

AGENDA

**SPARTA TOWNSHIP
PLANNING COMMISSION
Tuesday, June 9, 2026
7 P.M.**

**Sparta Township Hall
160 East Division Street
Sparta, MI 49345**

This meeting can be viewed live or recorded at
<https://www.youtube.com/channel/UCu9bOagfR6m02k7rdmX3TLA>

- I.** Call to Order
- II.** Pledge of Allegiance
- III.** Additions or Corrections to Agenda
- IV.** Minutes of May 12, 2026, Regular Meeting
- V.** Public Comment (for items on the agenda)
- VI.** Business Items
 - A. Home Occupation Regulations Review
 - B. Data Center Regulations Review
- VII.** Public Comment (for items on or not on the agenda)
- VIII.** Staff and Commissioner Comments
- IX.** Adjournment

MINUTES OF THE SPARTA TOWNSHIP PLANNING COMMISSION
Regular Meeting of Tuesday, May 12, 2026, 7 PM
Sparta Township Hall, 160 E. Division St., Sparta MI

This meeting could be viewed live or recorded at <https://www.youtube.com/channel/UCu9bOagfR6m02k7rdmX3TLA>.

Present: Chairperson Terry Hartman (9/28); Vice Chairperson Tim Driscoll (9/28);
Secretary Linda Anderson (9/28); Township Board Trustee Barb Johnson (12/28);
Commissioners Don Doyle (9/27), and Dale Flanery (9/27)
Also Present: Zoning Administrator/Planner Kevin Yeomans of Fresh Coast Planning,
Township Supervisor Dale Bergman, and Recording Secretary Toni Potes
Absent: Commissioner Ken Humphreys (9/27)

I. / II. Call to Order / Pledge of Allegiance: Chairperson Hartman called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

III. Additions or Corrections to Agenda: Motion by Johnson, second by Flanery, to approve the Agenda as presented. Motion carried unanimously.

IV. Minutes of April 14, 2026, Regular Meeting: Motion by Doyle, second by Flanery, to approve the Minutes. Motion carried unanimously.

V. Public Comment (for items on the Agenda): None.

VI. Business Items

A. Public Hearing Rezoning Request—9440 Sparta Ave.: C1 to C-2: Applicant Conner Clay of 21761 16th Avenue, Conklin, addressed the numbered concerns detailed in a petition dated May 11, 2026, from David and Dawn Reichert, Steve and Laura Schaible, and Greg VanDyke opposing the rezoning request.

Public Hearing opened at 7:09 PM.

David Reichert and wife Dawn of 1540 Yost Parkway are residents on the proposed road to be rezoned. He stated 300 feet is good and is not currently at 500 feet. There's a reason it's currently on 300 feet. It's a wrong decision to extend 200 feet further.

Steve Schaible of 34 Ida Red, Apt. 205, Sparta, wanted clarity on the drainfield location.

Dawn Reichert stated they have lived there over a year. Rent Smart are great neighbors. Why is the potential new owner making such big changes? They were not provided any information from the potential new owners. It would have been good for them to let the neighbors know.

Public Hearing closed at 7:10 PM.

Zoning Administrator/Planner Yeomans stated Fresh Coast Planning's findings are that the request meets all of the standards. He reviewed the standards with the Commissioners. Motion by Johnson, second by Flanery, to recommend to the Township Board rezoning of the subject property from Ag-2 to C-2 as requested. Roll call vote: Johnson, yea; Doyle, yea; Flanery, yea; Anderson, yea; Driscoll, abstained; Hartman; yea. Motion carried 5 to 0, with one abstention.

B. Home Occupation Regulations Review: Page 6 of the Edit Copy, Item 20, needs some work on automotive repair. Something also needs to be added regarding sketch plans for accessory dwellings.

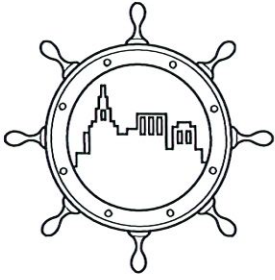
C. Data Center Regulations Review: Zoning Administrator/Planner Yeomans is seeking preliminary input from the Planning Commission as to where an appropriate location is, what standards need to be met, and how to regulate the scale size or if one size fits all in industrial areas. The Commissioners agreed that data centers are only allowed on industrial-zoned land as a special land use. Data centers will be required to provide annual reporting, a six or twelve month decommission plan, and provide a base line report. Zoning Administrator/Planner Yeomans will work on an ordinance for next month's meeting.

VII. Public Comment (for items on or not on the Agenda): Jackie Landon of 3957 15 Mile Road, came to support. She confirmed the one-year moratorium. She hopes for specific data center requirements and that AI is not allowed to be used.

VIII. Staff and Commissioner Comments: Jim Roede has called Hartman and left unfriendly comments. Zoning Administrator/Planner Yeomans stated that Zavala's Greenhouse is in compliance with requirements being met. Driscoll also provided an update; Driscoll did not receive money for the work he did for Mr. Zavala. It was determined that Mr. Roede's fence sits on Mr. Zavala's property, and he may go to court over it.

IX. Adjournment: Motion by Johnson, second by Driscoll, to adjourn at 8:35 PM. Motion carried unanimously. The next regular meeting of the Sparta Township Planning Commission will be Tuesday, June 9, 2026, at 7 PM.

Respectfully submitted,
—Toni Potes
Recording Secretary



Fresh Coast Planning

119 1/2 Washington Avenue, Studio B
Grand Haven, MI 49417
www.freshcoastplanning.com

Gregory L. Ransford, MPA

Kevin Yeomans

Alexis Gulker

Aaron Bigelow

Andrea Goodell

MEMORANDUM

To: Sparta Township Planning Commission
From: Kevin Yeomans
Date: 5/29/2026
Re: Home Occupation Regulations Review

Per the Planning Commission's deliberations at your May 2026 meeting, we have edited the draft home occupations amendment. Attached is a copy of the fourth draft of this amendment. The following changes have been made:

1. Allowed Uses: Text regarding what uses are allowed and what uses are prohibited have been moved to the beginning of subsection B. Additionally, automotive repair is no longer prohibited and text referencing home based automotive repair businesses has been added.
2. Hazardous Materials: Language was added to subsection B(19) requiring a hazardous materials storage and disposal plan for any home based business that is expected to include the use of hazardous materials.
3. Home Based Automotive Repair Businesses: Subsection C has been added to include additional requirements for home based automotive repair facilities. The additional requirements are as follows:
 - a. Not allowed in residential:
 - i. Residentially zoned lands generally consist of lots that are an acre or less in area. However, as can be seen on the Sparta Township Zoning Map there are several larger parcels in Sparta Township that are zoned R-1.
 - b. Allowed in Ag-1 and Ag-2.
 - c. Only four customer vehicles may be stored outdoors.
 - d. Any customer vehicles stored outdoors must be in a storage area located in the rear yard.
 - i. While this was mentioned during your deliberations, the Planning Commission may want to consider that Section B.20.a already contains requirements for outdoor storage areas applying to all home based businesses. Adding this provision to home based automotive repair businesses will require auto repair businesses to have outdoor storage in the rear yard, but no other home based business will be required to have storage in the rear yard only.
 - e. Limits customer vehicles to being on the property for a maximum of 30 calendar days.
 - f. Requires Planning Commission review and approval of drop off hours.
 - i. Based on past experiences we recommend that drop-off hours are made clear. If not clear, a home based automotive repair business could argue that drop offs outside of approved operating hours were not restricted.

However, a vehicle being dropped off at 5:30am is likely to be disruptive to neighboring property owners.

- g. No junk vehicles can be stored on the property.
- h. Prohibits work on commercial vehicles over 10,000 pounds.
 - i. 10,000 pounds is the measurement used by the Federal Motor Carrier Safety Administration to differentiate between a commercial motor vehicle and a non-commercial motor vehicle.
- i. Requires work to be done in a completely enclosed permanent structure. I.e. no temporary paint booths, no open doors or windows.
- j. While subsection B.20 already contains requirements applicable to all home based businesses, language was added to demonstrate that it is expected that an auto repair facility will create more noise than most other home based businesses and the Applicant should come prepared to demonstrate how they will abate such noise.

Review of the updated draft is scheduled for review at your June 9, 2026, meeting.

Kevin Yeomans

Kevin Yeomans

Planner

Attachments

CC: Dale Bergman, Township Supervisor

Definition – Section 154.006

HOME BASED BUSINESS. This is similar to a Home Occupation but can be conducted both in a single-family residential dwelling and an accessory building if approved as a special land use by the Planning Commission.

HOME OCCUPATION. A profession or other occupation not otherwise permitted in the zoning district involved, that is conducted as an accessory use within a single-family dwelling by one or more members of the family residing in the dwelling, and that conforms to the provisions of § 154.208 of this chapter.

§ 154.208 HOME OCCUPATIONS AND HOME BASED BUSINESSES.

(A) Home occupations, as defined in this chapter, are permitted as a use-by-right as an accessory use as provided in § 154.247 of this chapter; provided that, all of the following regulations shall control.

- (1) No other than members of the family residing in the dwelling shall be engaged in connection with such home occupation at the same time.
- (2) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and not more than 25% of the floor area of the dwelling unit shall be used in the conduct of the home occupation.
- (3) There shall be no change in the outside appearance of the building, no variation from the residential character of the dwelling, and no visible evidence of the conduct of such home occupation other than one sign, not exceeding two square feet in area, non-illuminated and mounted flat against the wall of the main building.
- (4) No home occupation shall be conducted outdoors or in any accessory building.
- (5) There shall be no sale of products or services, except as are produced on the premises by such home occupation.
- (6) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.
- (7) No equipment or process shall be used in such home occupation that creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the premises if the occupation is conducted in a single-family dwelling. If conducted in other than a single-family dwelling, such nuisance shall not be detectable outside the dwelling unit. In the case of

electrical interference, no equipment or process shall be used that creates visual or audible interference in any radio or television receivers off the premises or cause fluctuations in line voltage off the premises.

(8) In particular, a home occupation can be, but is not limited to: art studio; dressmaking; teacher, with musical or dancing instruction limited to four to six pupils at a time; contractor's office; professional office or studio or a physician, dentist, author, artist, musician, lawyer, engineer, architect, community planner, realtor, accountant, one-chair salon or similar use; but shall not include animal hospital, automotive repair service, restaurant, tearoom, tavern or similar use.

(B) Home Based Businesses, as defined in this Chapter, are permitted as a special land use as an accessory use as provided in § 154.247 of this chapter; provided that, all of the following regulations shall control.

~~(1)~~ Home based businesses shall meet all of the requirements for a Home Occupation.

~~(1)(2)~~ In particular, a home based business can be, but is not limited to: electrical, plumbing, heating, landscaping, building contractors and excavators or similar use; but shall not include warehousing or distribution. For home based automotive repair businesses additional requirements as shown in subsection (C) shall apply.

~~(2)(3)~~ Sketch Plan: In place of a site plan a sketch plan may be submitted. The sketch plan shall be drawn to scale. The sketch plan shall include the location, dimensions, and area, of all structures and parking areas on the site. The sketch plan shall include a scale, north arrow, date of drawing, property owner's name and address, and description of the nature of the home based business. Section 154.162 – Standards for Review and Approval shall still apply.

(a) The Planning Commission may require a site plan meeting the requirements of Section 154.170 if deemed necessary. In making this determination the Planning Commission shall consider the following:

1. The scale of the proposed home based business.
2. Distance to the nearest non-participating structure.
3. Nature of the home based business and its potential impact to nearby properties.
4. The magnitude of proposed changes to existing grades and the natural landscape.

~~(3)(4)~~ Non-transferability: No home based business shall be assigned, transferred, or otherwise conveyed to another person or business entity. Any

change in the ownership of the home based business shall require the filing of a new application and a full compliance review.

- (4)(5) Inspection: The home based business shall be subject to periodic inspections by the Zoning Administrator or other designated officials to determine that the home based business is proceeding in accordance with the conditions and requirements of the approved sketch plan and special land use approval.
- (5)(6) The home based business shall be conducted primarily by one or more persons residing in a dwelling on the same lot.
- (6)(7) A home based business shall not employ persons who do not reside on the premises, unless specifically approved by the Planning Commission. The Commission shall only grant such approvals if it determines that the addition of non-resident employees will not adversely impact the health, safety, and welfare, nor diminish the character of the area. In making this determination the Planning Commission shall consider the following:
- (a) Nature of the Operation: The type of business activity, including the frequency of client visits, the necessity of on-site staff for the specific service provided, and the hours during which employees will be present.
 - (b) Lot Dimensions and Separation: The size of the subject parcel and the physical distance between the primary structure (or area of business activity) and the nearest non-participating residential dwellings. Larger setbacks may be required to mitigate the perceived intensity of the business.
 - (c) Site Mitigation and Buffering: The adequacy of existing or proposed physical characteristics of the lot, including natural topography, professional landscaping, fencing, and screening—to effectively shield neighboring properties from parking areas, increased activity, or light spillover.
 - (d) Zoning Intent and Land Use Compatibility: The degree to which the proposed employment density aligns with the stated intent of the underlying Zoning District. The Commission shall ensure the activity remains secondary to the residential use and is harmonious with the scale and intensity of the surrounding land uses.
- (7)(8) Conditions of Approval: In granting approval for non-resident employees the Planning Commission may impose reasonable conditions, including but not limited to:

- (a) Caps on Headcount: A strict limit on the total number of non-resident employees allowed on-site simultaneously.
 - (b) Parking Requirements: Mandatory off-street parking configurations to prevent employee overflow onto public rights-of-way.
 - (c) Time Limitations: Restricted hours of operation and/or restricted hours of arrival and departure for staff to minimize disruptions during sensitive morning or evening hours.
- ~~(8)~~(9) There shall be no sale of products or services, except as are produced on the premises by such home based business and only if permitted by the Planning Commission.
- ~~(9)~~(10) There shall be no change in the outside appearance of the building, no variation from the residential character of the dwelling, and no visible evidence of the conduct of such home based business other than one sign, not exceeding two square feet in area, non-illuminated and mounted flat against the wall of the main building.
- ~~(10)~~(11) No traffic shall be generated by such home based business in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home based business shall be met off the street and other than in a required front yard.
- ~~(11)~~(12) No equipment or process shall be used in such home based business that creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the premises.
- ~~(12)~~(13) Districts Allowed:
- (a) Ag-1
 - (b) Ag-2
 - (c) R-1
- ~~(13)~~(14) Minimum Lot Area
- (a) Ag-1
 - (b) Ag-2
 - (c) R-1
- ~~(14)~~(15) A Home Based Business may occur within the single-family dwelling and not more than one accessory building located on the same lot as the single-family dwelling.

~~(15)~~(16) The use of the dwelling unit or accessory building for the home based business shall be clearly incidental and subordinate to its use for residential purposes by its occupants.

~~(16)~~(17) Maximum Floor Area

- (a) Dwelling: Not more than 25% of the floor area of the dwelling unit shall be used in the conduct of the home based business.
- (b) Accessory Building: Not more than 1,200 square feet of floor area within an accessory building shall be used in the conduct of the home based business, unless a larger floor area is approved by the Planning Commission.

1. The Commission shall only grant an expansion of floor area if the applicant demonstrates the increased scale of the operation will not adversely impact the health, safety, and welfare, nor diminish the character of the area. In making this determination the Planning Commission shall consider the following:

- a. Nature of the Operation: The intensity of the use, including the type of equipment utilized, storage requirements, and the frequency of vehicular trips (deliveries or clients) generated by the larger footprint.
- b. Lot Dimensions and Separation: The size of the subject lot and the setbacks between the accessory building and adjacent non-participating dwellings. The Commission shall determine if the lot is of sufficient size to absorb the increased intensity of the business use.
- c. Site Mitigation and Buffering: The effectiveness of existing or proposed screening, including landscaping, berms, or fencing—to obscure the business activity and minimize its visual and auditory impact on neighboring properties.
- d. Zoning Intent and Land Use Compatibility: The degree to which the expanded use maintains the primary purpose of the property and remains consistent with the intent of the underlying Zoning District and the character of surrounding land uses.

2. Conditions of Approval: In granting approval for a larger floor area, the Planning Commission may impose reasonable conditions related to noise reduction, hours of operation, or

enhanced landscaping to ensure continued compatibility with the character of the area.

~~(17)~~(18) Setbacks

- (a) Dwelling: Shall meet the setback requirements for a single-family dwelling as required by the zoning district.
- (b) Accessory Building: Shall meet the setback requirements for an accessory building as required by the zoning district. However, in their review of the special land use the Planning Commission may require greater setbacks and/or additional landscaping and/or screening between the accessory building and adjoining properties and/or road to ensure that home based business will have no substantial adverse impacts by reason of noise, fumes, vibration, lights, or views.

~~(19)~~ No toxic or hazardous materials may be used or stored on the premises to support such home based business except in a safe manner and in full compliance with federal, state, and local requirements as to use, handling, storage, transport, and disposal of any such materials.

~~(18)(a)~~ If hazardous materials are proposed, are expected to be stored on the premises, a hazardous material storage and disposal plan shall be submitted as part of the application for a home based business.

Formatted

~~(19)~~(20) All machinery and other equipment, associated with the home based business must, at all times, be located within a completely enclosed accessory building, accessory to the residential dwelling which is on the same parcel as the business or within an outdoor storage area that is screened from public view.

~~(a)~~ Outdoor Storage Screening: —Visual buffers, such as year-round greenery, decorative fencing, or earthen berms, shall be utilized to maintain a continuous screen of all outdoor storage from public view in all seasons.

~~(20)~~ — In particular, a home based business can be, but is not limited to: electrical, plumbing, heating, landscaping, and building contractors and excavators or similar use, but shall not include warehousing, distribution, or automotive repair.

(C) Home Based Automotive Repair Businesses

(1) Home based automotive repair businesses shall not be permitted in any residential zoning district.

- (2) Home based automotive repair businesses may be permitted as a special land use in the Ag-1 and Ag-2 zoning districts, provided all requirements of a Home Based Business and Home Occupation are met.
- (3) Customer Vehicles: No more than four (4) vehicles not registered to the property owner may be stored outdoors.
- (4) Customer vehicles that are stored outdoors must be stored in an outdoor storage area that is located in the Rear Yard.
- (5) No customer vehicle may remain on the property for more than thirty (30) calendar days.
- (6) Customers drop off of vehicles shall be restricted to hours approved by the Planning Commission.
- (7) No "parts vehicles," heavily wrecked vehicles, or permanently inoperable vehicles are allowed on the property.
- (8) The repair and service of commercial vehicles over 10,000 pounds is prohibited.
- (9) All mechanical work, diagnostics, and repairs must be conducted entirely within an enclosed permanent structure.
- (10) Noise: Any structure in which mechanical work, diagnostics, or repairs are conducted must be insulated, designed, or located so that noise generated by the use is not detectable to the normal senses off the premises.

Commented [KY1]: This was mentioned during preliminary discussions. Section B.20.a has provisions for outdoor storage.

Commented [KY2]: Matches what is in Section B.20

NOTE: Review and, if necessary, update table of permitted uses.

NOTE 2: Add sketch plan ability to accessory dwelling units.

Definition – Section 154.006

HOME BASED BUSINESS. This is similar to a Home Occupation but can be conducted both in a single-family residential dwelling and an accessory building if approved as a special land use by the Planning Commission.

HOME OCCUPATION. A profession or other occupation not otherwise permitted in the zoning district involved, that is conducted as an accessory use within a single-family dwelling by one or more members of the family residing in the dwelling, and that conforms to the provisions of § 154.208 of this chapter.

§ 154.208 HOME OCCUPATIONS AND HOME BASED BUSINESSES.

(A) Home occupations, as defined in this chapter, are permitted as a use-by-right as an accessory use as provided in § 154.247 of this chapter; provided that, all of the following regulations shall control.

(1) No other than members of the family residing in the dwelling shall be engaged in connection with such home occupation at the same time.

(2) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and not more than 25% of the floor area of the dwelling unit shall be used in the conduct of the home occupation.

(3) There shall be no change in the outside appearance of the building, no variation from the residential character of the dwelling, and no visible evidence of the conduct of such home occupation other than one sign, not exceeding two square feet in area, non-illuminated and mounted flat against the wall of the main building.

(4) No home occupation shall be conducted outdoors or in any accessory building.

(5) There shall be no sale of products or services, except as are produced on the premises by such home occupation.

(6) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.

(7) No equipment or process shall be used in such home occupation that creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the premises if the occupation is conducted in a single-family dwelling. If conducted in other than a single-family dwelling, such nuisance shall not be detectable outside the dwelling unit. In the case of

electrical interference, no equipment or process shall be used that creates visual or audible interference in any radio or television receivers off the premises or cause fluctuations in line voltage off the premises.

(8) In particular, a home occupation can be, but is not limited to: art studio; dressmaking; teacher, with musical or dancing instruction limited to four to six pupils at a time; contractor's office; professional office or studio or a physician, dentist, author, artist, musician, lawyer, engineer, architect, community planner, realtor, accountant, one-chair salon or similar use; but shall not include animal hospital, automotive repair service, restaurant, tearoom, tavern or similar use.

(B) Home Based Businesses, as defined in this Chapter, are permitted as a special land use as an accessory use as provided in § 154.247 of this chapter; provided that, all of the following regulations shall control.

(1) Home based businesses shall meet all of the requirements for a Home Occupation.

(2) In particular, a home based business can be, but is not limited to: electrical, plumbing, heating, landscaping, building contractors, and excavators or similar use; but shall not include warehousing or distribution. For home based automotive repair businesses additional requirements as shown in subsection (C) shall apply.

(3) Sketch Plan: In place of a site plan a sketch plan may be submitted. The sketch plan shall be drawn to scale. The sketch plan shall include the location, dimensions, and area, of all structures and parking areas on the site. The sketch plan shall include a scale, north arrow, date of drawing, property owner's name and address, and description of the nature of the home based business. Section 154.162 – Standards for Review and Approval shall still apply.

(a) The Planning Commission may require a site plan meeting the requirements of Section 154.170 if deemed necessary. In making this determination the Planning Commission shall consider the following:

1. The scale of the proposed home based business.
2. Distance to the nearest non-participating structure.
3. Nature of the home based business and its potential impact to nearby properties.
4. The magnitude of proposed changes to existing grades and the natural landscape.

(4) Non-transferability: No home based business shall be assigned, transferred, or otherwise conveyed to another person or business entity. Any change in

the ownership of the home based business shall require the filing of a new application and a full compliance review.

- (5) Inspection: The home based business shall be subject to periodic inspections by the Zoning Administrator or other designated officials to determine that the home based business is proceeding in accordance with the conditions and requirements of the approved sketch plan and special land use approval.
- (6) The home based business shall be conducted primarily by one or more persons residing in a dwelling on the same lot.
- (7) A home based business shall not employ persons who do not reside on the premises, unless specifically approved by the Planning Commission. The Commission shall only grant such approvals if it determines that the addition of non-resident employees will not adversely impact the health, safety, and welfare, nor diminish the character of the area. In making this determination the Planning Commission shall consider the following:
 - (a) Nature of the Operation: The type of business activity, including the frequency of client visits, the necessity of on-site staff for the specific service provided, and the hours during which employees will be present.
 - (b) Lot Dimensions and Separation: The size of the subject parcel and the physical distance between the primary structure (or area of business activity) and the nearest non-participating residential dwellings. Larger setbacks may be required to mitigate the perceived intensity of the business.
 - (c) Site Mitigation and Buffering: The adequacy of existing or proposed physical characteristics of the lot, including natural topography, professional landscaping, fencing, and screening—to effectively shield neighboring properties from parking areas, increased activity, or light spillover.
 - (d) Zoning Intent and Land Use Compatibility: The degree to which the proposed employment density aligns with the stated intent of the underlying Zoning District. The Commission shall ensure the activity remains secondary to the residential use and is harmonious with the scale and intensity of the surrounding land uses.
- (8) Conditions of Approval: In granting approval for non-resident employees the Planning Commission may impose reasonable conditions, including but not limited to:
 - (a) Caps on Headcount: A strict limit on the total number of non-resident employees allowed on-site simultaneously.

- (b) Parking Requirements: Mandatory off-street parking configurations to prevent employee overflow onto public rights-of-way.
 - (c) Time Limitations: Restricted hours of operation and/or restricted hours of arrival and departure for staff to minimize disruptions during sensitive morning or evening hours.
- (9) There shall be no sale of products or services, except as are produced on the premises by such home based business and only if permitted by the Planning Commission.
- (10) There shall be no change in the outside appearance of the building, no variation from the residential character of the dwelling, and no visible evidence of the conduct of such home based business other than one sign, not exceeding two square feet in area, non-illuminated and mounted flat against the wall of the main building.
- (11) No traffic shall be generated by such home based business in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home based business shall be met off the street and other than in a required front yard.
- (12) No equipment or process shall be used in such home based business that creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the premises.
- (13) Districts Allowed:
- (a) Ag-1
 - (b) Ag-2
 - (c) R-1
- (14) Minimum Lot Area
- (a) Ag-1
 - (b) Ag-2
 - (c) R-1
- (15) A Home Based Business may occur within the single-family dwelling and not more than one accessory building located on the same lot as the single-family dwelling.
- (16) The use of the dwelling unit or accessory building for the home based business shall be clearly incidental and subordinate to its use for residential purposes by its occupants.

(17) Maximum Floor Area

- (a) Dwelling: Not more than 25% of the floor area of the dwelling unit shall be used in the conduct of the home based business.
- (b) Accessory Building: Not more than 1,200 square feet of floor area within an accessory building shall be used in the conduct of the home based business, unless a larger floor area is approved by the Planning Commission.
 - 1. The Commission shall only grant an expansion of floor area if the applicant demonstrates the increased scale of the operation will not adversely impact the health, safety, and welfare, nor diminish the character of the area. In making this determination the Planning Commission shall consider the following:
 - a. Nature of the Operation: The intensity of the use, including the type of equipment utilized, storage requirements, and the frequency of vehicular trips (deliveries or clients) generated by the larger footprint.
 - b. Lot Dimensions and Separation: The size of the subject lot and the setbacks between the accessory building and adjacent non-participating dwellings. The Commission shall determine if the lot is of sufficient size to absorb the increased intensity of the business use.
 - c. Site Mitigation and Buffering: The effectiveness of existing or proposed screening, including landscaping, berms, or fencing—to obscure the business activity and minimize its visual and auditory impact on neighboring properties.
 - d. Zoning Intent and Land Use Compatibility: The degree to which the expanded use maintains the primary purpose of the property and remains consistent with the intent of the underlying Zoning District and the character of surrounding land uses.
 - 2. Conditions of Approval: In granting approval for a larger floor area, the Planning Commission may impose reasonable conditions related to noise reduction, hours of operation, or enhanced landscaping to ensure continued compatibility with the character of the area.

(18) Setbacks

- (a) Dwelling: Shall meet the setback requirements for a single-family dwelling as required by the zoning district.
 - (b) Accessory Building: Shall meet the setback requirements for an accessory building as required by the zoning district. However, in their review of the special land use the Planning Commission may require greater setbacks and/or additional landscaping and/or screening between the accessory building and adjoining properties and/or road to ensure that home based business will have no substantial adverse impacts by reason of noise, fumes, vibration, lights, or views.
- (19) No toxic or hazardous materials may be used or stored on the premises to support such home based business except in a safe manner and in full compliance with federal, state, and local requirements as to use, handling, storage, transport, and disposal of any such materials.
- (a) If hazardous materials are proposed are expected to be stored on the premises, a hazardous material storage and disposal plan shall be submitted as part of the application for a home based business.
- (20) All machinery and other equipment, associated with the home based business must, at all times, be located within a completely enclosed accessory building, accessory to the residential dwelling which is on the same parcel as the business or within an outdoor storage area that is screened from public view.
- (a) Outdoor Storage Screening: Visual buffers, such as year-round greenery, decorative fencing, or earthen berms, shall be utilized to maintain a continuous screen of all outdoor storage from public view in all seasons.

(C) Home Based Automotive Repair Businesses

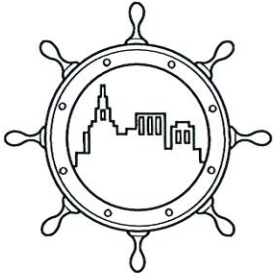
- (1) Home based automotive repair businesses shall not be permitted in any residential zoning district.
- (2) Home based automotive repair businesses may be permitted as a special land use in the Ag-1 and Ag-2 zoning districts, provided all requirements of a Home Based Business and Home Occupation are met.
- (3) Customer Vehicles: No more than four (4) vehicles not registered to the property owner may be stored outdoors.
- (4) Customer vehicles that are stored outdoors must be stored in an outdoor storage area that is located in the Rear Yard.

- (5) No customer vehicle may remain on the property for more than thirty (30) calendar days.
- (6) Customers drop off of vehicles shall be restricted to hours approved by the Planning Commission.
- (7) No "parts vehicles," heavily wrecked vehicles, or permanently inoperable vehicles are allowed on the property.
- (8) The repair and service of commercial vehicles over 10,000 pounds is prohibited.
- (9) All mechanical work, diagnostics, and repairs must be conducted entirely within an enclosed permanent structure.
- (10) Noise: Any structure in which mechanical work, diagnostics, or repairs are conducted must be insulated, designed, or located so that noise generated by the use is not detectable to the normal senses off the premises.

NOTE: Review and, if necessary, update table of permitted uses.

NOTE 2: Add sketch plan ability to accessory dwelling units.

CLEAN DRAFT



Fresh Coast Planning

119 ½ Washington Avenue, Studio B
Grand Haven, MI 49417
www.freshcoastplanning.com

Gregory L. Ransford, MPA

Kevin Yeomans

Alexis Gulker

Aaron Bigelow

Andrea Goodell

MEMORANDUM

To: Sparta Township Planning Commission
From: Kevin Yeomans
Date: 5/29/2026
Re: Data Center Regulation Review

Based on the Planning Commission deliberations at your May 12, 2026 meeting we have edited the draft data center ordinance provided by Township Legal Counsel. A summary of the ordinance and proposed changes are as follows:

1. Data Centers shall only be permitted as a special land use in the Industrial Zoning District.
2. Decommissioning can either be full site restoration or repurposing.
 - a. If repurposing is proposed does the Planning Commission want to also require a full site restoration plan, in case repurposing is not possible at the time the data center is abandoned?
3. Per subsection (14) applicants will be required to show that any ground water withdrawal will not have an impact on neighboring properties or the environment through a review by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) or the County Health Department depending on the proposed withdrawal amount. This subsection also contains blanket language that will require proof of discharge permits and other potential adverse environmental impacts.
4. Proof of impact to utility rates was added.
5. Noise: In addition to requirements for dBA (i.e. human hearing), dBC (low frequency sound that humans can't hear) limits have been added.
6. Requirements for how a data center can be cooled has been added. Data Centers will be required to use a closed-loop system to reduce water needs or provide proof that the proposed system is as efficient or more efficient than a closed-loop system.
7. Prohibitions on modular buildings and structures has been added.
8. Draft language for what a repurposing plan should like has been added.
 - a. Further revisions to this language is likely necessary. One unintended consequence in repurposing may be that a data center could be repropsoed into a warehouse. However, if there is no tenant, the Community would still be left with a big, empty, deteriorating building.
 - b. Language requiring the data center to pay for Township costs of annual inspections has been added and the list of required reports has been expanded.

Please let us know if you have any questions.

Kevin Yeomans

Kevin Yeomans
Planner

Attachments

cc: Dale Bergman, Township Supervisor

TOWNSHIP OF SPARTA

ORDINANCE NO. ____

**AN ORDINANCE TO REGULATE CRYPTOCURRENCY DATA MINING FACILITIES
AND DATA CENTERS**

The Township of Sparta ordains:

Section 1. Addition of New Section 154.235 to the Zoning Ordinance.

A new Section 154.235 entitled “Cryptocurrency Data Mining Facilities and Data Centers” is hereby added to the Township’s Zoning Ordinance, to read, in its entirety, as follows:

Section 154.235 Cryptocurrency Data Mining Facilities and Data Centers.

A. Definitions.

CRYPTOCURRENCY DATA MINING FACILITY. A facility dedicated to operating data processing equipment for commercial cryptocurrency mining and the process by which cryptocurrency transactions are verified and added to digital ledgers.

DATA CENTER. A structure that houses information technology infrastructure and equipment for building, running, and delivering applications, and the storage of digital data. This includes Artificial Intelligence (“AI”) Data Centers.

B. General Provisions.

- (1) Cryptocurrency Data Mining Facilities and Data Centers are permitted in the Township only as a special land use in the Industrial Zoning District.
- (2) The Township may enforce any remedy or enforcement, including but not limited to, the removal of any Cryptocurrency Data Mining Facilities and Data Centers pursuant to the Zoning Ordinance or as otherwise authorized by law if the Cryptocurrency Data Mining Facility or Data Center does not comply with this Section.

C. Special Land Use Application Requirements. In addition to the requirements of Section 154.186 an applicant for special land use approval of a Cryptocurrency Data Mining Facility or Data Center must provide the Township with all of the following:

- (1) An application fee in an amount set by resolution of the Township Board.
- (2) A list of all parcel numbers that the Cryptocurrency Data Mining Facility or Data Center will use; documentation establishing ownership of each parcel; and any lease agreements, easements, or purchase agreements for the subject parcels.

- (3) An operations agreement setting forth the parameters of the operation, the name and contact information of the operator, the applicant's inspection protocol, emergency procedures, and general safety documentation.
- (4) Current photographs of the subject property.
- (5) A site plan that includes all proposed structures and the location of all equipment, as well as all setbacks, the location of property lines, signage, fences, greenbelts and screening, drain tiles, easements, floodplains, bodies of water, proposed access routes, and road right of ways. The site plan must be drawn to scale and must indicate how the Cryptocurrency Data Mining Facility or Data Center will be connected to the power grid.
- (6) A written plan for maintaining the subject property, including a plan for maintaining and inspecting drain tiles and addressing stormwater management, which is subject to the Township's review and approval.
- (7) A decommissioning and land reclamation plan describing the actions to be taken following the abandonment or discontinuation of the Cryptocurrency Data Mining Facility or Data Center, including evidence of proposed commitments with property owners to ensure proper final reclamation, repairs to roads, and other steps necessary to fully remove the Cryptocurrency Data Mining Facility or Data Center and restore the subject parcels, which is subject to the Township's review and approval.
- (8) A deposit for an escrow account in an amount set by resolution or fee schedule approved by the Township Board. The escrow account is used to cover all costs and expenses associated with the special land use review and/or approval process, which costs can include, but are not limited to, review fees of the Township Attorney, Township Planner, and Township Engineer, as well as any reports or studies which the Township anticipates will be required during the review and/or approval process for the application. At any point during the review process, the Township may require that the applicant place additional monies into escrow with the Township if the existing escrowed funds on account with the Township will be insufficient, in the determination of the Township, to cover any remaining costs or expenses with the review and/or approval process. If additional funds are required by the Township to be placed in escrow and the applicant refuses to do so within 14 days after receiving notice, the Township will cease the zoning review and/or approval process until and unless the applicant makes the required escrow deposit. Any escrow amounts in excess of actual cost will be returned to the applicant. An itemized billing of all expenses will be provided to the applicant upon request.
- (9) A plan for resolving complaints from the public or other property owners concerning the construction and operation of the Cryptocurrency Data Mining Facility or Data Center, which is subject to the Township's review and approval.

- (10) A plan for managing any hazardous waste, which is subject to the Township's review and approval.
- (11) A fire protection plan, which identifies the fire risks associated with the Cryptocurrency Data Mining Facility or Data Center; describes the fire suppression system that will be implemented; describes what measures will be used to reduce the risk of fires re-igniting (i.e., implementing a "fire watch"); identifies the water sources that will be available for the local fire department to protect adjacent properties; identifies a system for continuous monitoring, early detection sensors, and appropriate venting; and explains all other measures that will be implemented to prevent, detect, control, and suppress fires and explosions.
- (12) A transportation plan for construction and operation phases, including any applicable agreements with the County Road Commission and Michigan Department of Transportation, which is subject to the Township's review and approval.
- (13) An attestation that the applicant will indemnify and hold the Township harmless from any costs or liability arising from the approval, installation, construction, maintenance, use, repair, or removal of the Cryptocurrency Data Mining Facility or Data Center, which is subject to the Township's review and approval.
- (14) Proof of environmental compliance, including compliance with Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act; (MCL 324.3101 et. seq.; Part 91, Soil Erosion and Sedimentation Control (MCL 324.9101 et. seq.) and any corresponding County ordinances; Part 301, Inland Lakes and Streams, (MCL 324.30101 et. seq.); Part 303, Wetlands (MCL 324.30301 et. seq.); Part 365, Endangered Species Protection (MCL324.36501 et. seq.); and any other applicable laws and rules in force at the time the Township considers the application.

(14)(15) Proof that the Cryptocurrency Data Mining Facility or Data Center will not cause an increase in electricity costs for Township residents.

(15)(16) Any additional information or documentation requested by the Planning Commission, Township Board, or other Township representative.

D. System and Location Requirements. In addition to the requirements of Section 154.170 for a site plan, the site plan must include all of the following:

- (1) Equipment. All equipment used in any Cryptocurrency Data Mining Facility or Data Center must be housed in a metered, electrically grounded, and pre-engineered or prefabricated metal-encased structure with a fire rating designed to resist an internal electrical fire for at least 30 minutes.
- (2) Structures. All principal and accessory structures used for cryptocurrency mining operations and/or data centers, shall be arranged, designed, and constructed to be

harmonious and compatible with the site and with the surrounding properties. If prefabricated, pre-engineered, or modular structures are installed, the following standards are required:

- a) All structures shall have concrete foundations.
 - b) All exterior facades shall have muted earth tone colors that will blend the facility into the natural setting and existing environment, and shall not be defective, decayed or corroded.
 - c) If intermodal shipping containers are utilized such installation shall comply with current National Electrical Code standards.
- (3) Lighting. The lighting of the Cryptocurrency Data Mining Facility or Data Center is limited to the minimum light necessary for safe operation. Illumination from any lighting must not extend beyond the perimeter of the lot(s) used for the Cryptocurrency Data Mining Facility or Data Center. The Cryptocurrency Data Mining Facility or Data Center must not produce any glare that is visible to neighboring lots or persons traveling on public or private roads.
- (4) Security Fencing. Security fencing must be installed around all electrical equipment related to the Cryptocurrency Data Mining Facility or Data Center. Such fencing must be a minimum seven (7) feet tall and must use materials, colors, textures, screening and landscaping, that will blend the facility into the natural setting and existing environment.
- (5) Noise. The noise generated by the Cryptocurrency Data Mining Facility or Data Center must not exceed 45 dBA Lmax nor sixty-five (65) dBC Lmax, as measured at the property line of any adjacent parcel.
- (6) Signage. The Cryptocurrency Data Mining Facility or Data Center shall provide a 24-hour emergency contact signage visible at the access entrance. Signs shall include company name if applicable, owner/representative name, telephone number, and corresponding local power company and telephone number.
- (7) Underground Transmission. All power transmission or other lines, wires, or conduits from a Cryptocurrency Data Mining Facility or Data Center to any building or other structure must be located underground at a depth that complies with current National Electrical Code standards, except for power switchyards or the area within a substation.
- (8) Drain Tile Inspections. The Cryptocurrency Data Mining Facility or Data Center must be maintained in working condition at all times while in operation. The applicant or operator must inspect all drain tiles at least once every three years using a robotic camera, with the first inspection occurring before the Cryptocurrency Data Mining Facility or Data Center is in operation. The applicant or operator must submit proof of the inspection to the Township. The owner or operator must repair any damage or failure of the drain tile within sixty (60) days after discovery and

submit proof of the repair to the Township. The Township is entitled, but not required, to have a representative present at each inspection or to conduct an independent inspection.

(9) Fire Protection.

- a) Before any construction of the Cryptocurrency Data Mining Facility or Data Center begins, the Township's fire department (or the fire department with which the Township contracts for fire service) will review the fire protection plan submitted with the application. The fire chief will determine whether the fire protection plan adequately protects the Township's residents and property and whether there is sufficient water supply to comply with the fire protection plan and to respond to fire or explosion incidents. If the fire chief determines that the plan is adequate, then the fire chief will notify the Township or his or her designee of that determination. If the fire chief determines that the plan is inadequate, then the fire chief may propose modifications to the plan, which the applicant or operator of the Cryptocurrency Data Mining Facility or Data Center must implement. The fire chief's decision may be appealed to the Township Board, and the Township Board will hear the appeal at an open meeting. The Township Board may affirm, reverse, or modify the fire chief's determination. The Township Board's decision is final, subject to any appellate rights available under applicable law.
- b) The applicant or operator may amend the fire protection plan from time-to-time in light of changing technology or other factors. Any proposed amendment must be submitted to the fire department for review and approval under subsection (a).
- c) The Cryptocurrency Data Mining Facility or Data Center must comply with the fire protection plan as approved by the fire chief (or as approved by the Township Board in the event of an appeal).
- d) The Cryptocurrency Data Mining Facility or Data Center must contain an internal fire suppression system that shall be reviewed and tested once every twelve (12) months by a third-party contractor approved by the fire chief.

(10) Applicant must provide all Township Fire Department contractors with the appropriate equipment and training to address fires in the Cryptocurrency Data Mining Facility or Data Center.

(11) Cooling Methods. To reduce the potential impact on nearby potable water resources, any data center or digital mining use that proposes to use water cooling must comply with the following requirements:

- a) Use of a closed-loop cooling system shall be required.

b) In recognition of rapidly evolving technology, the Planning Commission may approve alternative cooling methods if the Applicant can demonstrate that the alternative cooling method is as effective or more effective than a closed loop cooling system. This shall include, but not be limited to, a review of water usage, power usage, and environmental impact.

(10)(12) Modular Data Centers Prohibited. Except during the construction phase, prefabricated or “modular” data centers and shipping containers and similar prefab structures are prohibited. All data center uses shall be within site-built buildings.

(11)(13) Insurance. The applicant or operator will maintain property/casualty insurance and general commercial liability insurance in an amount of at least \$5 million per occurrence. The Township shall be listed as an additional insured on the policy at all times.

(12)(14) Permits. All required county, state, and federal permits must be obtained before the Cryptocurrency Data Mining Facility or Data Center begins operating. A building permit is required for construction of a Cryptocurrency Data Mining Facility or Data Center regardless of whether the applicant or operator is otherwise exempt under state law.

(15) Decommissioning. If a Cryptocurrency Data Mining Facility or Data Center is abandoned or otherwise nonoperational for a period of one year, the property owner or the operator must notify the Township and must remove the system or provide a repurposing plan, acceptable to the Township, within six (6) months after the date of abandonment.

a) Removal requires receipt of a demolition permit from the Building Official and full restoration of the site to the satisfaction of the Zoning Administrator. The site must be filled and covered with top soil and restored to a state compatible with the surrounding vegetation. The requirements of this subsection also apply to a Cryptocurrency Data Mining Facility or Data Center that is never fully completed or operational if construction has been halted for a period of one (1) year.

a)b) Repurposing requires an evaluation of the structural and capacity of the buildings to support another industrial use, an evaluation of the utilities ability to support another industrial use, an environmental site assessment, a “clean building” certification proving all hazardous materials have been fully remediated, and an approved zoning permit transferring the Cryptocurrency Data Mining Facility or Data Center to another approved industrial use.

(13)(16) Financial Security. To ensure proper decommissioning of a Cryptocurrency Data Mining Facility or Data Center upon abandonment, the applicant must post financial security in the form of a security bond or escrow payment in an amount equal to 125% of the total estimated cost of decommissioning, code enforcement,

and reclamation, which cost estimate must be approved by the Township. The operator and the Township will review the amount of the financial security every two (2) years to ensure that the amount remains adequate. This financial security must be posted within fifteen (15) business days after approval of the special use application.

~~(14)~~(17) Extraordinary Events. If the Cryptocurrency Data Mining Facility or Data Center experiences a failure, fire, leakage of hazardous materials, personal injury, or other extraordinary or catastrophic event, the applicant or operator must notify the Township within 24 hours.

~~(18)~~ Annual Inspections and Third-Party Services. As a condition of special land use approval, the facility owner and/or operator shall agree to reimburse the Township for annual professional and independent inspection of the operations, including the use of third parties. In addition to allowing for inspections, the owner and/or operator shall be required to provide additional reports on annual operations, including but not limited to, all water and sewer usage, discharges, electrical usage, noise, and maintenance, current proof of insurance, verification of financial surety, and a summary of all complaints, complaint resolutions, and extraordinary events. The purpose of the inspections and reports is to determine compliance with the Zoning Ordinance, site plan and special land use approval. The applicant, owner and/or operator may be required to post an additional bond, security, or escrow to pay for the annual inspections and reports.

~~(15)~~(19) Annual Report. The applicant or operator must submit a report on or before January 1 of each year. ~~that includes all of the following:~~

~~a) Current proof of insurance;~~

~~b) Verification of financial security; and~~

~~e) A summary of all complaints, complaint resolutions, and extraordinary events.~~

~~(20)~~ Inspections. The Township may inspect a Cryptocurrency Data Mining Facility or Data Center at any time by providing 24-hour advance notice to the applicant or operator.

~~(16)~~ _____

~~(17)~~(21) Transferability. A ~~conditional special~~ land use permit for a Cryptocurrency Data Mining Facility or Data Center is transferable to a new owner. The new owner must register their name and business address with the Township and must comply with this Ordinance and all approvals and conditions issued by the Township.

~~(18)~~(22) Remedies. If an applicant or operator fails to comply with this Ordinance, the Township, may pursue any remedy or enforcement, including but not limited to the removal of any Cryptocurrency Data Mining Facility or Data Center pursuant

to the Zoning Ordinance or as otherwise authorized by law. Additionally, the Township may pursue any legal or equitable action to abate a violation and recover any and all costs, including the Township's actual attorney fees and costs.

Section 2. Amendment of Section 154.247.

Section 154.247, is hereby amended to add Cryptocurrency Data Mining Facilities and Data Centers to the Table of Use Regulations as a special land use in the Industrial zoning district.

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 upon the expiration of 7 days after publication as required by MCL 125.3401(7).

89716:00001:202250986-1

Sparta Draft