Y), Currie (Y). Motion Passes.

Project Plan: Hoppes summarized the progress of the Eagle Township Planning Commission Work Plan. She pointed out that there were several changes to dates in the plan.

Zoning Moratorium Extension: The planning commission discussed extending the moratorium on zoning applications, specifically in relation to Commercial, Industrial, and Large-Scale Wind & Solar rezoning. Khorey suggested possibly adopting Clinton County zoning as the Eagle

Township interim zoning. C. Feldpausch commented that the Clinton County Zoning Ordinance is outdated and not in compliance with State of Michigan laws and it is in the process of being revised. Strahle asked if it was within the law to give exceptions to projects like Believers Church parking expansion. Currie state that there is already language in the moratorium resolution for exceptions. Rich asked if the moratorium could be lifted in segments. Khorey responded that yes, that could be done. D. Feldpausch asked what is considered large-scale Wind & Solar. Khorey responded that, as stated the interim zoning ordinance, large-scale wind and solar is anything that is designed to produce more energy than the property will used. Large-scale does not apply to residential or commercial applications that only are designed to power what is needed by the property.

Currie Moved and Sutherland seconded a motion to recommend to the Eagle Township Board to adopt a moratorium on the following zoning approvals, to extend from March 1, 2024 to August 15, 2024, or until the adoption of the permanent Zoning Ordinance, whichever comes first:

- Rezoning of land to the C Commercial District.
- Rezoning of land to the I Industrial District.
- Special Use Permit for Large-Scale Solar Energy Facilities
- Special Use Permit for Large-Scale Wind Energy Facilities

Roll Call Vote: Sutherland (Y), Iszler (Y), Hoppes (Y), Rich (Y), Currie (Y)

Community Workshop February 22, 2024 Currie summarized a meeting that was attended by Hoppes, Currie, Khorey, and Supervisor Stroud. He commented that it would not be like the open house led by Giffels Webster last year. It would focus on what the township residents would want to see happen in the township.

New Business

Schedule for Discussing key Zoning Topics: Currie reviewed the McKenna memo dated December 14, 2023 outlining the schedule for key topics.

Public Engagement Survey: Planning commission discussed the public engagement survey. Changes were suggested by both the Planning Commission and the public. It was noted that dimensions should be added to the figures on Page 6 & 7. Some questions were eliminated due to being redundant and/or confusing. The planning commission discussed how the resulting data from the survey would be verified. Khorey responded that they have ways to determine the validity of the data.

Land Division Ordinance: The Planning Commission reviewed the Eagle Township Land Division Ordinances Numbers 1-98 and 3-01. It was noted that they are almost identical.

Currie moved and Hoppes seconded a motion to recommend to the Eagle Township Board to repeal and remove Eagle Township Land Division Ordinance Number 1-98. Voice vote: All in favor. Motion passes.

Currie moved and Hoppes seconded a motion to recommend to the Eagle Township Board to amend the Township Land Division Ordinance Number 3-01 Section V, Part F to “A fee based on the adopted resolution for the Zoning Escrow Fee Schedule to cover the costs of review of the application and administration of this Ordinance and the State Land Division Act.”, Section VII Part A to “All parcels created by the proposed division(s) have a minimum width of 330 feet as measured at the required front setback line unless otherwise provided for in an applicable zoning ordinance”, Section VII Part B to “All such parcels contain a minimum area of 10 acres unless otherwise provided for in an applicable zoning ordinance”, Section VII Part C to “The ratio of depth to width of any parcel created by the division does not exceed a four to one ratio exclusive of access roads, easements, or non-developed sites. The depth of the parcel created by a land division shall be measured within the boundaries of each parcel from the abutting right-of-way to the most remote boundary line point of the parcel from the point of commencement of the measurement.” Voice vote: All in favor. Motion passes.

Zoning Amendments: The Planning Commission discussed the following regarding amending the Interim Zoning Ordinance:

- i. Language changed to be consistent with Clinton County:** The Planning Commission reviewed the Memorandum date January 24, 2024 from McKenna regarding replacement of sections of the Eagle Township Interim Zoning Ordinance with the equivalent language from the Clinton County Zoning Ordinance.
- ii. Lot Splits/Non-Conforming Lots:** Khorey summarized the current ordinance. Hoppes suggested that the Planning Commission wait until there is more public input before deciding. N. Keilen stated that the Township should hold with what Clinton County decided. He also stated that he believes people who bought lots knowing it was non-conforming should not be automatically allowed to have conforming lots. He also stated that he doesn't want more neighbors. Finally, he asked what the current minimum lot split is. Khorey responded that, currently, the minimum lot must be 10 acres. N. Keilen asked about the benefit of lot splits and what the Planning Commission is trying to deter. Khorey mentioned that it varies by location and the Planning Commission should have the ordinance written in such a way that it allows for creativity. D. Gray asked what is to stop people from splitting many lots along the road and sell for solar behind them. Hoppes stated that she doesn't want to take away property rights that people already have. The Planning Commission decided to set aside the Lot Splits/Non-conforming Lots until there is more opportunity for public input from the Survey and Workshop.
- iii. Front Yard Accessory Buildings:** The planning commission decided to set aside this topic pending additional public input.

Hoppes moved and Iszler seconded a motion to recommend to the Eagle Township Board to adopt the amendments to the Eagle Township Interim Zoning Ordinance as outlined in a forthcoming letter from McKenna Associates. Roll Call Vote: Rich (Y), Sutherland (Y), Iszler (Y), Hoppes (Y), Currie (Y). Motion Passes.

Engineering Services/Contract with Assessor: Currie stated that the contract with the Assessor is coming due soon and the Eagle Township Board will vote on renewing the contract. Currie stated that he will look into this.

High Intensity Manufacturing, I1/I2 Districts: Currie stated that the Planning Commission will start looking into how the Clinton County Zoning Ordinance deals with High Intensity Manufacturing. Iszler and Rich volunteered to review the Clinton County Zoning Ordinance.

Mineral Resource (MR) Extraction: McKenna will get information from the county about which parcels in Eagle Township fall under the MR zoning district.

Currie moved and Hoppes seconded a motion to recommend to the Eagle Township Board to amend the Eagle Township Interim Zoning Ordinance to create an MR zoning district and to utilize language from the Clinton County zoning ordinance with regard to the MR zoning district. Roll Call Vote: Hoppes (Y), Rich (Y), Sutherland (Y), Iszler (Y) Currie (Y). Motion Passes.

McKenna Meeting Addendum: Currie will talk to Supervisor Stroud about having McKenna at Township Board Meetings.

Hoppes moved and Rich seconded a motion to recommend to the Eagle Township Board to accept the McKenna meeting addendum as outlined in letter from McKenna dated January 24, 2024. Voice vote: All in favor. Motion passes.

General Public Comment: None

General Planning Commission Discussion: None

Next meeting: February 16, 2024 at 10:00 AM.

Adjournment: Motion by Iszler to adjourn. Second by Hoppes. Voice vote: All in favor. Motion passes. Adjourned at 11:37 PM.

Respectfully submitted,

Eric D. Sutherland, PE

Secretary



MCKENNA

Memorandum

TO: Eagle Township Planning Commission
FROM: Christopher Khorey, AICP, Senior Principal Planner
Ethan Walthorn, Assistant Planner
SUBJECT: **High Intensity Manufacturing**
DATE: February 7, 2024

Given Eagle Township’s rural character, the Township may wish to separate “Low Intensity” and “High Intensity” Manufacturing Uses, and treat them differently.

DEFINITION OF “HIGH INTENSITY”

Below please find a potential definition of “High Intensity Manufacturing” that McKenna has used elsewhere:

A use meeting the definition of manufacturing that, in the opinion of the Zoning Administrator, could have a substantial negative impact on surrounding residents, businesses, and/or the environment by virtue of any of the following: noise, dust, odor, vibration, aesthetics, truck traffic, rail traffic, structure height, environmental contamination, or causing land on neighboring properties to become unstable or unbuildable. Additionally, all manufacturing uses encompassing more than 100,000 square feet shall be considered High Intensity. Appeals of determinations by the Zoning Administrator that a manufacturing use is “high intensity” shall be the Zoning Board of Appeals.

This definition could be used to require a Special Use Permit in the I District, where Low Intensity Manufacturing would not need one, or a new “I-2” District could be created, and “High Intensity” Manufacturing could only be permitted in that district – High Intensity uses would then need a rezoning to be approved.

We look forward to discussing this issue on February 16.

Hotel

Definition(s): A building occupied as a more or less temporary abiding place for individuals who are lodged, with or without meals, in rooms connected by interior hallways, consisting of a minimum of one bedroom and a bath, occupied for hire, and which typically provides hotel services such as maid service, the furnishing and laundering of linens, telephone and desk service, the use of furniture, a dining room and meeting rooms.

Section 5.19

- (A) **Standards:** The following regulations shall apply to motels and hotels:
- (1) **Design.** Each unit shall contain at least a bedroom and bath and a minimum gross floor area of two hundred fifty (250) square feet.
 - (2) **Services.** Motels and hotels shall provide customary motel and hotel services, such as maid service, linen service, telephone and/or desk service, and the use of furniture.

Institution of Higher Education

Definition: A facility dedicated to providing education and training primarily to persons that have already earned a high school diploma or equivalent.

Section 5.20

- (A) **Standards:** No additional standards.

(B)

Manufacturing

Section 5.21

- (A) **Definition:** A use engaged in the creation of products, predominantly from previously prepared material of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products.
- (B) **Standards:** No additional standards.

Section 5.22

Medical or Dental Clinic

(A)

Definition: An establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians, dentists, or similar professionals. A 'medical clinic' may incorporate customary laboratories and pharmacies incidental to or necessary for its operation or to the service of its patients, but may not include facilities for overnight patient care or major surgery.

(B)

Section 5.23

- (A) **Standards:** No additional standards.

Mineral Resource Extraction

- (B) **Definition:** the removal or recovery by any means whatsoever of soil, rock, sand, gravel, peat, muck, barrow, shale, limestone, clay or other mineral or organic substances, other than vegetation, from water or land, whether exposed or submerged. Said definition does not include common household gardening and farming operations.

Standards:

- (1) A permit to mine shall not be issued for any parcel of land unless that parcel lies within the MR Mineral Resource Extraction District.

(2) A permit to mine is subject to Site Plan Approval under this Ordinance. Information requirements and standards of review, above and beyond those standards listed in Section 14.03, as listed in below, shall also be provided and reviewed accordingly. Approval of a site plan constitutes a permit to mine.

(a) Name and address of owner(s) of land from which removal will take place.

(b) Name, address and telephone number of person, firm or corporation who will be conducting the extraction and processing operation.

(c) Location, size and legal description of the total site area to be mined.

(d) Depiction, whether on a site plan or tabular, of the number of homes within 1,320 feet from the boundaries of the area of land under petition for site plan approval.

(e) Location, width and grade of all easements or rights-of-way on or abutting the area subject to extraction.

(f) A statement identifying federal, state and local regulations and permits required beyond those regulations required of this section.

(g) A hydro-geologic report of the proposed excavation site. Such a report shall, at a minimum, provide:

(i) A general description of subsurface conditions, including general soil types and depths.

(ii) Depth of water table throughout the planned excavation area, and if applicable, the name of the aquifers impacted.

(iii) A statement of the environmental impacts of the proposed excavation, including but not limited to the impact of the proposed excavation upon existing area wells.

(iv) A statement of the necessity to install monitoring wells.

(h) Division of property into cells (phases) and reclamation plan for both the total project and each cell and shall include:

(i) The method and direction of extraction.

(ii) Surface overburden stripping plans.

(iii) A description of the depth of grade level over the entire site from which the material will be removed.

(iv) Grading, re-vegetation, and stabilization plan that will minimize negative soil erosion, sedimentation and public safety issues.

(v) Landscaping provisions for buffer areas, landscaping and screening.

(vi) Description of location of each cell, number of acres included in each cell, estimated length of time to complete each cell, and the amount of time projected to complete the entire project.

- (vii) Provide a conceptual representation of final anticipated landform, including generalized future development plans.
- (i) Drainage on and away from the mining area showing directional flow of water in drainage ways, natural watercourses and streams, intermittent and flowing, including discharge from the extraction operation.
- (j) The proposed exterior and interior haul routes that are expected to be the predominate traffic pattern for vehicles to and from the site. Exterior haul routes are to be determined by the CCRC, as statement of which shall be provided to the Planning Commission.
- (k) The location and size of any processing equipment and/or structures.
- (l) A detailed plan of operation for stripping topsoil and overburden, stockpiling, excavating and rehabilitating for each cell, or multiple cells.
- (m) Measures to be taken by the applicant to control noise, vibration, dust and traffic.
- (n) Accompanying the application shall be a road maintenance agreement between the corporation conducting the extraction operation and the Clinton County Road Commission.
- (3) The minimum size of the petitioned property must be 10 acres or more. A variance must be received from the Zoning Board of Appeals prior to review by the Planning Commission for any proposed development less than 10-acres.
- (4) The district shall have immediate and direct access to local roads capable of carrying the expected traffic prior to the commencement of the extraction operations. A statement from Clinton County Road Commission (CCRC) verifying the condition of the local road will be required prior to consideration by the Planning Commission.
- (5) Existing legal non-conforming gravel pits shall become legal, conforming uses if rezoned to the Mineral Resource District.
- (6) **Setbacks** in which no part of the mining operation may take place, excepting ingress or egress:

 - (a) Excavation shall not take place less than 20 feet from any adjacent property line. The Planning Commission may authorize the complete removal of material to an adjacent property line in situations where two (2) extraction operations share a common property. Such exception shall be based on review of the impact of the extraction on the adjacent operation and written authorization is received from both property owners.
 - (b) Excavation shall not take place less than 50 feet from any County road right-of-way or Michigan Department of Transportation right-of-way. The Planning Commission may authorize extraction to take place to within 20 feet of the county road right-of-way provided that the CCRC is in agreement, a barrier or berm is constructed within the 20 foot setback, and the excavated area is backfilled and stabilized within one (1) year of excavation.
 - (c) Processing plants and their accessory structures shall not be located closer than two hundred fifty (250) feet from the property lines of the district and public rights-of-way or closer than five hundred (500) feet from any dwelling unit or principal residential district (RR, R-1, R-2, MF, MH), and shall (where practicable) be as close to the center of the subject property, or cell as possible.

- (d) Storage, mixing or processing of other aggregate and related materials (not including asphalt or concrete mixing facilities) brought to the site from elsewhere is permitted, but must be located proximate to the processing plant and are subject to all the same restrictions as other aggregate material extracted and stored at the site.
- (e) Interior haul routes shall not be located closer than 100 feet from a dwelling unit located on adjacent property, unless such property is zoned MR, Mineral Resource and the dwelling unit is legally non-conforming.
- (7) Fencing.** In establishing the requirements for fencing of the operation, the Planning Commission shall take into account the scale of the operation, the population density in the surrounding areas, and the potential hazard to the health, safety and welfare of the citizens of Clinton County. If fencing is deemed a requirement of the permit to mine, the owner shall install and maintain fencing around the perimeter of the site or around the cell that is being mined. The fence shall consist of four (4) feet woven wire farm fence with one (1) strand of barbed wire on the top, or greater. The fence shall be securely attached to support posts not greater than 16.5 feet apart.
- (8)** Interior access roads, parking lots, haul loading and unloading areas shall be watered, or chemically treated so as to limit the nuisance caused by windblown dust.
- (9)** Should the final result of the excavation result in the creation of a body of water, the peripheral of the excavation shall be graded to a slope not to exceed 3' horizontal to 1' vertical to the seasonal low water level.
- (10)** The site shall be kept clean and orderly. Inoperable and partially dismantled equipment, vehicles, and other types of machinery and parts associated with the operation shall not be stored in an area visible to the public from adjacent property or residence, or from the public roadway. The Planning Commission may, at their discretion, approve a specific area for such use. The area shall be screened by landscaping, fence and/or berm.
- (11) Landscaping, screening, and berming.** Screening shall be provided for active cells, operational areas and material storage areas. Perimeter screening shall also be required for areas having a residential density of more than one (1) dwelling unit to five (5) acres within five hundred (500') feet of any given boundary of a petitioned site. Such screening shall consist of one or more of the following:
- (a)** Earth berms constructed to a height of six (6) feet above the mean elevation in the centerline of the adjacent public roadway or six (6) feet above the general level of terrain along property lines. Such berms shall have slopes that are not in excess of one (1) foot vertical to two (2) feet horizontal and shall be seeded to stabilize the soil. The berms shall also be shaped and formed to be consistent along the berms. Washout areas are to be repaired and stabilized.
- (b)** For perimeter landscaping, plantings of evergreen trees not more than fifteen (15') feet apart, in two (2) staggered rows parallel to the boundaries of the property which shall be at least two (2) feet in height at the time of planting. Trees that die prematurely must be replaced at the next available planting season. The applicant is strongly encouraged for areas that are left undisturbed for residential future development, or other purposes, be heavily planted to serve as a nursery, provide screening, and to add economic value to the area once residential uses are proposed. These areas may, at the discretion of the Planning Commission, be started with seedlings.

(c) The six (6) foot requirement for screening by means of a berm and/or plantings may be reduced by the Planning Commission if the particular site, terrain, and existing landscaping afford adequate screening.

(12) Reclamation. A cell shall be reclaimed by an operator pursuant to these rules by the end of the 5-year permit period or within the time set forth in the operator's reclamation plan approved by the Planning Commission.

(a) Cell units shall be reclaimed progressively as they are worked out to the extent that they shall be reasonably natural and inconspicuous and shall be reasonably lacking any hazards.

(b) Sufficient topsoil shall be stockpiled on the premise, or stored in berms providing screening. Topsoil shall be promptly redistributed on abandoned areas or where extraction operations have been substantially discontinued for any period in excess of one (1) year. Such areas shall then be seeded with at least temporary protection the first year and by the second year permanent seeding to stabilize the soil, lessen soil erosion potential and encourage proper growth.

(c) A layer of arable topsoil, of a quality approved by the Zoning Official shall be spread over the excavated area, except exposed rock surfaces, or areas lying below natural water level, to a minimum depth of four (4") inches in accordance with the approved contour plan.

(d) In the construction of the final grade, all slopes and banks shall be graded to a minimum of a 3:1 slope and treated in the following manner to prevent soil erosion and stabilize soils:

(e) Standards for seeding rates, fertilizer and mulching standards are to be based on the standards put forth by the USDA Natural Resource Conservation District. The applicant shall identify on the site plan in tabular form the type of seeding, fertilizer, and mulch as well as implementation rates.

(f) Fill and soils shall not be overly compacted and of sufficient quality to be well drained, non-swelling. If the reuse plan involves development of dwellings or other buildings fill and soils shall be of proper bearing capacity to support foundations, and septic systems.

(g) If the reuse plan involves a recreational or wildlife facility reclamation plans shall be reviewed by recreation, fisheries and wildlife specialists in the Michigan Department of Natural Resources.

(h) Upon cessation of mining operations and commencement of reclamation, the operating company, within a reasonable period of time, not to exceed twelve (12) months thereafter, shall remove all structures, building, stockpiles and equipment from the area to be reclaimed.

(13) Termination of operations.

(a) An operator shall submit written notice to the Zoning Administrator within six (6) months of abandonment of the extraction area or any portion thereof.

- (b) When activities on or use of the mining area, or any portion thereof, have ceased for more than one (1) year, or when, by examination of the premises, the Zoning Official determines that the mining area or any portion thereof has in fact been abandoned, the Zoning Official shall give the operator written notice of their intention to declare the mining area or portion thereof abandoned. Within thirty (30) days following receipt of the notice, the operator shall have an opportunity to submit evidence that the use of the mining area or portion thereof is continuing. If the Zoning Official finds the evidence satisfactory, they shall not make the declaration.
- (c) Areas that have been abandoned or are not in operation will be assessed for compliance with the approved site plan. Those items not in compliance will be listed and forwarded to the permit holder and a timeline given to obtain compliance. If compliance is not obtained within the specified time period, the permit holder shall be found in violation of the Clinton County Zoning Ordinance giving the County the right commence financial guarantee, bond revocation.

(14) Financial guarantees.

- (a) Before issuance of a permit, there shall be filed by the applicant a surety bond, executed by a reputable surety company authorized to do business in the State of Michigan, or an irrevocable bank letter of credit or cash bond running to the Clinton County Board of Commissioners, conditioned upon the prompt compliance with all provisions of this section and the approved site plan.
- (b) The Planning Commission shall, in establishing the amount and type of financial guarantee, consider the scale of the operations, the prevailing cost to rehabilitate the property upon default of the operator, court costs and other reasonable expenses likely to be incurred by the County or the Township, where the mining operation is located.
- (c) The total amount of the guarantee shall be based on the amount of acreage under permit within a given district, or overall all project area. For each acre containing excavated ground, water and material storage, two thousand (\$2000) dollars shall be bonded.
- (d) The amount of bond may be reduced or increased at a rate equal to the ratio of work completed on the required improvements as work progresses. The term "improvements" should not be construed to mean the project itself, but rather those features associated with the project, which are deemed necessary to protect the health, safety and welfare of Clinton County's resources and future users or inhabitants of the proposed project.
- (e) If abandoned and the surety amount is not sufficient to properly restore the site to protect the health, safety and welfare of the community, the County reserves the right to prosecute the violation of the Ordinance and seek a lien against the property to complete restoration activities.

(15) Hours of operations.

- (a) The owner(s) and/or operators shall conduct extraction, excavation, and processing only between the following designated hours: 6:00 AM. to 8:00 P.M., Monday through Friday, and 7:00 AM. to 3:00 P.M. Saturday with no Sunday or holiday operations, which includes Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, New Year's Day.

(b) The owner(s) and/or operators shall conduct loading and hauling only between the following designated hours: 6:00 AM. to 8:00 P.M., Monday through Friday, and 7:00 AM. to 3:00 P.M. Saturday with no Sunday or holiday operations, which includes Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, New Years Day.

(c) For documented situations beyond the permit holder's control, additional hours may be allowed by prior approval of the Zoning Official when it is shown that extenuating circumstances exist.

(16) Conditions and safeguards. The Planning Commission may impose such additional reasonable conditions and safeguards deemed necessary for the public health, safety or general welfare, for the protection of individual property rights, and for insuring the intent and purpose of this Ordinance. The breach of any condition, safeguard or requirement shall automatically invalidate the permit granted.

(17) Issuance of a permit to mine. Permits for surface mining shall be issued to the operator. When an operator disposes of his interest in an extraction area prior to final reclamation by sale, lease, assignment, termination of lease, or otherwise, the Zoning Official may release the operator from the duties imposed upon them by this Ordinance, as to the operations, but only if the successor, operator or owner assumes the obligations of the former operator with reference to the reclamation activities. At that time the permit to mine may be transferred.

(18) Permit term. A permit to mine is valid for five (5) years. The operation shall be inspected a minimum of once a year by the Zoning Official and/or assigns to insure compliance with the permit and this Ordinance.

(19) Violations. Violation notices shall be issued pursuant to the provisions delineated in this Ordinance. Violation of the site plan shall be considered violation of this Ordinance.

(20) Modification of the general site plan.

(a) The general site plan may be modified at any time by mutual consent of the operator and the Planning Commission to adjust to changed conditions, technology or to correct an oversight.

(b) The Planning Commission may require the modification of the general site plan when:

(i) Modification of the site plan is necessary so that it will conform to the existing laws.

(ii) It is found that the previously approved plan is clearly impossible or clearly impractical to implement and maintain.

Section 5.23 Section 5.24

(A) (iii) The approved plan is obviously not accomplishing the intent of the Ordinance.

Mini-Warehouse

(B)

Definition: A building or group of buildings, each of which contains several individual storage units, each with a separate door and lock and which can be leased on an individual basis. Mini-warehouses are typically contained within a fenced, controlled-access compound. Also known as self-storage facilities.

Standards:

(1) Lot Area. The minimum lot size for mini-warehouses and portable storage units shall be three (3) acres.

Lot Split or Lot Consolidation: The dividing or uniting of lots by virtue of changes in the deeds in the office of the Clinton County Register of Deeds and the Township Treasurer.

Manufactured Housing: A building or portion of a building designed for long-term residential use and characterized by all of the following:

- (a) The structure is produced in a factory in accordance with the National Manufactured Housing Construction and Safety Standards Act, as amended; and
- (b) The structure is designed to be transported to the site in a nearly complete form, where it is placed and attached to a foundation consisting of an approved crawl space or basement and connected to utilities; and
- (c) The structure is designed to be used as either an independent building or as a module to be combined with other elements to form a complete building that complies with Michigan Building and Energy codes.; and

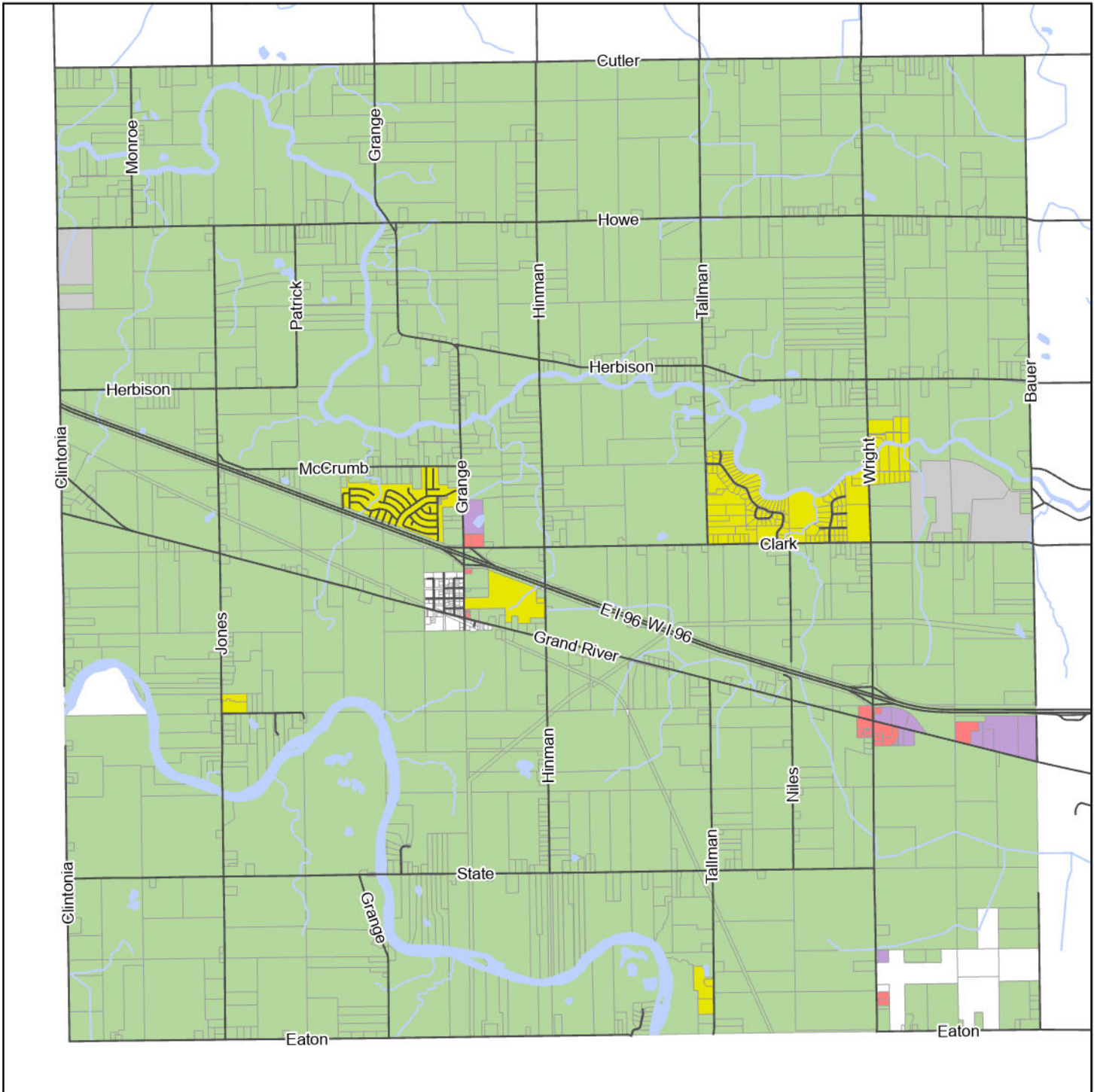
Master Plan: The most recent Master Plan document adopted by the Township Board, in accordance with the Michigan Planning Enabling Act.

Mineral Resource Extraction: The removal or recovery by any means whatsoever of soil, rock, sand, gravel, peat, muck, barrow, shale, limestone, clay or other mineral or organic substances, other than vegetation, from water or land, whether exposed or submerged. Said definition does not include common household gardening and farming operations.

Multiple Family Housing (or Multi-Family Housing): A building or complex of multiple buildings where each building contains at least two dwelling units. buildings or complexes designed for senior housing, but not including assisted living, shall be considered “multi-family housing” for purposes of this Ordinance.

Municipality: Eagle Township, Clinton County, Michigan.

Natural Resources: Natural resources shall include land, soils, wetlands, floodplains, surface and ground water, topography, trees and other types of vegetative cover, subsurface strata, geologic formations, animal life, and naturally occurring substances and living organisms that can be useful to people. Natural resources are of two types: renewable (e.g., plants and trees) and nonrenewable (e.g., mineral resources). Natural resources may also be referred to as ‘natural features’ in this Ordinance.



Zoning Map

Eagle Township, Clinton County, MI

December 7, 2023

LEGEND

- A Agriculture
- R Residential
- C Commercial
- I Industrial
- Mineral Resource Extraction



0 1,500 3,000
Feet

Basemap Source: Michigan Center for Geographic Information, v. 17a.
Data Source: McKenna 2023.



Land Use Needs Analysis

Given the importance of the Township's farmland to the regional food system, the importance of its natural areas to regional ecosystems, and the importance of rural character to the residents, as described during the public engagement process, Eagle Township is dedicated to **only planning for non-rural land uses where there is a demonstrated need.**

In this section, data analysis is used to determine how many acres of residential, commercial, and industrial land are needed in Eagle Township. At the time of the writing of this plan, Eagle was in the unique circumstance of having just adopted local zoning, and its zoning map was designed to match the previous zoning under Clinton County's system.

Therefore, a certain number acres were already zoned for residential, commercial, and industrial uses, and the task for Township leaders during the 2024 planning process was to determine how much additional land was needed in those categories, if any.

RESIDENTIAL

Eagle Township's population as of the 2020 Census was **2,776 residents**. The population projection earlier in this plan projects a population of **3,356 in 2040**.

The Township's median household size is **2.8 people per household**. This means that the 3,356 people Eagle is projected to have in 2040 will need **1,199 housing units**.

The Township currently has 1,117 housing units. However, it only has 992 households. It is not clear where the discrepancy comes from, because housing vacancy is not, anecdotally, a problem in the Township. It may be that the gap is caused by mobile home sites that are sitting vacant, but are counted as housing units by the Census.

For the purposes of this analysis, in order to ensure that the Township adequately plans for the housing needs of the future, we will assume that the number of housing units needs to grow from 992 today to 1,199 in 2024, meaning **207 more housing units are needed**.

The Township's R Residential zoning category allows 15,000 square foot lots, or just under 3 units per acre. That means approximately 69 acres of new lots, plus 20% additional space for road infrastructure, which means the **Future Land Use Map should add 80-100 acres of new residential land, above and beyond the land that is already zoned that way (approximately 518 acres)**. Notably, 100 acres is less than 0.5% of the total land in the Township.

Some of the housing demand may be absorbed within the Agricultural Future Land Use category. However, it is the intent of this plan to limit growth within that Future Land Use category as much as possible. Therefore, the Future Land Use map will assume that new housing growth needs to be accommodated in places zoned Residential.

COMMERCIAL

Eagle Township's median income according to 2022 Census estimates was \$103,846, and its **mean income was \$135,727**. With 3,356 residents in 2040, Eagle Township will have a **total spending power of over \$455 million** (in 2022 dollars), an increase of **\$79 million** from the **\$376 million in total spending power that today's population has**.

Most of that spending power will go to fixed costs like taxes, housing, insurance, debt service, and transportation, and around 15% of retail spending occurs online. Eagle also has a significant spending "leakage", with residents leaving the Township to shop, generally along Delta Township's Saginaw Highway, or in other shopping destinations in Greater Lansing.

For the purposes of this analysis, the assumption is that all of those trends will continue, and roughly the same percentage of Eagle Township spending power will be spent at local merchants in 2040 as today. Today, Eagle Township has approximately **50 acres** of commercially zoned land. The \$79 million increase in spending power from

the anticipated population growth represents a 21% increase, meaning Eagle Township should plan for a 21% increase in its commercially-zoned land, or **60-65 total acres, 10-15** more than currently.

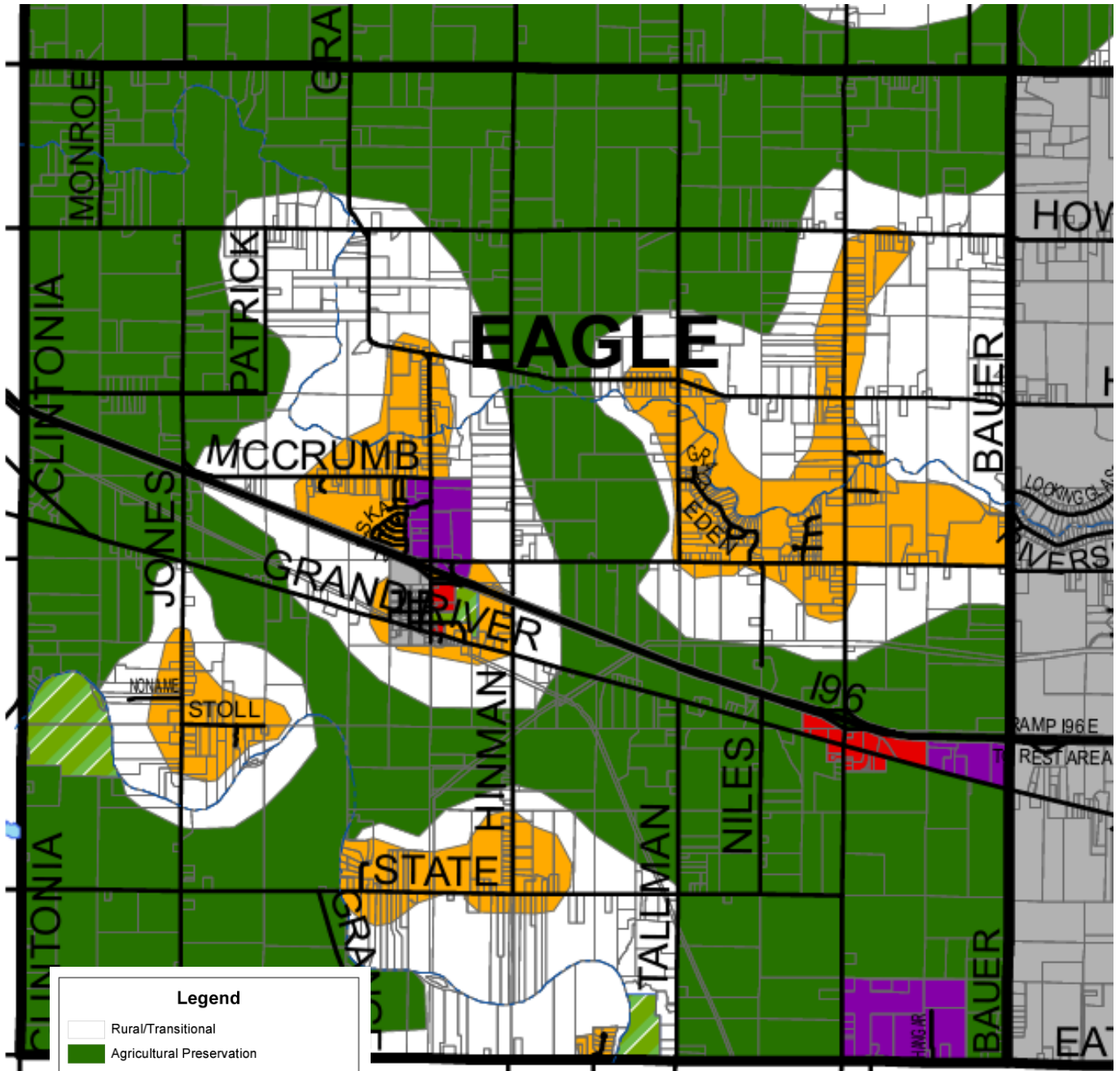
INDUSTRIAL

According to 2022 Census estimates, approximately 37% of Eagle Township workers are employed in “industrial” businesses (wholesale, manufacturing, transportation, warehousing and utilities). Additionally, about 63% of Eagle residents are in the work force, meaning that, based on the 2040 population of 3,356, **782 Eagle residents will be seeking employment in industrial jobs**, an increase from **647** industrial workers today.

The vast majority of industrial workers who live in Eagle work in other communities, but the Township does have approximately **100 acres of land currently zoned industrial**

Therefore, it is reasonable to expect that Eagle should accommodate a similar proportion of its industrial workforce going forward to 2040. The **additional 135 industrial workers** represent a 17% increase in the industrial workforce, so an equivalent increase in industrially zoned land, would be **15-20 acres**, for a total of 115-120 acres.

Clinton County Future Land Use Map for Eagle



Legend

- Rural/Transitional
- Agricultural Preservation
- Cities/Villages/Townships (that complete their own planning/zoning)
- Commercial
- Community Facility
- Industrial
- Low/Moderate Development
- Mixed Use
- PDR Land
- Rural-Low Density
- State Land
- Streets
- Lakes
- Rivers
- Joint City of St. Johns/Bingham Twp. Planning area - see plan

- (c) The pool fence shall not be built within the required front yard.
- (d) For the protection of the general public, all swimming pools shall be completely enclosed by a chain link fence or a fence of comparable safety not less than four (4) feet or more than six (6) feet in height, and set at a distance of not less than four (4) feet from the outside perimeter of the pool wall. All openings in any such fence or building shall be equipped with a self-closing, self-latching gate or door which shall be securely locked with a tamper-proof lock when the pool is not in use.
- (e) Above ground pools of four (4) feet or more in wall height shall be exempt from complete enclosure by a fence. However, above ground pools shall be equipped with a removable ladder or locking gate system at all points of entry to the pool. Said ladder and gate system shall effectively control access to the pool. Said ladder shall be removed or gate locked when the pool is not in use.

Section 6.03 Exceptions

- (A) **Essential Services.** Essential Services, as defined in Article 20, shall be permitted as authorized and regulated by franchise agreements and federal, state, and local laws and ordinances, it being the intention of this ordinance to permit modification to regulations governing lot area, building or structure height, building or structure placement, and use of land in the Township when strict compliance with such regulations would not be practical or feasible.

Although Essential Services may be exempt from certain regulations, proposals for construction of Essential Services shall still be subject to site plan review and special land use review in all zoning districts, it being the intention of the Township to achieve efficient use of the land and alleviate adverse impact on nearby uses or lands. Essential Services shall comply with all applicable regulations that do not affect the basic design or essential operation of said services.

- (B) **Voting Place.** The provisions of this Ordinance shall not be construed to interfere with the temporary use of any property as a voting place in connection with a public election.

Section 6.04 Home-Based Businesses

- (A) **Requirements.** All home-based businesses shall be subject to the applicable requirements of the zoning district in which they are located. Home-based businesses which comply with those standards, plus all of the following standards shall be permitted by right in all zoning districts. A Zoning Permit shall be required prior to beginning operation of a home based business. The Zoning Administrator shall issue the permit if the requirements are met.

- (1) Any business activity must be clearly incidental to the use of the dwelling as a residence.
- (2) The exterior appearance of any structure shall not be altered due to the business activity.
- (3) No business activity shall be conducted in such a manner so as to cause the premises to differ from a residential character, whether by the use of colors, materials, construction, lighting, signs (except as permitted in this Section), or the emission of sounds or vibrations.
- (4) The delivery and pickup of goods and materials used and/or produced in the operation of a home-based business or home-based business shall be limited to the customary activity of the United States Postal Service and/or alternative private package services common to residential property in the area.

- (5) A home-based business may increase vehicular traffic flow and parking demand by no more than two additional vehicles at a time. No more than ten customers or clients shall visit the dwelling unit for services or products during any one day.
 - (6) Any demand for parking generated by a home-based business shall be met off the street and behind the required front setback line.
 - (7) A home-based business may be subject to annual inspection by the Zoning Administrator and shall be subject to termination if found not to be in compliance with the Zoning Ordinance.
 - (8) No outdoor display and/or storage of materials, goods, supplies, or equipment used in the home-based business shall be allowed on the premises in any zoning district.
 - (9) Any person who is not a resident occupant of the dwelling unit shall not be employed in a home-based business located there.
 - (10) **Sign.** One non-illuminated nameplate, not more than four (4) square feet in area, shall be allowed per residence to identify a home-based business. The permitted sign shall not be located in any road right-of-way and shall not obstruct the clear vision of drivers. No other sign shall be used on the premises to advertise a home-based business.
 - (11) One detached accessory building may be used by a home-based business, provided that there is no external evidence of the business activity. Any accessory building used for a home-based business shall be in full compliance with the standards for accessory buildings, as provided in Section 7.02 of this Ordinance.
 - (12) Pursuant to Section 204 of Michigan Public Act 110 of 2006 (MCL 125.3204), individual instruction in a craft or fine art within a residence is a permitted home-based business.
 - (13) The Township Board may require a fee to cover the costs of administering the Zoning Permit. The fee, if required, must be paid prior to the issuing of the permit.
- (B) **Activities Not Considered a Home-Based Business.** Bed-and-breakfast inns, roadside stands, garage or yard sales, vehicle service or repair garages, restaurants and bars, and any other business activity specifically regulated by provisions elsewhere in this Ordinance shall not be considered a home-based business and shall be subject to the regulations applicable to such use under this Ordinance.

Section 6.05 Keeping of Animals

- (A) **Pets.** Animals of any species that meet the definition of “pet” under the definition of “animal” may be kept on any lot. Pets must remain in the care of a human or housed in a safe and secure location at all times, and must be leashed when not on private property. Horse stables and kennels of all types must meet the standards below.
- (B) **Domestic Livestock.**

SECTION 5.15:

Drive-Thru

1. **Definition.** A facility designed to serve customers in their cars from a window in the building, so that the cars are idled while being served, rather than parked
2. **Permitted by Right.** None.
3. **Permitted by Special Use Permit.** C
4. **Standards.** The following regulations shall apply to businesses with drive-thru service.
 - A. **Minimum Frontage.** The site shall have a minimum of two hundred (200) feet of frontage on primary road or highway.
 - B. **Location of Driveways.** Ingress and egress points shall be located at least sixty (60) feet from the intersection of any two (2) streets (measured from the nearest right of way line).
 - C. **Control of Sound Level.** Devices for the transmission of voices shall be so directed or muffled as to prevent sound from being audible beyond the boundaries of the site.

SECTION 5.16:

Funeral Home or Mortuary

1. **Definition.** An establishment where the dead are prepared for burial or cremation and where wakes or funerals may be held.
2. **Permitted by Right.** C, OS
3. **Permitted by Special Use Permit.** CR
4. **Standards.** The following regulations shall apply to Funeral Homes and Mortuaries:
 - A. **Assembly Area.** Adequate assembly area shall be provided off-street for at least 15 vehicles to be used in funeral processions.
 - A. **Accessory Dwelling.** An accessory dwelling may be provided within the main building of the funeral home or within an accessory building.

SECTION 5.17:

Home Occupation

1. **Definition.** Any use customarily conducted entirely within the dwelling and carried on by the inhabitant thereof, including giving instruction in a craft or fine art within the residence, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. Provided, however, that no article or service is sold or offered for sale on the premises, except that such as is produced by such occupation; that such occupation shall not require internal or external alterations or construction features, equipment, machinery, outdoor storage, or signs not customary to residential areas. No use listed and defined elsewhere in this section shall be considered a Home Occupation, even if conducted on the same lot as a single family home, except for Commercial Kennels in the AR District, which shall be considered Type 2 Home Occupations and shall be subject to Section F.2 below.
2. **Type 1 Permitted by Right.** AR, RR, R-1, R-2, R-3, MHP, RM

3. **Type 1 Permitted by Special Use Permit.** None.
4. **Type 2 Permitted by Right.** None.
5. **Type 2 Permitted by Special Use Permit.** AR, RR
6. **Standards.**
 - A. **Type 1 Home Occupation.** A Type 1 home occupation is a profession or an occupation that is clearly a customary, incidental, and secondary use of a residential dwelling unit and does not negatively impact the character of the neighborhood in which the home occupation is located.
 - (1) Type 1 Home Occupations shall fall within the following categories, and shall not be permitted if not consistent with at least one of the descriptions below.
 - a. **Professional Office.** Work space for an accountant, lawyer, architect, engineer, or similar profession.
 - b. **Hairdresser/Nail Salon/Spa.** Facilities for the cutting of hair, decoration of nails, or other spa or beauty services.
 - c. **Medical Office.** Facilities for the provision of low intensity medical care. Physical therapy and therapeutic massage shall be permitted, but dental care shall be prohibited. Surgery and other invasive medical procedures shall be prohibited.
 - d. **Fine Arts/Craft Instruction.** Facilities for the provision of instruction in a craft or fine art, where no more than one student at a time is provided services on the premises.
 - e. **Online Sales.** Work space for a business that engages in online retail sales, where no sales are made to customers on-premises.
 - f. **Food or Drink Production.** Facilities for the preparation of edible products, where customers do not consume the edible products on-site. Pick-up of products by customers shall be permitted.
 - g. **Service Business Office.** Work space for the administrative staff of a service business, such as cleaning, handyman services, electronics repair, or a similar business, where all service work is provided off-site, and clients or customers visit the administrative work space infrequently or not at all.
 - h. **Marijuana Caregiver.** The physical premises of a person who is at least 21 years old and who has agreed to assist with a patient's medical use of marijuana and who has not been convicted of any felony within the past 10 years, has never been convicted of a felony involving illegal drugs or a felony that is an assaultive crime as defined in section 9a of chapter 10 of the code of criminal procedure, 1927 PA 175, MCL 770.9a, and is licensed to distribute medical marijuana under Initiated Law 1 of 2008.
 - (2) **Location and Employees.** The home occupation shall be conducted solely within the dwelling unit, by residents of that dwelling unit. The only Type 1 Home Occupation that may operate within an accessory building is Marijuana Caregivers. All other Type 1 Home Occupations are prohibited from using accessory buildings, for any purpose, including storage. No person, employee or volunteer, shall be involved in the regular business of the home occupation, on a daily or frequent basis, who does not live within the residential home on the site.
 - (3) **Equipment or Process.** No equipment or process shall be used in the home occupation which creates vibration, glare, fumes, odor or electrical interference detectable to the normal human senses beyond the exterior walls of the dwelling unit in which the home occupation is conducted.

- (4) **Noise.** The home occupation shall not generate noise that is audible beyond the exterior walls of the dwelling.
 - (5) **Exterior Alterations.** There shall be no exterior alteration of the premises in connection with the home occupation.
 - (6) **Size Limitation.** No more than thirty percent (30%) of the total floor space (including basements) of the principal structure shall be devoted to the home occupation. The entirety of any permitted accessory building on the site may be used for the home occupation.
 - (7) **Storage.** All articles or materials used in connection with the home occupation shall be stored within the principal building, or within a permitted accessory building. No outside storage is permitted.
 - (8) **Limitation on Customers.** No more than one customer, client, or patient shall be provided goods or services at a Type 1 Home Occupation at any given time.
 - (9) **Signage Restriction.** No permanent signage be erected on the site of a Type I Home Occupation.
 - (10) **Marijuana Caregiver Co-Location Prohibited.** No more than one marijuana caregiver shall operate on any given lot.
 - (11) **Licensure and Regulations.** All professionals working in a home occupation shall carry proper licensure for their field of work, if required by State law. All County, State, and Federal regulations shall be met. In the event that a County, State or Federal regulation cannot be met while in compliance with the Type 1 Home Occupation regulations, then the use shall be deemed a Type 2 Home Occupation, and shall be required to receive Special Use Approval, and meet the standards in Subsection 2, in order to operate.
- B. **Type 2 Home Occupation.** A Type 2 Home Occupation is a business, institution, or non-profit that, while incidental and accessory to a residential use, is more intensive and larger in scale than a Type 1 Home Occupation. The following regulations are intended to ensure that Type 2 Home Occupations do not negatively impact their surroundings or the health, safety, and welfare of the Township.
- (1) Type 2 Home Occupations shall fall within the following categories, and shall not be permitted if not consistent with at least one of the descriptions below.
 - a. **Equipment Repair and Service.** Facilities for the repair or service of automobiles, boats, lawn mowers, motorcycles, electronics, appliances, bicycles, buggies, and other similar goods, where the repair or service takes place on-site.
 - b. **Artisan Production.** Facilities for the production and sale of hard goods, such as furniture, cabinets, artwork, decorative home goods, and other similar goods. Production of electronics or motorized vehicles shall be prohibited, but production of non-motorized vehicles, such as buggies or bicycles, shall be permitted. Retail sales shall be limited to goods produced on the site.
 - c. **Commercial Kennels in the AR District.** Must meet the standards of this Section and Section 1.20. Commercial Kennels in other districts shall not be subject to this section, and shall only be subject to Section 5.21.
 - d. **Type 1 Home Occupation Not Meeting Type 1 Standards.** A home occupation listed under Type 1 that does not meet the requirements for a Type 1 Home Occupation may be approved as a Type 2 Home Occupation, provided that all requirements of this section are met.
 - (2) **Location and Employees.** The home occupation shall be conducted solely within the dwelling unit. Accessory buildings may be used by Marijuana Caregivers for any permitted purpose associated with their Caregiving operation. For all other Type 2 Home Occupations, accessory buildings shall only be used for storage. No more than three people who do not live within the residential home on the site shall be involved in the regular business of the home occupation, on a daily or frequent basis, regardless of whether they are employees or volunteers.

- (3) **Equipment or Process.** No equipment or process shall be used in the home occupation which creates vibration, glare, fumes, odor or electrical interference detectable to the normal human senses beyond the property lines where the home occupation is taking place.
- (4) **Noise.** The home occupation shall not generate noise that is disturbing to the peace and quiet on properties in proximity to the home occupation. Animal noises shall be subject to this section.
- (5) **Size Limitation.** No more than fifty percent (50%) of the total floor space (including basements) of the principal structure shall be devoted to the home occupation. The entirety of any permitted accessory building on the site may be used for the home occupation.
- (6) **Floor Plan Requirement.** As part of the Special Use application, the applicant must submit a floor plan of the principal building, showing the space used for the business, as well as the space used for the residence. The residence must include at least one bedroom, at least one bathroom, and at least one kitchen, all of which must meet the requirements of the Building Code.
- (7) **Storage.** Outside storage shall conform to the requirements of Section 1.27.
- (8) **Parking Limitation.** No more than five (5) outdoor parking spaces may be located on the site on a Type 2 Home Occupation. Excessive and frequent parking outside of the approved parking spaces shall be considered a violation of this Ordinance.
- (9) **Signage.** One (1) freestanding sign, of up to six (6) square feet in area, shall be permitted on the premises of an approved Type 2 Home Occupation. No wall signage shall be permitted.
- (10) **Licensure and Regulations.** All professionals working in a home occupation shall carry proper licensure for their field of work, if required by State law. All County, State, and Federal regulations shall be met. In the event that a County, State or Federal regulation cannot be met while in compliance with this Ordinance, the Special Use permit shall not be approved.

SECTION 5.18:

Hotel/Motel1. **Definition(s):**

- A. **Hotel.** A building occupied as a more or less temporary abiding place for individuals who are lodged, with or without meals, in rooms connected by interior hallways, consisting of a minimum of one bedroom and a bath, occupied for hire, and which typically provides hotel services such as maid service, the furnishing and laundering of linens, telephone and desk service, the use of furniture, a dining room and meeting rooms.
- B. **Motel.** A building or group of buildings occupied as a more or less temporary abiding place for individuals who are lodged with or without meals in rooms consisting of a minimum of a bedroom and bath, occupied for hire, in which provision is not usually made for cooking within the rooms, and which provides customary motel services such as maid service, linen service, telephone and/or desk service, and the use of furniture. Motels typically provide exterior entrances and on-site parking for each unit. A motel may also include conference room or banquet facilities, an attached dining room, and/or an unattached standard restaurant.

2. **Permitted by Right.** None.3. **Permitted by Special Use Permit.** C4. **Standards.** The following regulations shall apply to motels and hotels:

- A. **Design.** Each unit shall contain at least a bedroom and bath and a minimum gross floor area of two hundred fifty (250) square feet.