

VILLAGE OF SPARTA
Kent County, Michigan
Village Council Meeting
Monday, June 10, 2024 at 7:00 PM
75 N. Union St. (Sparta Civic Center)

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Additions or Corrections to Consent and Business Agenda

Consent Agenda:

- a. *Approve Regular Village Council Meeting Minutes of May 13, 2024*
- b. *Approve Planning Commission Minutes May 6, 2024*
- c. *Approve Fire Board Minutes of May 22, 2024*
- d. *Approve DDA Minutes April 9, 2024*

5. Approval of Consent and Business Agenda

6. Public Comment for Agenda Item

Please Note: This Public Comment portion of the meeting is reserved for comment on agenda items. Personal or abusive attacks on Council members, staff members, or other participants will not be tolerated and may result in the Village President taking action, up to and including, having the speaker removed from the meeting by law enforcement officers.

7. Public Hearing

- a. None.

8. Old Business

- a. None.

9. New Business

- a. Ord. 24-02 An ordinance to amend Chapter 82 Zoning: Multiple Sections
- b. Ord. 24-03 An ordinance to repeal Chapter 58, Article 3, Section 58-102 “Snow Removal”
- c. Ord. 24-04 An ordinance to amend Chapter 70, Article 1, Section 70-9 “Yard Parking”
- d. PFAS Class Action Settlement

10. Executive Session

- a. Closed Session A as permitted under Michigan OMA Section 8(1)(h) to consider material exempt from discussion or disclosure by state or federal statute
- b. Closed Session B as permitted under Michigan OMA Section 8(1)(h) to consider material exempt from discussion or disclosure by state or federal statute

11. Village Manager & Department Reports

12. Communications

13. Payment of Bills**May Payables**

PAYABLES	
(101) General Fund	\$171,348.94
(202) Major Street Fund	\$8,862.24
(203) Local Street Fund	\$3,897.72
(581) Airport	\$43,118.48
(590) Sewer Department Fund	\$59,607.84
(591) Water Department Fund	\$30,949.52
(661) Equipment Rental Fund	\$16,880.33
Total	\$334,665.07

Informational:

(206) Fire Department	\$10,068.22
(208) SRA Park Fund	\$20,145.09
(248) Downtown Development Authority	\$16,350.11
Total	\$46,563.42

14. Public Comment**15. Council Member Announcements****16. Adjournment**

VILLAGE OF SPARTA
Kent County, Michigan
Village Council Meeting
Monday, May 13, 2024 at 7:00 PM
75 N. Union St. (Sparta Civic Center)

Present: President Robert Whalen, Council members Brenda Braybrook, Dave Cumings, Courtney Mais, Tom Peoples, and Bill Taylor.

Absent: Robert Carlstrom.

Also present: Village Manager Jim Lower, DPW Supervisor Bill Hunter, and Village Clerk Katy Shelton.

1. **Call to Order:** The meeting was called to order at 7:00pm.
2. **Pledge of Allegiance:** The Pledge of Allegiance was recited.
3. **Roll Call:** Formal roll call was taken. Those in attendance/absent are noted above.
4. **Additions or Corrections to Consent and Business Agenda**
Consent Agenda:
 - a. Approve Regular Village Council Meeting Minutes of April 8, 2024
 - b. Approve Planning Commission Minutes April 1, 2024
 - c. Approve Fire Board Minutes of April 18, 2024No additions or corrections noted.
5. **Approval of Consent and Business Agenda:** Motion by Mais with a second by Braybrook to approve. Motion passed unanimously.
6. **Public Comment for Agenda Item**
Please Note: This Public Comment portion of the meeting is reserved for comment on agenda items. Personal or abusive attacks on Council members, staff members, or other participants will not be tolerated and may result in the Village President taking action, up to and including, having the speaker removed from the meeting by law enforcement officers.
 - a. No public comment.
7. **Public Hearing**

- a. None.

8. Old Business

- a. None.

9. New Business

- a. **Res. 24-16 Mark Wawrzyniak Retirement Resolution:** After 37 years of service, Officer Mark Wawrzyniak has retired. This resolution is designed to commemorate and express the Council's appreciation for his service to the Village. Motion by Cumings to approve. Second by Mais. Motion passed unanimously.
- b. **Audit Presentation:** Dan Veldhuizen from Siegfried Crandall PC was present to discuss the recent Village audit as well as to answer any questions. He said that the main take away from the audit was that the Village was in very good shape financially. He said that each of the Village's funds, as well as the Village as a whole, was in a very healthy position. He particularly wanted to praise David Carpenter, the Village Finance Director/Treasurer, for his fine stewardship of the Village's finances.
- c. **Ord. 24-01 -An Ordinance to amend Chapter 82 Zoning: Zoning Map.** All annexed property comes into the Village with an R-1 (residential single family) zoning per Village ordinance. The property owner has requested a General Commercial (GC) zoning. From the beginning of the annexation process it has always been the intention of the Village for this property to be used for a commercial purpose. The Village Manager said that there had been a public hearing on this change last month at the Planning Commission meeting, and that no opposition has been noted. Motion by Braybrook to approve. Second by Peoples. Motion passed unanimously.
- d. **Special Land Use Application- 1055 13 Mile Rd. Vehicle Sales Dealership:** This is a proposed vehicle sales/company vehicle wash facility. The Planning Commission held a duly noticed public hearing regarding this application. No opposing comments were received at the hearing. The Planning Commission unanimously voted to recommend approval to the Village Council. Motion by Cumings to approve. Second by Mais. Motion passed unanimously.
- e. **Res. 24-17 - Designate Authorized Official Wastewater Treatment Plant Project.** For the wastewater treatment plant project, the state

requires the Village to authorize an official by resolution to be the official representative for the Village for the purposes of applying for funding and filing documents. This resolution designates the Village Manager as this official. Motion by Peoples to approve. Second by Mais. Motion passed unanimously.

- f. **Generator Moving Expense Approval:** Bill Hunter, the DPW Director, spoke about this proposal. This will involve relocating an unused generator from the wastewater treatment plant to the Buth sewer lift station. This initiative is critical for enhancing the reliability and efficiency of our Village's sewer system, particularly for the Buth station. This station exhibits significantly higher usage rates than other stations. He said that this generator is in good condition and should last a number of years. Two quotes were requested: one from Parkway and one from Windemuller. Parkway never responded. Windemuller submitted a quote of \$34,870 for the entire relocation process. Motion by Mais to approve awarding this project to Windemuller for the amount of their quote. Second by Taylor. Motion passed unanimously.
- g. **Draft Zoning & Code Changes:** The Village Manager discussed this. He provided copies of the draft ordinance to the Council. He said that, among other things, it consolidated zoning classifications in order to streamline things. For example, R-1 and R-2 will now be considered R-Medium. R-3 and R-4 will be R-High Density. The draft revisions also include code revisions dealing specifically with sidewalk shoveling and yard parking regulations. It also addresses noxious weeds. However the consensus of the Council was to NOT include any changes regarding the noxious weeds at this time. There will be a public hearing on these changes at the Planning Commission meeting.

- 10. **Village Manager & Department Reports:** Village Manager Lower reported that the airport is operating well. Fuel sales are looking good. He also said that the Vac-con and street sweepers are working well and saving the Village money. He also said that the new child care center is close to opening up. He reported that due to unexpected construction costs involving the sidewalks, drainage, door awnings, and heating units, the project is over budget. These issues need to be remedied before the facility can be licensed by the state. He also said that he had met with Habitat for

Humanity regarding the property on state street. They are negotiating a selling price for the property. He mentioned that they're also interested in the old railroad depot property once it gets relocated. That relocation is scheduled to happen this year. The parking lot will then be repaired in 2025. He also reported that the marijuana dispensary will be opening soon.

11. **Communications:** Dale Bergman, the Township Supervisor, has been appointed to the Historical Society. Council member Cumings discussed the Free Methodist Church. He said that the Historical Society is interested in possibly buying that property.

12. **Payment of Bills**

April Payables

PAYABLES	
(101) General Fund	\$151,177.76
(202) Major Street Fund	\$5,079.95
(203) Local Street Fund	\$10,869.75
(581) Airport	\$33,611.92
(590) Sewer Department Fund	\$43,606.37
(591) Water Department Fund	\$33,254.14
(661) Equipment Rental Fund	\$78,198.91
Total	\$355,798.80

Informational:

(206) Fire Department	\$23,137.56
(208) SRA Park Fund	\$18,657.69
(248) Downtown Development Authority	\$8,572.07

Total	\$50,367.32
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Motion by Braybrook with a second by Taylor to approve. Motion passed unanimously.

13. **Public Comment:** Ricky Johnson, 29 Centennial, Sparta, asked who was responsible for removing snow from the sidewalks within the Village. He was told that it is the Village's responsibility. He also asked about the shed storage ordinance. He was told that anything existing will be grandfathered into the revised ordinance.
14. **Council Member Announcements:** Council Member Braybrook said that Town and Country Days is coming up and volunteers are needed, particularly for Farm Night.
15. **Adjournment:** Meeting was adjourned by President Whalen at 8:25pm.

Submitted by Katy Shelton, Village Clerk.

**VILLAGE OF SPARTA
PLANNING COMMISSION
Regular Meeting
May 6, 2024, 7:00pm
75 N. Union St. (Sparta Civic Center)**

Present: Chairman Emilie Henry, Commissioners Jon Braybrook, Robert Carlstrom, Rose Frederick, Bob Liscombe, Gary Moody, Christina Owens, and Robert Whalen.

Absent: Jon Braybrook

Also present: Village Manager Jim Lower and Village Clerk Katy Shelton.

- 1) **CALL TO ORDER:** The meeting was called to order at 7:00pm. The Pledge of Allegiance was recited.
- 2) **ROLL CALL:** Formal roll call was taken. Those in attendance/absent are noted above.
- 3) **MINUTES:**
 - a. Approve Regular Planning Commission Meeting Minutes of April 1, 2024: Motion to approve by Carlstrom with a second by Frederick. Motion passed unanimously.
- 4) **ADDITIONS OR CORRECTIONS TO THE AGENDA – APPROVAL OF AGENDA:** No additions or corrections. Motion to approve by Moody with a second by Liscombe. Motion passed unanimously.
- 5) **PUBLIC COMMENT ON AGENDA ITEMS:**
 - a. None.
- 6) **COMMUNICATIONS:**
 - a. None.
- 7) **PUBLIC HEARING:**
 - a. **Ordinance 24-01: An ordinance to amend – Chapter 82 Zoning: Zoning Map Special Land Use Application.** Public hearing opened at 7:02pm. No public comment. Public hearing closed at 7:03pm.
 - b. **Special Land Use Application – 1055 13 Mile Rd. Vehicle Sales Dealership.** Public hearing opened at 7:04pm. This business will be a vehicle sales dealership (tractors, boats, etc.) as well as a car wash for its own equipment. Per the Village Manager, assuming the rezoning is

approved, this project needs a special use permit. No public comment.
Public hearing closed at 7:05pm.

8) NEW BUSINESS:

- a. **Ordinance 24-01: An Ordinance to amend – Chapter 82 Zoning: Zoning Map Special Land Use Application.** All annexed property comes into the village with R-1 zoning per local ordinance. The property owner has requested a GC (General Commercial) zoning. This will amend the zoning map from R-1 to GC. Motion by Whalen to approve. Second by Moody. Motion passed unanimously.
- b. **Special Land Use Application – 1055 13 Mile Rd. Vehicle Sales Dealership.** Motion to approve by Moody. Second by Liscombe. Motion passed unanimously.
- c. **Site Plan Review 1055 13 Mile Rd:** This project involves the addition of a paved parking area and the construction of a new building on property that was recently annexed into the Village. The owner plans to operate a vehicle sales business on the property if everything is approved. Scott Olin from Land & Resource Consulting was present to discuss the project and answer questions. The storm water portion of the project is almost complete, and the Village engineers have approved the plan. It was asked if the north side of the new building needs to look like the other three sides. The consensus was yes – all four sides need to have a similar brick and stone appearance. Contingent upon staff signoff on the stormwater plan and architecture plan, motion by Moody to approve the site plan with a second by Frederick. Motion passed unanimously.
- d. **Zoning Ordinance Update Rough Draft:** Village Manager Lower discussed this. He said that 95% of what is in the rough draft is what was discussed during the discussions on the Village Master Plan. There are a couple of additions/changes that the Village Council previously discussed. He said that the Village did get a grant to cover some of the costs of this revision of the zoning ordinance which would cover attorney fees, mailing costs, and some of the staff time needed for the revision. He said that the final draft should be ready in June. The consensus of the Council was to move forward with the rough draft.

9. Unfinished business:

- a. None.

10. Public comment:

- a. None.

11. Village Manager Report: Village Manager Lower said that the new day care is very close to opening. It is only waiting for the state fire marshal to approve the building, which is dependent upon scheduling, He said that the resurfacing of State St on the south side of Division went well, and that the north side is scheduled to be resurfaced next year. He said that the railroad depot on the north side of the Village will be moving into the space previously occupied by the shipping containers. It will be reconfigured to include a museum and public restrooms.

12. Commissioners Comment: Commissioner Liscombe asked about the bond for the proposed new Village Civic Center. This building will contain the DPW garage, a village hall, and a public meeting space which will all be connected to the existing police department. The Village Manager said that the plans for the project are being finalized. Commissioner Moody thanked the Village Manager for all of his hard work.

13. Adjournment: Meeting was adjourned by Chairman Henry at 7:53pm.

Submitted by Katy Shelton, Village Clerk.

**Minutes of the Sparta Fire Board Meeting
May 22, 2024**

Present: Bergman (twp-chair), Cumings (village), Goodfellow (twp), Anderson (twp), Van Patten (village), Peoples (village) & Chief Olney

Absent: none

Bergman called the meeting to order @7:00 pm.

Additions to Agenda: none

Approval of the Agenda:

Motion: VanPatten to approve agenda

Seconded: Cumings

Motion Passed: 6-0

Public Comment: None

Approval of the Minutes:

Motion: Peoples to approve April 18, 2024, minutes.

Seconded: VanPatten

Motion Passed: 6-0

Finance Board Update:

Cumings stated that the finance board met 2 times since the last board meeting. They reviewed and approved all department invoices totaling \$11,981.27. The department has a current fund balance of \$1,021,184.

Cumings stated that by using Michigan Class we have accumulated over \$12,106.40 in interest YTD with an average monthly yield of 5.4%. The finance board questioned how the pending grant for the fire station will be paid out. Cumings stated that Auto Pay has been working great and the Chief will be adding Verizon and Quantum Leap to the Auto Pay process.

Approval of the bills:

Motion: Made by Anderson to approve bills through May 21, 2024

Second: Peoples

Motion Passed: 6-0

Old Business:

Michigan PAR Grant: The Chief stated that the department didn't receive any funds for the grant. The Chief was unsure as to the reason given but will be checking. If the Grant doesn't provide funding for the reflective safety vests, the Chief will get bids for the replacements.

AFG Grant: This grant is still pending for the replacement of Air PAC equipment. He doesn't expect any response until mid-summer.

Shipping Container: The portable shipping container that will be used for storage has been delivered. Per the Village no permits were required. The monthly rental fee has been set up for auto pay.

Chief's Report: Chief Olney presented the Chief's report. (attached) There were 435 calls YTD. There were three fires, one a car fire at Elite Apple, a grass fire, and Aal Chem in Sparta, along with 1 mutual aid fire with Alpine. There was 1 hazardous condition call and 3 accidents with minor injuries.

The Chief went into detail on the Aal Chem fire at the old Federal Mogul facility. The fire at the building was contained with less than 100 gallons of water. The largest concern was the amount and type of chemicals stored in the building. Several additional fire departments were called on for mutual aid, along with HazMat

team from Grand Rapids. After contacting the building owners and getting a list of onsite chemicals, the Hazmat team tested and determined that no health issues were present. (see attached Press Release)

Station Project:

Resolution Supporting Funding: One of the items the USDA has required for the grant funding was a Resolution for the station expansion and renovation project. It's a commitment from the Fire Department that they will provide at least 25% of the project costs.

Motion: Goodfellow to approve Resolution #2024-01 for the support of the station expansion and renovation project.

Seconded: VanPatten

Roll Call Vote: 6-0

Capital Improvement Plan: Another item the USDA Required was a 5-year Capital Improvement Plan. The current improvement was only a 3-year plan. The Chief presented to the fire board a new 5 revised Capital Improvement plan.

Fire Station Grant Paperwork: The Chief has been working with the USDA for all the requirements and documents required for getting the grant finalized. The Chief stated he hopes to have all the current paperwork requirements back to the USDA by June 1st.

Request to purchase station chairs: It was the consensus of the board that we continue to use our existing old delapidated nonfunctional chairs until we have a new fire station office.

Next Meeting Date: June 20th, 2024 at 7:00 PM in the fire station.

Next Finance Meeting Date: June 4th & June 18th at 4:00 PM at the fire station.

Public Comment: Goodfellow stated that he will not be at the next meeting.

Adjournment:

Motion: Cumings to adjourn at 7:50 PM.

Seconded: Goodfellow

Motion Passed: 6-0

Minutes by Goodfellow 5-25-24.

Sparta Downtown Development Authority
SPECIAL MEETING MINUTES
APRIL 9, 2024
SPARTA CIVIC CENTER

Meeting called to order at 7:46 am by Cheslek

Members present: Whalen, Freeland, Cheslek, Lamb, Shangle, Baker, Knauf, Potes, Baker

Members Absent: Benham, Stoner, Driscoll

Also Present: Elizabeth Morse, DDA Director; Jim Lower, Village Manager

Motion to accept the DDA meeting minutes of December 12, 2023 by Freeland, second by Baker. All approved.

Approval of DDA Finance Report. Motion by Freeland, second by Baker. All approved.

Public Comment – None

Unfinished Business

New Business

- A. Personnel Committee Recommendations were presented. Motion by Whalen, second by Potes to accept the committee recommendations as presented for part time staff members Beth Baltruczak and Amy Falk. All approved.
- B. Personnel Committee Recommendations were presented for 5 year Employment contract for Elizabeth Morse. Motion by Whalen, second by Baker to approve the contract for Elizabeth Morse. All Approved.
- C. Discussions with Travis Alden from The Right Place on the “buckets” of work from our organizations and the opportunity to refine/prioritize DDA current objectives. Notes will be compiled into the next joint meeting

Notes from the conversation included:

DDA Priorities that MUST CONTINUE AS-IS

Organizational management: board meetings, agendas, minutes, yearly reporting, etc.

Downtown Management: parking concerns, snow plowing concerns, litter clean up, mowing if needed etc.

problem-solving facilitation (?) DDA as the conduit

Beautification mgmt: Flowers / irrigation / fertilization (\$ and coordination)

Downtown décor: Seasonal, planting bulbs, snowmen/penguins/gnomes/etc. , district banners

Grant funding pursuit for strategic projects

Public art investments (murals, sculptures) as opportunities arise

Represent Sparta at networking/organizational events

Capitalizing on larger (state) opportunities & resources: Social District, redevelopment liquor licenses, MEDC CRP, etc

Property (re)development facilitation (CRD as a new resource)

Building Facilities of the office space

DDA Priorities that should KEEP GOING WITH TWEAKS / EXPLAIN

Downtown Capital Items: Flowers, pots, benches, wayfinding signage (discuss expansion of some items into commercial districts)

Christmas décor/lights: – “being noticed” (discuss expansion of some items into commercial districts)

Façade Grants – would love to increase pending funding – (Discuss if DDA should prioritize this line item to potentially leverage along with commercial rehab district via the Village)
Personnel (fund compensation, professional development, etc.) ((clarification conversations between boards and evaluate the as part of MOU / operational agreement))
Town Square – phase 2 implementation & management
Business retention & recruitment / vacancy infill / incoming inquiries (formalize opportunities / priorities)

Public Comment - None.

Meeting adjourned by executive privilege at 9:00 am.



ACTION MEMO

Staff Communication

DATE: June 10, 2024
TO: Village President Whalen and Members of Council
FROM: James A. Lower, Village Manager
RE: Ordinance Updates

SUMMARY OF REQUEST:

The planning commission unanimously recommend the approval of Ord. 24-02 to the village council. This ordinance, along with Ord. 24-03 & Ord. 24-04, was discussed at last month's meeting. No substantive changes have been made since our last discussion. The ordinances are ready for adoption by the council at this point in time.

STAFF RECOMMENDATION:

Staff recommends the following motions: Motion to approve Ord. 24-02, Motion to approve Ord. 24-03, Motion to approve Ord. 24-04.

**VILLAGE COUNCIL
VILLAGE OF SPARTA
KENT COUNTY, MICHIGAN**

Ordinance No. 24-02

At a regular meeting of the Village Council for the Village of Sparta held at the Civic Center on June 10, 2024, and commencing at 7:00pm the following Ordinance was offered for adoption by Council Member _____ and was seconded by Council Member _____:

AN ORDINANCE TO AMEND CHAPTER 82, ARTICLE II, SECTIONS 82-43, 82-46, AND 82-52; TO AMEND CHAPTER 82, ARTICLE III, SECTIONS 82-103, 82-112, 82-130; TO ADD SECTION 82-132; TO AMEND CHAPTER 82, ARTICLE III, SECTIONS 82-151 AND 82-156; TO AMEND CHAPTER 82, ARTICLE III, DIVISION 3; TO AMEND CHAPTER 82, ARTICLE III, DIVISION 4; TO REPEAL CHAPTER 82, ARTICLE III, DIVISION 5; TO REPEAL CHAPTER 82, ARTICLE III, DIVISION 6; TO AMEND CHAPTER 82, ARTICLE III, DIVISION 7; TO REPEAL CHAPTER 82, ARTICLE III, DIVISION 8; TO REPEAL CHAPTER 82, ARTICLE III, DIVISION 10; TO AMEND CHAPTER 82, ARTICLE IV, SECTIONS 82-386 AND 82-387; TO AMEND CHAPTER 82, ARTICLE V, SECTION 82-422; TO AMEND CHAPTER 82, ARTICLE VII, SECTION 82-506; TO AMEND CHAPTER 82, ARTICLE IX, SECTION 82-588 OF THE SPARTA VILLAGE CODE; AND TO AMEND THE OFFICIAL ZONING MAP OF THE VILLAGE OF SPARTA ACCORDINGLY.

THE VILLAGE OF SPARTA (the “Village”) ORDAINS:

Section 1 **Amendment.** That Chapter 82, Article II, Section 82-43 of the Sparta Village Code is hereby amended to add the following definition of “accessory dwelling unit”:

Accessory Dwelling Unit (ADU) – An ADU is a small or secondary residential living unit on the same parcel as a single-family dwelling or a multifamily structure in a residential zoning district. As an independent living space, an ADU is self-contained, with its own kitchen or kitchenette, bathroom and sleeping area. The ADU may take various forms: a detached unit; a unit that is part of an accessory structure, such as a detached garage; or a unit that is part of an expanded, new or remodeled single-family unit or a unit in a multifamily dwelling.

Section 2: **Amendment.** That Chapter 82, Article II, Section 82-46 of the Sparta Village Code is hereby amended to read in its entirety as follows:

Sec. 82-46. Definitions “D.”

Day care:

- (1) *Commercial:* A facility, other than a private residence, receiving minor children for care for periods of less than 24 hours in a day, for more than two weeks in any calendar year.

Child care and supervision provided as an accessory use, while parents are engaged or involved in the principal use of the property, such as a nursery operated during church services or public meetings, or by a fitness center or similar operation, shall not be considered commercial day care.

- (2) *Family*: An occupied single-family residence in which care is provided for more than one but fewer than seven minor children or adults for periods of less than 24 hours per day, unattended by a parent or legal guardian. Care for persons related by blood, marriage or adoption to a member of the family occupying the dwelling is excluded from this definition.
- (3) *Group*: An occupied single-family residence in which care is provided for at least seven but not more than 12 minor children or adults for periods of less than 24 hours per day, unattended by a parent or legal guardian. Care for persons related by blood, marriage, or adoption to a member of the family occupying the dwelling is excluded from this definition.

Demolition: The purposeful razing or destruction, or disassembly of a building or structure.

Density: The number of dwelling units per unit of lot area (see *Lot area*).

- (1) *Gross*: A figure equaling the total number of dwelling units on a lot divided by the total number of acres included in the lot.
- (2) *Net*: A figure which equaling the total number of dwelling units on a lot divided by the total number of acres included in the lot, excluding any lot area owned by a governmental entity, used as a private street or occupied by a nonresidential use.

Development: The construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; and mining, excavation, landfilling or land disturbance, and any extension of an existing use of land.

Development permit: A permit issued to a person proposing a development that is regulated by this chapter, which indicates compliance with the chapter.

Disturbed land: A parcel of land that is graded, filled, excavated or mined or stripped of its natural vegetative cover or grass for a purpose other than agriculture land use.

Drive-through service: A business establishment with driveways and approaches developed and designed to serve patrons while in the motor vehicle, or to permit patron self-service within motor vehicles, even though the establishment may have some indoor services. Establishments where food or beverages are consumed on the premises but not within a building are construed as having drive-through service. An automated teller machine (ATM) shall also be considered as a drive-through facility whether as a principal or accessory use.

Driveway: A private path of travel over which a vehicle may be driven which provides access from one or two parcels of land to a public or private road.

District:

- (1) *Nonresidential*: The B-D Business District and the CBD Central Business District.
- (2) *Residential*: The R-M Medium-Density Residential District and the R-H High-Density Residential District.

- (3) *Zoning*: An area of land for which there are uniform regulations governing the use of buildings and premises, density of development, yard requirements and height regulations, and other appropriate regulations. Also referred to as "district."

Dwelling: A detached building or portion thereof designed or used exclusively as the primary residence or sleeping place of one or more persons, not including accessory buildings or structures, either attached or detached. In the case of a mixed occupancy where a building is occupied in part as a dwelling, the part so occupied shall be deemed a dwelling for purposes of this chapter and shall comply with the provisions herein relative to dwellings.

- (1) Multiple family: A single building with abutting walls containing more than three residential dwelling units.
- (2) Single-family: A detached building designed for or occupied exclusively by one family.
- (3) Two-family: A detached building designed for or occupied by two families living independently of each other.
- (4) Three-family: A detached building designed for or occupied by three families living independently of each other.

Dwelling unit: A building, or portion thereof, designed exclusively for human occupancy providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation. This includes an existing dwelling unit, or a unit for which a building permit has been issued by the village as of the effective date of this section.

Section 3: **Amendment.** That Chapter 82, Article II, Section 82-52 of the Sparta Village Code is hereby amended to add the following definition of "living area":

Living Area: The interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

Section 4: **Amendment.** That Chapter 82, Article III, Section 82-103 of the Sparta Village Code is hereby amended to read in its entirety as follows:

Sec. 82-103. Accessory buildings and structures.

(a) *General requirements.*

- (1) Accessory buildings and structures located on the same lot and not otherwise regulated by this chapter, shall be permitted subject to the regulations of this section.
- (2) Attached accessory buildings and structures shall be made structurally a part of the main building and shall conform to the site development requirements of the district in which the building or structure is located.
- (3) Detached accessory buildings and structures shall be no closer than ten feet from the main building or structure.
- (4) Accessory buildings and structures in excess of 100 square feet must be designed, constructed, and finished such that the exterior appearance is compatible in terms of materials, color and general construction with that of the principal structure.

- (5) Accessory buildings and structures shall not be occupied for dwelling purposes, unless otherwise provided in this section.
 - (6) Height for accessory buildings and structures shall not exceed the accessory structure height requirement of the district it is located in or the primary structure height.
 - (7) Raised garden beds shall not be considered an accessory structure and shall not require an accessory use permit provided that the structure is not located within the public right-of-way, does not otherwise obstruct the view of traffic, does not exceed the height of a permissible fence in the applicable zoning district, and otherwise complies with all other applicable provisions of the village code.
- (b) *Detached accessory buildings and structures, residential districts or uses.*
- (1) Detached accessory buildings and structures shall be located only in the rear yard or side yard. In no case shall a detached accessory building be closer than five feet from any lot line, as measured from the closest point of the building.
 - (2) One detached accessory building shall be permitted on a property for a residential district or use as provided in the site development requirements of the district in which the principal use is located.
 - (3) One additional detached storage shed shall be permitted for a residential district or use not to exceed 200 square feet in area. A swimming pool and cover structure shall also be permitted on a lot, subject to the requirements of section 82-116 and any other applicable chapter.
 - (4) Properties over two acres in size may split the maximum square footage allowed between two detached accessory structures if they meet all other requirements of their zoning district.
- (c) *Detached accessory buildings, nonresidential districts or uses.*
- (1) No more than two detached accessory buildings shall be permitted on any lot.
 - (2) The total area of all accessory buildings shall not exceed 25 percent of the floor area of the main building(s).
 - (3) Detached accessory buildings shall not be located in the front yard, and in no case shall be closer than five feet from any lot side or rear line.
 - (4) No detached accessory building shall exceed the permitted height for main buildings in the district in which it is located.
 - (5) Shipping containers may be used for outside storage in the B-district provided that, to the greatest extent practicable, such containers shall be obscured from the public view, and meet all of the other requirements for outside storage in the B-district.
- (d) *Wind energy turbines.*
- (1) Wind energy turbines located on the same lot as the main building or structure are a permitted accessory use in all zoning districts subject to the requirements of article X of this chapter.
- (e) *Rooftop solar energy systems.*

- (1) Rooftop solar energy systems, also referred to as solar panels, located on the same lot as the main building or structure are a permitted accessory use in all zoning districts subject to the requirements in this section.
- (2) An accessory use permit shall be required for installation of roof-mounted systems.
- (3) Roof-mounted solar energy systems may include integrated solar panels as the surface layer of the roof structure with no additional apparent change in relief or projection, or separate flush mounted solar panels attached to the roof. Such design shall comply with all building code requirements.
- (4) Mounting and projection.

A. Sloped Roofs:

- i. Solar panels shall be mounted flush (within six inches of the roof surface), shall not project above the peak of the roof, and if integrated solar panels that also serve as the surface layer of the roof structure with no additional apparent change in relief or projection, then not beyond any roof edge.
- ii. Solar panels shall not be mounted on any roof that is steeper than 11/12 pitch or on the face of any building.
- iii. Solar panels that are separate flush mounted solar panels attached to the roof shall be set back a minimum of two feet from any roof edge.

B. Flat Roofs:

- i. Solar panels shall not project more than two feet above the roof plane at its highest point on the back edge of any panel. Front edge of the panel shall be no greater than six inches from the roof plane.
- ii. Solar panels shall be set back a minimum of two feet from any roof edge.
- iii. Framework and/or hardware used to affix the solar panels that is visible from the edge of the structure must be the same color as the roof underneath so as to minimize the visual impact of the system.

- C. Height. A roof mounted solar energy system shall not be installed in a manner that would exceed the maximum height restrictions applicable for the property.

D. Glare and Screening.

- i. Glare: Glare shall not be generated that would project onto adjacent property; therefore, non-reflectiveness through design, material, or a combination of both, must be demonstrated in the permit application.
- ii. Screening: Vegetative or architectural screening may be required if, in the determination of the Building Official, the roof mounted solar energy system is proposed in a location or manner that is reasonably expected to be negatively

impactful in terms of glare, noise, or visual impact to adjacent property owners and the effects can be mitigated by such means.

- E. Removal. If a roof-mounted solar energy system ceases to be capable of performing its intended function (generating electricity) for more than six consecutive months, the operator must remove the collectors, mounts, and associated equipment and facilities no later than 90 days after the end of the six-month period. Where the removal has not been lawfully completed as required above, and after at least 30 days' written notice, the Village may remove or secure the removal of the solar energy system or portion thereof, with the Village's actual cost of administrative and legal charges to be placed as a lien on the property.

(f) *Accessory Dwelling Units*.

- (1) Accessory dwelling units are permitted by right in all residential zoning districts subject to the requirements of Sec. 82-132.

Section 5: **Amendment.** That Chapter 82, Article III, Division 1, Section 82-112 of the Sparta Village Code is hereby amended to read in its entirety as follows:

Sec. 82-112. Fences and walls.

- (a) *Fences in front yard*. Fences and walls in front yards of all districts shall not exceed four feet in height, and shall be of non-solid construction, such as cyclone fencing, which have openings of at least 75 percent in each square foot of fencing, or wall. Fences or walls located in the front yard must be one foot from the inside edge of the sidewalk or right-of-way line.
- (b) *Fences on corner lot*. On a corner lot which has two front lot lines, fences and walls shall comply with section 82-112(a) unless the secondary front yard meets the requirements of section 82-113. If so the fence shall be allowed to be of solid construction and up to six feet in height. Fences or walls located in the front yard or secondary front yard must be one foot from the inside edge of the sidewalk or right-of-way line.
- (c) *Fences in side yard & rear yard*. Solid walls and fences, and those of open construction, not exceeding eight feet in height are permitted in side and rear yards of all districts, except that unless otherwise permitted, the requirements of section 82-113 shall be met.
- (d) All fences shall be of uniform design, construction and appearance. The method of construction and type of materials and design shall be of a kind normally and customarily associated with the uses permitted in the zoning district in which it is located. All fences shall be sturdily constructed to withstand normal weather conditions and properly maintained so as not to become a visual nuisance, or pose a safety hazard to nearby residents, passerby, or the general public.
- (e) The interior posts of fence shall face property owner and finished side shall face outward toward adjacent property or right-of-way.
- (f) *Prohibited fences*. The following fences are prohibited:

- (1) A fence consisting in whole or part of coils of barbed wire, concertina wire or razor wire;
 - (2) A fence with razored edges, broken glass, affixed spikes, projecting nails or other pointed instruments of any kind or description attached; fence gates shall not be constructed so as to create a hazard to the public by the projection of any pointed instrument or member when open or partially open;
 - (3) A fence charged or connected with an electrical current, provided however, this provision shall not be construed to apply to electrical fences installed below ground as elements of an animal control or security system;
 - (4) A standard barbed wire fence except upon essential service sites or industrial properties which do not abut property zoned or used for residential purposes; in such locations standard barbed wire may be installed on the top of a fence on arms or cradles extending inward over the owner's property provided that the fence has a minimum height of six feet above the adjacent grade and the combined height of the fence and barbed wire and arms does not exceed eight feet above the adjacent grade;
 - (5) A fence which consists in whole or part of woven plastic or other similar materials utilized within a chain link fence; and
 - (6) A fence with all metal (i.e. barn siding, roof material, etc.), opaque paneling.
- (g) *Fences in business districts.*
- (1) On a lot occupied by a principal structure, no fence may be located within the required front yard.
 - (2) No fence may exceed eight feet in height.
 - (3) All fences should attempt to be decorative in nature and should be wrought iron, wood, brick, stone and similar replications of these materials. However, when abutting residentially zoned and/or used property, and when used to screen parking or outdoor storage areas, the fence shall be constructed of an opaque material.
 - (4) Chain link or similar fencing is permitted everywhere except within the front yard and when abutting residentially zoned and/or used property.
 - (5) No fencing shall be permitted within the clear vision area (see section 82-113).
- (h) *Permit requirements.*
- (1) Prior to the construction of any fence or wall, an application for a permit to construct the fence shall be filed with the village. No fence shall be constructed without first obtaining approval from the zoning administrator.
 - (2) The fee for the permit shall be established by village council.

Section 6: **Amendment.** That Chapter 82, Article III, Division 1, Section 82-130 of the Sparta Village Code is hereby amended to read in its entirety as follows:

Sec. 82-130. Storage of recreational vehicles, boats, equipment and other motorized vehicles.

- (a) Recreational vehicles, boats, equipment, and other motorized vehicles may be located outside of an enclosed building in the driveway of any lot within a residential district provided that the following requirements are met:
- (1) Recreational vehicles, boats, equipment and other motorized vehicles shall be currently licensed with up-to-date registered plates as required by the Michigan Secretary of State. Boats shall have an up-to-date license with the Secretary of State and boat trailers shall have a permanent license per state requirements. Recreational vehicles, offroad vehicles, boats, trailers and other trailered camper vehicles shall be operational and maintained in good working order.
 - (2) Notwithstanding the provisions of this section, recreational vehicles and equipment, and other motorized vehicles may be parked within any yard for cleaning, loading, or unloading purposes for not more than 48 hours within any seven-day period.
 - (3) Recreational vehicles and equipment may be used for living or housekeeping purposes for a period not exceeding 14 days in any calendar year, provided that running water or indoor sewage facilities within the equipment is not utilized.
 - (4) No vehicular display for purpose of sale shall be carried on or permitted upon such premises, except in licensed and approved vehicle sales establishments.
 - (5) Outside parking or storage of recreational vehicles, boats, equipment, and other motorized vehicles, or commercial vehicles or automobiles which are not used in the operation of the business is prohibited; provided, however, that such provision shall not apply to any equipment or vehicle which is temporarily on the premises for repair or service and which is stored or parked in a designated parking place. No more than one tow truck may be parked in the front or side yards or in the street at an automobile service station location. Outdoor storage of disabled, abandoned, junk, wrecked and/or unlicensed vehicles is prohibited in all districts in accord with Chapter 26, Article III of the village code except for properly licensed junk/scrap yards in the business district with special land use approval. Unless otherwise permitted in this section, outdoor storage of rubbish and junked equipment or parts is prohibited unless such rubbish, junked equipment or parts are stored adjacent and to the rear of the principal building and are in a fully screened area approved by the village planning commission, and provided, further, that such rubbish and junked equipment or parts shall be removed from the property at least once every week.
- (b) Where physical features of a property, such as, but not limited to, immovable structures or a tree with a diameter of four inches or greater, prohibit recreational vehicles and equipment from being parked in compliance with this section, the owner may apply to the zoning administrator for permission to park the recreational equipment on the lot. This permission shall be granted, provided that the following requirements are met:
- (1) A 20-foot setback shall be maintained from the recreational equipment to the edge of the street pavement or curb; or, if a sidewalk exists, the 20-foot setback shall be measured from the inside edge of the sidewalk.
 - (2) Parking approval, if granted by the zoning administrator, shall be effective for five years following the date of issuance. The zoning administrator may grant additional approvals in accordance with this section.

Section 7: **Addition of new section.** That Chapter 82, Article III, Division 1, Sec. 82-132 of the Sparta Village Code is hereby added to read in its entirety as follows:

Sec. 82-132. Accessory Dwelling Units.

I. General Provisions.

- (a) Accessory dwelling units (ADU) are a permitted use in all residential zoning districts, subject to issuance of a land use permit issued by the Zoning Administrator and subject to the requirements of this section.
- (b) A maximum of one (1) accessory dwelling unit is allowed on conforming lots and parcels with a principal single-family, two-family (duplex), or three-family (tri-plex) residential dwelling unit.
- (c) An accessory dwelling unit may be erected on a lot or parcel with either an existing dwelling or a new dwelling unit.

II. Standards.

- (a) An accessory dwelling unit may be erected on any lot that meets the minimum lot size required for single-family, two-family (duplex), and three family (tri-plex) dwelling units in the residential zoning districts.
- (b) The principal dwelling unit shall be a residence and shall be owner-occupied.
- (c) An accessory dwelling unit shall be integrated within or attached to the principal dwelling as an attached accessory dwelling unit or as a separate building as a detached accessory dwelling unit. Mobile homes, shipping containers, and RV/camping units are prohibited from serving as accessory dwelling units.
- (d) No more than two (2) occupants may reside within an accessory dwelling unit.
- (e) An accessory dwelling unit may not be rented or leased for less than 30-days at a time.
- (f) The setback requirements and lot coverage limitations of this Ordinance shall be met. The creation or conversion of an accessory building that does not comply with principal building setbacks is prohibited.
- (g) Attached and detached accessory dwelling units shall retain a residential appearance consistent with the architectural design and building materials of the principal dwelling, including but not limited to roof material, roof type, siding material, and window type and placement.
- (h) Unless otherwise provided in this section, the maximum square footage of an accessory dwelling unit shall not exceed 49 percent of the above-grade gross floor area of the principal dwelling or 900 square feet, whichever is greater. Accessory dwelling units

located over a garage may be equal to the same square footage as the ground level of the garage.

- (i) If there are no public water and/or sewer connections available, well and septic approval by the County Health Department is required. Systems may be shared with the principal system or be separate, contingent upon the approval of the Health Department. Written verification of approval from the Health Department shall be submitted to the Village.

(j) Specific Requirements for Attached Accessory Dwelling Units.

1. An attached accessory dwelling unit located over an attached garage may be served by a single access point, separate from the rest of the principal dwelling.

(k) Specific Requirements for Detached Accessory Dwelling Units.

1. A parcel or lot shall not be divided in a manner that separates a detached accessory dwelling unit and the principal dwelling unit onto separate parcels or lots.
2. A detached accessory dwelling unit shall not be located closer to a front lot line than the principal dwelling. All other side and rear yard setbacks applicable to the primary dwelling unit shall apply to the detached accessory dwelling unit.
3. In the case of a detached accessory dwelling unit over garage space, such as a carriage house, the first-floor garage space shall not count against the maximum square footage applicable to the accessory dwelling unit.
4. The minimum square footage shall be the minimum necessary to comply with applicable building codes.
5. The height of a detached accessory dwelling unit shall not exceed the height of the principal dwelling. However, the height of a detached accessory dwelling unit over garage space may exceed the height of a single-story principal dwelling by 10 feet. The maximum height shall be calculated based on the highest point of the roof compared with the lowest point of ground level at the foundation.

- (l) Accessory dwelling units shall not have a separate meter for public utilities, such as electric and gas service, or a separate mailing address. The owner of the principal dwelling shall be responsible for all utility service costs.

- (m) An accessory dwelling unit must be properly maintained at all times and may not at any time fall into disrepair such that it detracts from the appearance of the subject property or nearby properties or become a blighted structure.

- (n) The lot coverage limits applicable in the residential zoning districts shall apply to the combined lot coverage of both the principal unit and the accessory unit.
- (o) No additional off-street parking is required for construction of an accessory dwelling unit. If the construction of the ADU necessitates the removal of an existing off-street parking space, it must be replaced on-site if required by the underlying zoning district.

III. Permit Application.

- (a) Applications for a land use permit for an accessory dwelling unit shall be submitted to the Zoning Administrator.
- (b) The Zoning Administrator shall review the application to ensure compliance with this section and all other provisions of the zoning ordinance.
- (c) Applicants shall submit copies of the building permit and certification from the county health department that water and sewage disposal facilities are adequate for the projected number of residents.
- (d) The Village Council may establish an application fee and may adjust the fee from time to time.

Secs. 82-133-150. Reserved.

Section 8: **Amendment.** That Chapter 82, Article III, Division 2, Section 82-151 of the Sparta Village Code is hereby amended to read in its entirety as follows:

Sec. 82-151. Establishment of districts.

For the purposes of this chapter, the Village of Sparta is divided into the following zoning districts:

R-M	Residential Medium Density
R-H	Residential High Density
B	Business District
CBD	Central Business District
PUD	Planned Unit Development Districts
	Residential PUD
	Mixed Use PUD
	Commercial PUD
	Industrial PUD
	Traditional Neighborhood Development PUD

Section 9: **Amendment.** That Chapter 82, Article III, Division 2, Section 82-156 of the Sparta Village Code is hereby amended to read in its entirety as follows:

Sec. 82-156. Zoning of annexed areas.

When property is annexed into the village, the planning commission shall consider the appropriate district classification and shall propose an amendment to this chapter concerning the annexed land to the village council within one year of the effective date of the annexation. In the interim period, the property shall be considered to be in the R-M district.

Section 10: **Amendment.** That Chapter 82, Article III, Division 3 of the Sparta Village Code is hereby amended to read in its entirety as follows:

DIVISION 3. R-M MEDIUM DENSITY RESIDENTIAL DISTRICT

Sec. 82-171. Intent and purpose.

The R-M district is intended to provide for stable, moderate density residential areas by ensuring compatible residential density, encouraging a safe environment for family life, and protecting these areas from undesirable land uses. The purpose of this district is to preserve the character, amenities and property values associated with moderate-density residential development. This district allows for primarily single-family homes, two-family homes, and three-family homes but may allow, in a limited number of cases, other uses compatible with single, two, and three-family residential and supportive of cohesive residential neighborhoods such as parks and public service facilities/buildings.

Sec. 82-172. Permitted uses.

In the R-M district no building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this division:

- (1) Parks and playgrounds.
- (2) Single-family detached dwellings, including home occupations, meeting the requirements of section 82-123, Home occupations.
- (3) Two-family dwellings, including home occupations, meeting the requirements of section 82-123, Home occupations.
- (4) Three family dwellings, including home occupations, meeting the requirements of section 82-123, Home occupations.
- (5) State licensed residential care family facilities.
- (6) Family day care facilities.
- (7) Accessory buildings, structures, and uses, meeting the requirements of section 82-103, Accessory buildings and structures.
- (8) Accessory dwelling units, meeting the requirements of Sec. 82-132, accessory dwelling units.
- (9) Private educational institutions.

- (10) Golf courses and country clubs, including related uses, such as snack bars, small retail shows selling goods directly related to the primary use, and other similar uses integral to the main use.
- (11) Religious institutions.
- (12) Bed and breakfast accommodations.
- (13) Rooftop solar panels with an accessory use permit in accordance with Sec. 82-103.

Sec. 82-173. Special land uses.

Land and/or buildings in the R-M district may be used for the following purposes when approved by the village council in accordance with the requirements of article IV, special land uses:

- (1) Campgrounds
- (2) Private cemeteries.
- (3) Public utility structures.
- (4) State-licensed residential care group facilities.
- (5) State-licensed group day care facilities.

Sec. 82-174. Site development requirements.

All permitted uses and special land uses are subject to the following site development requirements:

- (1) Site plan review is required in accordance with article V, Site Plan Review.
- (2) Parking is required in accordance with article VI, Off-Street Parking and Loading.
- (3) Signs are permitted in accordance with the requirements of article VII, Signs.
- (4) Setbacks, height, area, and lot dimensions are required as noted below:

R-M District Regulations	Requirements			
Minimum Lot Requirements	Area:	5,500 sq. ft.		
	Width:	50 ft.		
	Front:	20 ft.		
	Side:	One Side	7 ft.	
		Total Both Sides	15 ft.	
	Rear:	25 ft.		
Maximum Lot Coverage	70%			
Building Requirements	Maximum Height	35 ft. or 2 ½ stories, whichever is less		
	Minimum Dwelling Unit Size	960 sq. ft. with a minimum of 500 sq. ft. on ground floor		
Residential Accessory Buildings	Lot Size:	Number	Size	Max Height
	5,500 sq. ft.to 4.99 acres	1 (or 2 if the combined square	2,000 sq. ft.	21 ft.

(See Section 82-103)		footage of both structures does not exceed 2,000 sq. ft.)		
	5 or more acres	2	Not to exceed 200% of the sq. footage of the primary residence	23 ft.
Nonresidential Accessory Buildings (See Section 82-103(c))				

Secs. 82-175—82-190. Reserved.

Section 11: **Amendment.** That Chapter 82, Article III, Division 4 of the Sparta Village Code is hereby amended to read in its entirety as follows:

DIVISION 4. R-H HIGH DENSITY RESIDENTIAL DISTRICT

Sec. 82-191. Intent and purpose.

The R-H district provides opportunities for more affordable housing, and a wider variety of housing types. Lands within this classification will contain the most intensive residential development, including single-family dwellings on smaller lots, two-family, three family, and multiple family dwellings, as well as other residential related development.

Sec. 82-192. Permitted uses.

In the R-H district no building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this division:

- (1) Parks and playgrounds.
- (2) Single-family detached dwellings, including home occupations, meeting the requirements of section 82-123, Home occupations.
- (3) State licensed residential care family facilities.
- (4) State licensed family day care facilities.
- (5) Two-family dwellings, including home occupations, meeting the requirements of Section 82-132, Home occupations.
- (6) Three-family dwellings, including home occupations, meeting the requirements of Section 82-132, Home occupations.

- (7) Accessory buildings and uses, meeting the requirements of section 82-103, Accessory buildings and structures.
- (8) Accessory dwelling units, meeting the requirements of Sec. 82-132.
- (9) Bed and breakfast establishments.
- (10) Private educational institutions.
- (11) Golf courses and country clubs, including related uses, such as snack bars, small retail shops selling goods directly related to the primary use, and other similar uses integral to the main use.
- (12) Government service facilities, and community centers.
- (13) Multiple family dwellings.
- (14) Religious institutions.
- (15) Rooftop solar panels with an accessory use permit as required by Sec. 82-103.

Sec. 82-193. Special land uses.

Land and/or buildings in the R-H district may be used for the following purposes when approved by the village council in accordance with the requirements of article IV, Special Land Uses:

- (1) Campgrounds.
- (2) Private cemeteries.
- (3) Manufactured home parks.
- (4) Public utility structures.
- (5) State licensed residential care group facilities.
- (6) State licensed group day care facilities.

Sec. 82-194. Site development requirements.

Unless otherwise provided in this Section, all permitted uses and special land uses are subject to the following site development requirements:

- (1) Site plan review is required in accordance with article V, Site Plan Review.
- (2) Parking is required in accordance with article VI, Off-Street Parking and Loading.
- (3) Signs are permitted in accordance with the requirements of article VII, Signs.
- (4) Setbacks, height, area, and lot dimensions are required as noted below:

R-H District Regulations	Requirements	
Minimum Lot Requirements	Area:	5,500 sq. ft.
	Width:	50 ft.

	Front:	20 ft.		
	Side:	One Side	7 ft.	
		Total Both Sides	15 ft.	
	Rear:	25 ft.		
Maximum Lot Coverage	70%			
Building Requirements	Maximum Height	35 ft. or 2 ½ stories, whichever is less		
	Minimum Dwelling Unit Size (not including units in multiple family developments)	960 sq. ft. with a minimum of 500 sq. ft. on ground floor		
Residential Accessory Buildings (See Section 82-103)	Lot Size:	Number	Size	Max Height
	5,500 sq. ft. to 4.99 acres	1 (or 2 if the combined square footage of both structures does not exceed 2,000 sq. ft.)	2,000 sq. ft.	21 ft.
				.
	5 or more acres	2	4,000 sq. ft.	23 ft.
Nonresidential Accessory Buildings (See subsection 82-103(c))				

Multiple Family Developments and Nonresidential Uses			
Minimum Lot Requirements	Area	Multiple family developments shall not exceed a gross density of 10 units per acre (minimum lot size 30,000 sq. ft.)	
	Width	75 ft.	
Minimum Yard Requirements	Front	If parking is in the front yard	100 ft.
		No parking in front yard	50 ft.
	Side	One Side	10 ft.
		Total Both Sides	25 ft.
		For multiple family developments the distance between buildings shall be at least equal to the height of the taller building	
	Rear	35 ft.	
Maximum Lot Coverage	70%		
Building Requirements	Maximum Height	40 ft. or 3 stories whichever is less	
	Minimum Dwelling Unit Size (per unit)	Efficiency	375 sq. ft.
		1 bedroom	480 sq. ft.
		2 bedrooms	600 sq. ft.
		3 bedroom	720 sq. ft. and 100 sq. ft. for each additional bedroom over 3
Residential Accessory Buildings (See Section 82-103)			
Nonresidential Accessory Buildings (See subsection 82-103(c))			

Secs. 82-195—82-250. Reserved.

Section 12: **Repealed.** That Chapter 82, Article III, Division 5 of the Sparta Village Code is hereby repealed.

Section 13: **Repealed.** That Chapter 82, Article III, Division 6 of the Sparta Village Code is hereby repealed.

Section 14: **Amended.** That Chapter 82, Article III, Division 7 of the Sparta Village Code is hereby amended to read in its entirety as follows.

DIVISION 7. B-BUSINESS DISTRICT

Sec. 82-251. Intent and purpose.

- (a) The business (B) district is intended primarily for a variety of business, professional office, and retail uses and to accommodate wholesale activities, warehouses, and light industrial operations. Managing access to individual properties will receive strong consideration during the review of individual sites. The use of combined drives, service drives, and well-planned access points will be stressed. Efforts will be made to discourage the placement of loading areas, outside storage and other unattractive features in areas clearly visible from the roadway. This district is further intended to provide for uses, which, due to either size or nature, are not well suited for locations within the central business district. This district is structured to permit, along with any other specified uses, the manufacturing, compounding, processing, packaging, assembly, and/or treatment of finished or semi-finished products from previously prepared material, it being the intent of the district that the processing of raw material for shipment in bulk form, to be used in an industrial operation at another location, not be permitted.
- (b) The business (B) district is also intended to:
 - (1) Provide sufficient space, in appropriate locations, to meet the needs of the village's expected future economy for selected types of businesses, manufacturing and related uses.
 - (2) Protect abutting residential districts from objectionable influences by separating them from business and manufacturing activities, and by prohibiting the use of industrial areas for new residential development.
 - (3) Promote manufacturing development which is free from danger of fire, explosions, toxic and noxious matter, radiation, and other hazards and from offensive noise, vibration, smoke, odor and other objectionable influences.
 - (4) Promote the most desirable use of land in accordance with a well-considered plan.
 - (5) Protect the character and established pattern of adjacent development, and in each area conserve the value of land and buildings and other structures and protect the village's tax base.

Sec. 82-252. Permitted uses.

In the B-district no building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this division:

- (1) Office buildings for any of the following occupations:
 - a. Executive, governmental, administrative, legal, professional, designers, real estate, accounting, financial, drafting, service organizations, travel agencies, and other similar professional activities.
 - b. Medical, optical, dental, and veterinary offices and clinics.
- (2) Banks, credit unions, savings and loan associations, and other similar uses, with or without drive-through service.
- (3) Radio and television stations.
- (4) Research, development and testing laboratories and offices without manufacturing.
- (5) Religious institutions.
- (6) Utility and public service buildings, without storage yards, but not including essential public service structures such as poles, wires, and underground utility systems.
- (7) Buildings, structures, and uses accessory to the permitted uses pursuant to section 82-103, accessory buildings and structures.
- (8) Bars or taverns. Outdoor seating areas may be permitted, pursuant to section 82-128, outdoor dining/seating.
- (9) Funeral homes and mortuaries.
- (10) Personal service establishments.
- (11) Private educational institutions.
- (12) Public service establishments and governmental buildings.
- (13) Restaurants, not including drive through service. Outdoor seating areas may be permitted where patrons are served, pursuant to section 82-128, outdoor dining/seating.
- (14) Enclosed theaters, assembly halls or concert hall.
- (15) Offices and showrooms of contractors, decorators or similar trades in connection with whom not more than 25 percent of the usable floor area of the building or part of the building occupied by the establishment is used for making, assembling, repairing, remodeling, altering, finishing or refinishing the products or merchandise of the trade. All storage of materials shall be within the confines of the building or part thereof occupied by the establishment.
- (15) Private clubs, lodges, fraternal organizations, and other similar uses.
- (16) Retail stores selling commodities within an entirely enclosed building.
- (17) Wholesale establishments.
- (18) Outdoor display of merchandise as a use accessory to the principal use of the parcel subject to the following requirements:

- a. The merchandise displayed outdoors is the same as or is related to that which is offered inside the building which is the principal use of the parcel.
- b. The area where merchandise is displayed outdoors shall not create unsafe conditions for vehicles, pedestrians or those on a bicycle.
- c. The area devoted to the outdoor display of merchandise shall at all times be kept neat and orderly.
- d. The outdoor display of merchandise shall not be located within on-street or off-street parking spaces.

(19) Commercial day care facilities.

(20) Commercial recreation facilities.

(21) Residential uses meeting the lot area requirements of the R-H district.

(22) Nonresidential uses as permitted in this section that are located in converted residential buildings.

(23) Nurseries and greenhouses.

(24) Hotels and motels.

(25) New and used vehicle, boat or farm implement sales including incidental servicing and minor repair.

(26) Massage (licensed).

(27) Open air businesses.

(28) Restaurants, including drive through service. Outdoor seating may be permitted where patrons are served pursuant to section 82-128, outdoor dining/seating.

(29) Shopping center or shopping mall.

(30) Vehicle-wash establishments, either self-service or automatic.

(31) Veterinary hospital, clinic or indoor kennel.

(32) Vehicle service stations and repair facilities, major and minor.

(33) Building material suppliers.

(34) Contractor or builder's office, including an accessory storage equipment yard.

(35) Dry cleaning plants.

(36) Laboratories: experimental, film, or testing.

(37) Manufacture and repair of electric or neon signs, light sheet metal products, including heating and ventilating equipment, cornices, eaves and the like.

(38) Manufacture of musical instruments, toys, novelties, and metal or rubber stamps or other small molded rubber products.

(39) Manufacture or assembly of electrical appliances, electronic instruments and devices, radios and phonographs.

- (40) Offices and showrooms of contractors, decorators or similar trades in connection with whom not more than 25 percent of the UFA of the building or part of the building occupied by the establishment is used.
- (41) Offices when accessory to any permitted use or special land use, provided that they do not exceed 50 percent of the GFA of the principal use.
- (42) Public and private utility uses, including electric and gas service buildings and yards; water supply and sewage disposal plants; water and gas tank holders; heating and electric power generating plants, and all accessory uses.
- (43) Storage yards for construction and contractor's equipment, provided all property lines abut the B-district.
- (44) The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas.
- (45) The manufacture, compounding, assembling, or treatment of articles or merchandise from previously prepared materials such as but not limited to bone; canvas; cellophane; cloth; cork; feathers; felt; fiber; fur; glass; hair; horn; leather; paper; plastics; precious or semiprecious metals or stones; sheet metal, excluding large stampings such as automobile fenders or bodies; shell; textiles; yarns; tobacco; wax; wire; or wood.
- (46) The manufacture, compounding, processing, packaging or treatment of such products as but not limited to bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products, hardware, and cutlery; tool, die, gauge and machine shops.
- (47) Warehouse, storage, including commercial storage warehouses; and transfer facilities, including truck and railroad related facilities accessory to warehousing.
- (48) Rental space for storage of vehicles such as travel trailers, motor homes, recreational vehicles, campers, snowmobiles, boats, etc.
- (49) Utility trailer rental facilities.
- (50) Lumber and planing mills.
- (51) Wireless telecommunication facilities.
- (52) Rooftop solar panels with an accessory use permit in accord with section 82-103.

Sec. 82-253. Special land uses.

Land and/or buildings in the B-district may be used for the following purposes when approved by the village council in accordance with the requirements of article IV, special land uses:

- (1) Buildings, structures, and uses accessory to the approved special land use.
- (2) Adult uses.
- (3) Commercial communication towers, including commercial television, radio, and public utility transmitting and/or receiving towers and receiving microwave antennas, and their attendant facilities.
- (4) Freight yards and terminals.

- (5) Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant.
- (6) Junkyards.
- (7) Metal plating, buffing and polishing, subject to appropriate measures to control the types of process to prevent noxious results and/or nuisances.
- (8) Recreational marihuana retailers.
- (9) Recreational marihuana safety compliance facilities.
- (10) Recreational marihuana secure transporters.
- (11) Tractor trailer and trucking facilities, including storage and repair.
- (12) Waste lagoon ponds, industrially oriented and permanent in character.

Sec. 82-254. Site development requirements.

All permitted uses and special land uses are subject to the following site development requirements:

- (1) Site plan review is required in accordance with article V, site plan review. Site plan review is required in the case of newly established uses as permitted in the B-business district; additions or renovations of buildings and structures for a use permitted in the B-business district or for a legally existing non-conforming use subject to the requirements of section 82-124; and for conversions from any use to a use permitted in the B-business district.
- (2) Parking is required in accordance with article VI, off-street parking and loading
- (3) Signs are permitted in accordance with the requirements of article VII, signs.
- (4) Setbacks, height, area, and lot dimensions are required as noted below

B-District Regulations	Requirements		
Minimum Lot Requirements	Area	15,000 sq. ft.	
	Width	100 ft.	
Minimum Yard Requirements	Front	35 ft	
	Side	Abutting a residential district or use	25 ft.
		Abutting a Nonresidential district	10 ft.
Rear	25 ft.		
Maximum Lot Coverage	70%		
Maximum Height (stories/ft.)	35 ft. 2½ stories		
Nonresidential Accessory Buildings (See subsection 82-103(c))			

- (5) Driveways within the business district shall be provided as follows, provided that the planning commission may modify the requirements for driveways if traffic or pedestrian safety, traffic circulation, or unique site conditions warrant the modification. When

modifying the requirements for driveways, the planning commission may require traffic studies or the opinion of qualified professionals.

- a. Each lot may be permitted one driveway, provided the spacing requirements of this subsection can be achieved.
- b. One additional driveway may be permitted on parcels with lot widths exceeding 500 feet.
- c. The planning commission may permit two one-way driveways rather than a single dual movement driveway for particular uses where safer, more efficient circulation and function of the drives can be demonstrated. The planning commission may also permit additional driveways for any site, providing the spacing and alignment criteria listed in subparagraph (h) are met, and a traffic impact study is completed that justifies an additional driveway.
- d. The applicant shall submit evidence indicating that the sight distance requirements of the Michigan Department of Transportation (MDOT) or Kent County Road Commission, as appropriate, are met.
- e. Driveways shall be spaced from existing signalized intersections adequately to minimize conflicts with signal operations. If the site has access to a traffic signal or if the driveway has potential to be signalized, the site shall be designed and directional signs provided to direct traffic flow to use the signal.
- f. Interior drives shall provide circulation between uses through the use of shared driveways and internal access connections rather than separate, individual driveways. Site plan or other zoning approvals shall be conditioned on the submission of easement agreements that clearly describe future access conditions and restrictions.
- g. Stacking or queuing depth at driveways shall be sufficient to accommodate expected peak hour volumes without conflict to inbound or internal circulation.
- h. Driveway spacing:
 1. Driveways shall be spaced a minimum of 185 feet from driveways on the same side of the street, centerline to centerline.
 2. Driveways shall be aligned with driveways on the opposite side of the street or offset spaced a minimum of 150 feet, centerline to centerline.
 3. Driveways shall be spaced at least 150 feet from an intersection of a private or public street measured from near pavement edge of the street to near pavement edge of the driveway throat.
 4. The planning commission may modify the spacing if traffic or pedestrian safety, traffic, circulation, or site conditions warrant the modification, based on the unique characteristics of the site, traffic studies or other qualified professional opinion.

(6) Frontage roads and service drives:

- a. The planning commission may require the construction of frontage roads or rear service drives along parcels to connect future or existing developments.
 - b. The planning commission shall require development of service drives where service drives can provide access to signalized locations, where service drives may minimize the number of driveways onto an abutting roadway, and as a means to ensure that traffic is able to safely ingress and egress the site.
 - c. Where service drives and frontage roads are constructed they shall be set back as far as reasonably possible from the intersection of the access driveway with the street.
 - d. A minimum of 25 feet shall be maintained between the public street right-of-way and the pavement of the service drive.
- (7) Setbacks and landscaping:
- a. Parking is permitted in the required front yard but in no case shall parking be permitted within the public or private road right-of-way.
 - b. The planning commission shall consider a landscape plan submitted in conjunction with any site plan in the business district.
 - c. No outside storage shall be permitted in any yard adjacent to the street unless otherwise provided in this section.
- (8) Site lighting shall comply with the provisions of section 82-122, exterior lighting requirements, in addition to the following provisions:
- a. Off-street parking areas for uses in the business district shall be adequately lit to ensure security and safety.
 - b. Light fixtures shall be provided with light cut-off fixtures that direct light downward. Lighting shall not be attached to buildings or other structures that permit light to be directed horizontally.
 - c. Lighting shall illuminate only the parking lot or other areas approved for illumination by the planning commission.
- (9) Site design requirements:
- a. Buildings shall be sited to protected natural features. To the extent possible, natural features such as natural grade, trees, vegetation, water bodies, and others shall be incorporated into the site plan. Mechanical equipment and service areas shall be visually screened from adjacent properties, public roadways, or other public areas. Architectural designs for buildings shall include design features to contain and conceal all heating, ventilation, air conditioning units, trash enclosures, dumpsters, loading docks, telecommunications equipment, and service yards. The method of screening shall be as approved by the planning commission or as otherwise required by the village zoning ordinance.
 - b. Architectural features, landscaping, building color, materials, finishes, and forms shall be substantially compatible with the character of the surrounding area. The planning commission may permit the use of architectural features, landscaping, and

building materials if, in the judgment of the planning commission, the features, landscaping, and materials are compatible with the surrounding properties, and that such materials comply with the architectural, safety, and other requirements of the village building code, fire code, and other applicable village ordinances.

- c. A minimum of 25-percent of that portion of the building which faces a public or private street, or a residential zoning district or residential use, shall be finished with brick, architectural masonry block, cement board, glass stone or a combination of these materials.
- d. In order to reduce wall massing, buildings with exterior walls greater than 50 feet in horizontal length shall be constructed with a combination of the following.
 - 1. A combination of architectural features such as recesses, projections, and offsets.
 - 2. A variety of building materials.
 - 3. Landscaping near the walls as approved by the planning commission.
- e. Exterior colors shall be of low reflectance, subtle, neutral or earth tone colors. High-intensity colors such as black, neon, metallic or fluorescent for the facade and/or roof of the building are prohibited except as approved for building trim.
- f. Conversions from any use to uses as permitted in the B-business district, and additions and renovations of buildings and structures existing as of the date of the adoption of this section shall be subject to the requirements of this section. The planning commission, the village council, or zoning administrator as the case may be, shall have the authority to modify or waive these requirements or to extend them to the entire existing building and site.

In determining whether to apply these requirements to conversions, additions and renovations of existing buildings, the following criteria shall be considered:

- 1. Whether compliance with this section will result in architectural consistency with the existing building and buildings on adjacent properties, and whether compliance will improve the overall aesthetics of the building.
- 2. The practicality of requiring compliance with this section based on the design and structural integrity of the existing building.
- 3. The practicality of requiring compliance with this section based on the unique characteristics of the site.

(10) Canopies:

- a. Canopies, such as over drop-off areas, shall be designed to be consistent with the approved building materials and colors. Support columns shall be brick or materials compatible with the main building. The planning commission may require a peaked roof to complement the main building.
- b. Canopy lighting shall be mounted flush with the canopy surface.

(11) Outdoor Storage.

- (1) Any outdoor storage or activity areas abutting or adjacent to a residential district or use shall be enclosed on all sides with a six-foot fence or solid wall that is completely

obscuring on those sides facing the residential district, which meets the design requirements listed in section 82-112, fences and walls. In no case shall the outdoor storage of materials abutting or adjacent to a residential district or use be stacked higher than the height of the visual screen unless the planning commission or other approving authority determines that the material is stored in a manner that it is not visible from off-site, or that the material is located such a substantial distance from adjacent properties that it is not a visual nuisance.

- (2) For any outdoor storage, materials shall be stored only in the side or rear yards, except that materials shall not be stored on the street side of a corner lot or in any required yard.
- (3) One non-gated opening, no greater than 12 feet in width, shall be permitted in the visual screen for each 200 feet of frontage on a street.

Secs. 82-255—82-330. Reserved.

Section 15: **Repealed.** That Chapter 82, Article III, Division 8 of the Sparta Village Code is hereby repealed.

Section 16: **Repealed.** That Chapter 82, Article III, Division 10 of the Sparta Village Code is hereby repealed.

Section 17: **Amendment.** That Chapter 82, Article IV, Section 82-386 of the Sparta Village Code is hereby amended to read in its entirety as follows.

Sec. 82-386. Specific requirements—Residential districts.

The requirements set forth in this section relate to particular special land uses and specific requirements in the residential districts that must be met in addition to the general standards of section 82-385.

- (a) Campgrounds.
- (b) Private cemeteries.
- (c) Public utility structures.
- (d) State licensed residential care group facilities
- (e) State licensed group day care centers.
- (f) Manufactured home parks.

Specific requirements for the above listed uses are as follows:

(a) *Campgrounds.*

- (1) Minimum lot size shall be three acres. The lot shall provide direct vehicular access to a public street or road. The term "lot" shall mean a campground or travel trailer park.
- (2) Public stations, housed in all-weather structures, containing adequate water outlet, waste container, toilet and shower facilities shall be provided.
- (3) No commercial enterprise shall be permitted except that a convenience store may be provided in a development containing more than 80 sites. The convenience store shall not exceed a maximum floor area of 1,000 square feet.

- (4) Each lot shall provide hard-surfaced, dust-free vehicle parking areas for site occupant and guest parking. The parking area shall be located within 400 feet of the site it is intended to serve (except in the case of sites specifically designated only for tent camping).
 - (5) Each site shall contain a minimum of 1,500 square feet and set back at least 75 feet from any public or private right-of-way or property line.
 - (6) Each travel trailer site shall have direct access to a hard-surfaced, dust-free roadway of at least 24 feet in width for two-way traffic and 12 feet in width for one-way traffic. Parking shall not be allowed on any roadway. Sites specifically designated for, and only used for, tent camping, need not have direct vehicular access to any street or road.
 - (7) Any open drainage ways must have seeded banks sloped at least 3:1 and designed to properly drain all surface waters into the county drain system, subject to approval by the Drain Commissioner of Kent County, where a city storm drainage system is unavailable.
 - (8) All sanitary facilities shall be designed and constructed in strict conformance to all applicable county health regulations.
 - (9) A minimum distance of 15 feet shall be provided between all travel trailers and tents.
- (b) *Private cemeteries.*
- (1) The minimum lot size for a cemetery shall be five acres.
 - (2) All gravesites, buildings and structures shall be set back at least 50 feet from any property line.
- (c) *Public utility structures.*
- (1) Any buildings shall be generally compatible, with respect to materials and color, with the surrounding neighborhood.
 - (2) All buildings shall comply with the yard setback requirements of the district in which it is located.
- (d) *State licensed residential care group facilities.*
- (1) The minimum lot area shall be at least one acre.
 - (2) The proposed site shall have direct access to a major thoroughfare.
 - (3) No building shall be closer than 40 feet to any property line or street right-of-way.
 - (4) Off-street parking shall be provided for family members and employees of the facility.
 - (5) Client pickup and drop off areas shall be located in a manner that vehicles do not stop in the travel lane of the adjacent roadway and vehicles are not required to back into the roadway.
 - (6) The property and residence exterior shall be maintained in a manner compatible with the surrounding neighborhood.
 - (7) The facility shall be in compliance with all applicable state licensing requirements.
- (e) *State licensed group day care facilities.*

- (1) There shall be provided, equipped and maintained, on the premises, a minimum of 150 square feet of usable outdoor recreation area for each client making up the licensed capacity of the facility.
 - (2) The outdoor recreation area shall be fenced and screened from any abutting residential district or use by a decorative fence or wall, or a landscaped equivalent.
 - (3) Required off-street parking, as well as off-street pick-up and drop-off areas shall be provided.
 - (4) The applicant shall provide evidence of the ability to comply with all applicable State licensing requirements.
- (f) Manufactured home parks.
- (1) Review and approval of preliminary plan.
 - a. A preliminary plan, showing the location, layout and general design and a general description of the project shall be prepared in accordance with the applicable requirements of Public Act No. 96 of 1987 (MCL 125.2301 et seq.), rules of the state manufactured home commission and the following requirements:
 1. Ten copies of the preliminary plans meeting the requirements of subsection below shall be submitted to the zoning administrator.
 2. The preliminary plans shall exhibit all necessary information and details to determine compliance with the rules promulgated by the state manufactured home commission and applicable state departments and agencies for the development of manufactured home parks, as well as to determine compliance with this chapter, with local fire chapters and building codes.
 - b. The preliminary plan shall be at a scale of at least 100 feet to the inch and show:
 1. The scale and north arrow;
 2. The site location on a vicinity map which illustrates the site in relation to the surrounding area within one-half mile;
 3. The total acreage to the nearest tenth of an acre;
 4. The name and address of the owner, developer and engineer/site planner who prepared the plan;
 5. Property and lot lines with dimensions;
 6. Setback lines;
 7. Topography at two-foot contours, showing present and proposed contours (United States Geological Survey data shall be used);
 8. Existing and proposed utilities, including water, sewer, storm drains, electric and gas utilities;
 9. Building locations and dimensions;
 10. Manufactured home pads/sites;

11. The recreation area plan, if the developer intends to provide such recreation area;
 12. The required open space area, with dimensions and total area;
 13. A landscape plan showing walks, fences and screening;
 14. Parking spaces and access drives with dimensions; and
 15. All public and private rights-of-way and easements bounding and intersecting the area and an indication of which are proposed to be continued, created, relocated and/or abandoned.
- c. Preliminary plans submitted to the village shall be subject to review and approval by the village council after receiving recommendation by the planning commission. The council shall approve, modify or disapprove the preliminary plans within 60 days of the date of submission of such plans to the village. If the plans are not approved, modified or disapproved within the 60 days, the preliminary plans shall be deemed approved.
- (2) Site area and dimensions.
- a. A minimum of ten acres shall be required for the development of a manufactured home park.
 - b. The site shall comprise a single tract and be so dimensioned as to facilitate efficient design and management. A manufactured home park shall have at least 66 feet of frontage on an arterial road. However, minimum width of the site for portions used for general vehicle entrances and exits only shall be 66 feet. All ingress and egress to and from the development shall be onto that road. For portions containing lots for dwellings and buildings generally open to occupants, minimum dimensions shall be 200 feet.
 - c. These limitations shall not apply where expansion of an existing manufactured home development is concerned and where such expansion will not increase variation from requirements applying to manufactured home parks as set forth in this subdivision.
- (3) State requirements: All manufactured home park developments shall comply with the applicable requirements of Public Act No. 96 of 1987 (MCL 125.2301 et seq.) and the rules promulgated by the state manufactured home commission.

Section 18: Amendment. That Chapter 82, Article IV, Section 82-387 of the Sparta Village Code is hereby amended to read in its entirety as follows.

Sec. 82-387. Same—Nonresidential districts.

The requirements set forth in this section relate to particular special land uses and specific requirements in the nonresidential districts that must be met in addition to the general standards of section 82-385.

- (a) Adult uses.
- (b) Building material suppliers. (*CBD District*).

- (c) Commercial communication towers, including commercial television, radio, and public utility transmitting and/or receiving towers and receiving microwave antennas, and their attendant facilities.
- (d) Commercial day care facilities (*CBD District*).
- (e) Commercial recreation facilities. (*CBD District*).
- (f) Freight yards and terminals.
- (g) Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant.
- (h) Junkyards.
- (i) Metal plating, buffing and polishing, subject to appropriate measures to control the types of process to prevent noxious results and/or nuisances.
- (j) Nonresidential uses located in converted residential buildings. (*CBD District*).
- (k) Nurseries and greenhouses. (*CBD District*).
- (l) Open air businesses. (*CBD District*).
- (m) Private educational institutions. (*CBD District*).
- (n) Religious institutions (*CBD District*).
- (o) Residential uses meeting the lot area requirements of the R-H district. (*CBD District*).
- (p) Residential uses when combined with commercial businesses permitted in section 82-292. (*CBD District*).
- (q) Recreational marihuana retailers.
- (r) Recreational marihuana safety compliance facilities.
- (s) Recreational marihuana secure transporters.
- (t) Shopping center or shopping mall. (*CBD District*).
- (u) Tractor trailer and trucking facilities, including storage and repair.
- (v) Vehicle service station and incidental repair and servicing. (*CBD District*).
- (w) Veterinary hospital, clinic or indoor kennel. (*CBD District*).
- (x) Waste lagoon ponds, industrially oriented and permanent in character.
- (y) Wireless telecommunication facilities. (*CBD District*).

Specific requirements for the above listed uses are as follows:

- (a) *Adult uses*:
 - (1) The adult use shall not be located within a 1,000-foot radius of any other such use or be located on a lot or parcel within 500 feet of a public park, educational institution, child care facility, or religious institution.

- (2) Any sign or signs proposed for an adult use must comply with the requirements of article VII, and any applicable county, state, and federal laws.
 - (3) No product for sale or gift, shall be displayed so that it is visible by a person of normal visual acuity from the nearest adjoining roadway or adjoining property.
 - (4) No product for sale or gift, nor any picture or other representation of any product for sale or gift, shall be displayed so that it is visible by a person of normal visual acuity from the nearest adjoining roadway or adjoining property.
 - (5) All off-street parking areas shall be illuminated from at least 90 minutes prior to sunset to at least 60 minutes after closing.
 - (6) No adult use shall be open for business prior to 10:00 a.m., nor after 10:00 p.m. However, employees or other agents, or contractors of the business may be on the premises at others hours for legitimate business purposes such as maintenance, preparation, record keeping, and similar purposes.
 - (7) All persons massaging any client or customer must be certified as a massage therapist by the American Massage Therapy Association or be a graduate of a school of massage therapy that is certified by the state, or have such other similar qualifications which must be submitted to and approved by the village council. All massage clinics are subject to inspection from time to time by the zoning administrator and shall be required to file reports as may be required by the village, at least annually, as to the names and qualifications of each person who administers massages under the authority or supervision of the massage establishment.
 - (8) Establishments where uses subject to the control of this subsection are located shall not be expanded in any manner without first applying for and receiving the approval of the village council, as provided herein.
- (b) *Building material suppliers.*
- (1) Minimum lot area shall be one acre.
 - (2) Minimum lot width shall be 200 feet.
 - (3) The planning commission may require a six-foot fence or wall to be constructed along the rear and/or sides of the lot to keep trash, paper, and other debris from blowing off the premises.
 - (4) The lot area used for parking shall be hard-surfaced and the display or storage areas shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained so as to dispose of all surface water.
- (c) *Commercial communication towers, including commercial television, radio, and public utility transmitting and/or receiving towers and receiving microwave antennas, and their attendant facilities.*
- (1) The applicant shall submit documented proof of need for the tower in this location, and provide further documentation as to why co-location on another tower within the Village of Sparta or township is not available or will not provide the required coverage.

- (2) The placement, operation, and location shall meet all village, state, and federal requirements.
 - (3) The location shall not exhibit any noise discernible from outside the property lines of the site.
 - (4) A bond shall be submitted to the village equal to the cost of removal when use is discontinued. The bond will be returned to the applicant provided the unused tower/antenna is removed within six months of its discontinuance. After removal the site shall be returned to its natural state within one year after use is terminated, unless the site is otherwise developed for a use permitted by the chapter.
 - (5) The tower must be designed and constructed so as to allow a minimum of three additional commercial antennas on the same structure.
 - (6) The tower will be located in a manner that in the event of a structure failure, it will not fall on any surrounding property.
 - (7) Landscaping shall be installed to screen the ground level structures on the site.
 - (8) A safety and security fence shall be erected, with a minimum height of six feet with barbed wire on the top around the site structure, including associated equipment.
- (d) *Commercial day care facilities.*
- (1) There shall be provided, equipped and maintained, on the premises, a minimum of 150 square feet of usable outdoor recreation area for each client making up the licensed capacity of the facility.
 - (2) The outdoor recreation area shall be fenced and screened from any abutting residential district or use by a decorative fence or wall, or a landscaped equivalent.
 - (3) Required off-street parking areas shall be provided.
 - (4) Off-street pick-up and drop-off areas shall be provided that are adequate to ensure that no vehicles shall block any street sidewalks or traffic lanes.
 - (5) The applicant shall provide evidence of the ability to comply with all applicable state licensing requirements.
- (e) *Commercial recreation facilities.*
- (1) Minimum lot size shall be one acre. The lot shall provide direct access to a major street.
 - (2) Ingress and egress shall be provided as far as practicable from two intersecting streets and shall be at least 50 feet from an intersection.
 - (3) Parking areas shall have a minimum front yard setback of 20 feet and side and rear yard setbacks of at least ten feet unless a greater setback is required by this chapter.
 - (4) Public rest rooms, housed in all-weather structures, containing adequate water outlets, waste containers, and toilets shall be provided.
 - (5) No commercial, for profit enterprise not related to the operator of the commercial recreation facility shall be permitted to operate on the lot.

- (6) All main buildings or outdoor activity areas shall be set back at least 75 feet from any property line.
- (f) *Freight yards and terminals.*
 - (1) Minimum lot size shall be three acres.
 - (2) The lot location shall be such that at least one property line abuts a paved street and ingress and egress for all vehicles shall be directly from that street.
 - (3) The main and accessory buildings shall be set back at least 75 feet from all property lines.
 - (4) Truck parking and staging areas shall be fenced and screened from the view of any abutting residential district or use by a decorative fence or wall, or a landscaped equivalent.
 - (5) Access driveways shall be located no less than 50 feet from the nearest part of the intersection of any street or any other driveway.
- (g) *Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant.*
 - (1) All uses shall be established and maintained in accordance with applicable State of Michigan statutes. To the extent that any of the requirements of this subsection are less stringent than those in applicable state statutes, the state requirements shall prevail.
 - (2) The site shall be screened on all sides. As a minimum, the use shall be enclosed by a fence six feet or more in height for the entire periphery of the property. Fences shall be adequate to prevent trespassing and contain debris.
 - (3) All areas within any single development shall be in a condition of being entirely lacking in hazards, inconspicuous and blended with the general surrounding ground form.
 - (4) The village council shall establish routes for truck movement in and out of the development in order to minimize the wear on public streets, to minimize traffic hazards and to prevent encroachment of traffic, or the by-products of traffic (such as dust and noise), upon adjacent properties.
 - (5) All permitted installations shall be maintained in a neat, orderly condition so as to prevent injury to property, individuals, or the community in general.
- (h) *Junkyards.*
 - (1) Requests for a special land use approval for establishment of a junkyard shall also require submission of a detailed proposal identifying the predominant type of salvage or junk to be received, the methods of separation and/or recycling, and ultimate destination of waste materials. The applicant shall be required to submit written materials outlining measures taken to comply with all necessary state, county, and local laws.
 - (2) The property shall be a minimum size of at least six acres.
 - (3) The site shall abut and have suitable access to a major street to ensure safe, direct transport of salvage to and from the site.
 - (4) No portion of the storage area shall be located within 1,000 feet of any residential district.

- (5) Any outdoor storage area shall be completely enclosed by a fence or wall at least six feet in height constructed of a sturdy, durable material and sufficiently opaque to ensure that salvage is not visible from outside the storage area. The fence or wall shall have a minimum of two nontransparent gates not exceeding 48 feet in width providing access to the storage area for vehicles but shall not allow direct view of the storage area from adjacent properties or streets. Said fence or wall shall be continuously maintained in good condition and shall contain only approved signs.
 - (6) Stored materials shall not be stacked higher than ten feet and shall be stored in a manner so as not to be visible from adjoining properties or rights-of-way. In no case shall salvage or junk be stored at a height exceeding the height of the storage area fence or wall.
 - (7) The fence or wall enclosing the storage area shall meet the applicable building setback requirements.
 - (8) A management office shall be provided on site. A residence may be permitted for security personnel or on-site operator.
 - (9) Conditions within the storage area shall be controlled to minimize the hazards of fire and other threats to health and safety.
 - (10) All portions of the storage area shall be accessible to emergency vehicles.
 - (11) Vehicles or vehicle bodies shall be stored in rows with a minimum of twenty-foot wide continuous loop drives separating each row of vehicles.
 - (12) All batteries shall be removed from any vehicle, and all radiator and fuel tanks shall be drained prior to the vehicle being placed in the storage yard. Salvaged batteries, oil and other such substances shall be removed by a licensed disposal company or be stored in a manner which prevents leakage of battery fluid. No fluids removed from vehicles shall be applied as a dust control method.
 - (13) Vehicle parts shall not be stored, loaded, unloaded, or dismantled outside the fence enclosing the salvage yard.
 - (14) All fences shall be set back a minimum of 300 feet from any residential district.
 - (15) In order to protect surrounding areas, the crushing of vehicles or any part thereof shall be limited to daylight hours.
 - (16) The planning commission may impose other conditions which have a reasonable relationship to the health, safety and general welfare of the Village of Sparta. These conditions can include a provision for an annual inspection by the village to ensure continuing compliance with the above standards.
- (i) *Metal plating, buffing and polishing, subject to appropriate measures to control the types of process to prevent noxious results and/or nuisances.*
- (1) Minimum lot size shall be two acres.
 - (2) The main and accessory buildings shall be set back at least 100 feet from all property lines and a minimum of 200 feet from adjacent residential uses.
 - (3) Any outside storage area shall not exceed 2,000 square feet in area and shall be screened from view on all sides by a six-foot or greater solid, decorative fence or wall, or

landscaped equivalent. The fence or wall shall be tall enough to screen the view of the contents of the storage area.

- (4) Truck parking and staging areas shall be fenced and screened from the view of any abutting residential district or use by a decorative fence or wall, or a landscaped equivalent.
- (5) Any portion of a building containing the use shall not have loading doors, windows, or other similar openings facing an abutting residential district or use. If openings are present, they shall remain closed at all times while any part of the business is in operation.

(j) *Nonresidential uses located in converted residential buildings.*

- (1) The residential use within each building shall be limited to the approved area for such use, unless modified by further site plan approval.
- (2) No residential use shall be permitted below the second floor of any building within this district. Residential uses shall be incidental uses in office buildings and shall not be free standing structures except as may be permitted through the approval of a planned unit development, as approved through sections 82-331 et seq.
- (3) The business office use of any building within this district shall be the primary use. Residential uses within a building may occupy greater floor area than the primary use in so far that all residential space is above the first floor.
- (4) The minimum square footage for multiple residential units under section 82-194 shall apply to all residential units within the central business district.
- (5) Each residential unit shall be a separate unit for water, sewer and electrical purposes and metering.
- (6) Parking:
 - a. All parking shall either be in the rear yard or along the side of the main building but must remain behind the front building line of the structure. Note: Parking for any residential uses shall be provided in the rear of the building and marked.
 - b. Ingress and egress shall be at least 50 feet from an intersection.
 - c. Parking areas shall have a minimum front yard setback of 20 feet and side and rear yard setbacks of at least ten feet.
 - d. The parking plan layout, points of access, and screening shall require the approval of the village council. (Screening shall be provided in accordance with the requirements of section 82-468.
 - e. The number of spaces for each use on the site shall be in accordance with article VI of this chapter.
 - f. If the nonresidential use is located adjacent to community parking facilities, that parking area may be counted as meeting all or part of the parking requirements for use, as determined by the village council.

(k) *Nurseries and greenhouses.*

- (1) The storage or materials display areas shall meet all the yard setback requirements applicable to any building in the district.
 - (2) The storage of any soil, fertilizer, or similar loosely packaged materials shall be sufficiently contained to prevent any adverse effect upon adjacent properties.
 - (3) All loading activities and parking areas shall be provided on the same premises (off-street).
 - (4) The display or storage areas shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained so as to dispose of all surface water.
- (l) *Open air businesses.*
- (1) Minimum lot area shall be one acre.
 - (2) Minimum lot width shall be 200 feet.
 - (3) The village council may require a six-foot fence or wall to be constructed along the rear and/or sides of the lot to keep trash, paper, and other debris from blowing off the premises.
 - (4) All open air businesses shall comply with all applicable health department regulations regarding sanitation and general health conditions.
 - (5) The village council may require the applicant to furnish a performance bond in accordance with the requirements of this chapter to insure strict compliance with any regulation contained herein and required as a condition of special land use approval.
 - (6) The lot area used for display or storage areas shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained so as to dispose of all surface water.
 - (7) Ingress and egress shall be provided as far as practicable from two intersecting streets and shall be at least 100 feet from an intersection.
 - (8) In the case of a plant materials nursery:
 - a. Any storage or display areas shall meet all the yard setback requirements applicable to any main building in the district.
 - b. All loading activities and parking areas shall be provided on the same premises (off-street).
 - c. The storage of any soil, fertilizer, or similar loosely packaged materials shall be sufficiently contained to prevent any adverse effect upon adjacent properties.
 - (9) Except as noted above, no display area shall be located within ten feet of a road right-of-way line.
- (m) *Private educational institutions.*
- (1) Minimum site size for elementary schools shall be 12 acres, middle schools shall be 20 acres, and high schools shall be 40 acres.
 - (2) Minimum lot width of 200 feet abutting upon a paved public street.

- (3) Athletic fields shall not be located closer than 100 feet to any property line abutting a residential district.
 - (4) Suitable screening shall be provided if, in the opinion of the planning commission, such screening is needed to minimize noise, visual, or other impacts upon surrounding residential districts.
- (n) *Religious institutions.*
- (1) Minimum lot area shall be three acres, plus an additional 15,000 square feet for each 100 persons of seating capacity.
 - (2) Buildings of greater than the maximum height allowed in the district may be allowed provided front, side and rear yards are increased above the minimum required yards by one foot for each foot of building height that exceeds the maximum height allowed. All main and accessory buildings shall be set back a minimum of 100 feet from any one-family residential district. Parking shall be set back a minimum of 50 feet from any one-family residential district.
 - (3) Where adjoining residentially zoned or used property, the council may require a solid, decorative, masonry wall four feet in height along any common lot line. Such wall shall be continuously maintained in good condition. The council may approve a fence, landscaped berm, or landscaping as an alternative. At least one property line shall abut and have access to a major street.
 - (4) The planning commission or the village council may require an operations plan and/or parking generation studies to determine parking needs.
- (o) *Residential uses meeting the lot area requirements of the R-H district.*
- (1) The residential use shall either:
 - a. Provide a direct service or convenience to or reduce adverse impacts to surrounding uses or neighborhood;
 - b. Provide a compatible transition between higher intensity and lower intensity uses;
 - c. Foster a specific policy, as expressed in the village master plan, including, without limitation, historic preservation, moderate income housing, residential and non-residential mixed uses in appropriate locations, and group living arrangements for special populations; or
 - d. Is an existing non-conforming use or a change thereto that is permitted according to section 82-124, Nonconforming uses, structures, and lots.
 - (2) The location, size, design, and operating characteristics of the proposed development or change to an existing development for the residential use shall be reasonably compatible with and have minimal negative impact on the use of nearby properties.
 - (3) The development will not significantly adversely affect the infrastructure of the surrounding area, including, without limitation, water, wastewater, and storm drainage utilities and streets.
 - (4) The development will not change the predominant character of the surrounding area.

(p) *Residential uses when combined with commercial businesses permitted in section 82-292 (CBD district).*

- (1) The residential use within each building shall be limited to the approved area for such use, unless modified by further site plan approval.
- (2) No residential use shall be permitted below the second story level of any building within the district.
- (3) The business use of any building within the district shall be the primary use. Residential use within a building shall not occupy more floor area than business use.
- (4) No more than three residential units shall be permitted in any building within the central business district.
- (5) The minimum square footage for multiple residential units under section 82-194, R-H Site development requirements, shall apply to all residential units within the central business district.
- (6) Each residential unit shall be a separate unit for water and sewer purposes.
- (7) Two parking spaces shall be required per residential unit, unless the requirement is waived or modified by the village council.

(q) *Recreational marihuana retailers.*

- (1) All recreational marihuana retailers must be equipped with an activated carbon filtration system or other similar filtration system to ensure that there is no detectable odor of marihuana or other odor related to the operation of the recreational marihuana retailer outside of the recreational marihuana retailer.
- (2) Any detectable odor of marihuana or any other odor related to the operation of the recreational marihuana retailer outside of the recreational marihuana retailer is prohibited. The standard for detectable odor will be that of an individual with normal olfactory capabilities.
- (3) Retail sales between the hours of 10 p.m. and 8 a.m. are prohibited.
- (4) The lot where a recreational marihuana retailer is located may not be within 1,000 feet of a lot where a public or private school providing education in preschool, kindergarten, or any of grades 1 through 12 is located. Distance is measured as the shortest straight-line distance between lots.
- (5) The lot where a recreational marihuana retailer is located may not be within 500 feet of any public park. Distance is measured as the shortest straight-line distance between lots. The requirements of this paragraph do not apply to the Village of Sparta Dog Park and the Village of Sparta Rogue River Park.
- (6) The lot where a recreational marihuana retailer is located may not be within 50 feet of any property zoned R-M Residential, R-H Residential, PD Planned Unit Development, or BD Central Business. Distance is measured as the shortest straight-line distance between lots.

(r) *Recreational marihuana safety compliance facilities.*

- (1) All recreational marihuana safety compliance facilities must be equipped with an activated carbon filtration system or other similar filtration system to ensure that there is no detectable odor of marihuana or other odor related to the operation of the recreational marihuana safety compliance facilities outside of the recreational marihuana safety compliance facilities.
- (2) Any detectable odor of marihuana or any other odor related to the operation of the recreational marihuana safety compliance facilities outside of the recreational marihuana safety compliance facilities is prohibited. The standard for detectable odor will be that of an individual with normal olfactory capabilities.
- (3) The lot where a recreational marihuana safety compliance facility is located may not be within 1,000 feet of a lot where a pre-existing public or private school providing education in preschool, kindergarten, or any of grades 1 through 12 is located. Distance is measured as the shortest straight-line distance between lots.
- (4) The lot where a recreational marihuana safety compliance facility is located may not be within 500 feet of any public park. Distance is measured as the shortest straight-line distance between lots. The requirements of this paragraph do not apply to the Village of Sparta Dog Park and the Village of Sparta Rogue River Park.
- (5) The lot where a recreational marihuana safety compliance facility is located may not be within 50 feet of any property zoned R-M Medium-Density Residential, R-H, High-Density Residential, PD Planned Unit Development, or BD Central Business. Distance is measured as the shortest straight-line distance between lots.

(s) *Recreational marihuana secure transporters.*

- (1) All recreational marihuana secure transporters must be equipped with an activated carbon filtration system or other similar filtration system to ensure that there is no detectable odor of marihuana or other odor related to the operation of the recreational marihuana secure transporter outside of the recreational marihuana secure transporter.
- (2) Any detectable odor of marihuana or any other odor related to the recreational marihuana secure transporter outside of the recreational marihuana secure transporter is prohibited. The standard for detectable odor will be that of an individual with normal olfactory capabilities.
- (3) The lot where a recreational marihuana secure transporter is located may not be within 1,000 feet of a lot where a pre-existing public or private school providing education in preschool, kindergarten, or any of grades 1 through 12 is located. Distance is measured as the shortest straight-line distance between lots.

(4) The lot where a recreational marihuana secure transporter is located may not be within 500 feet of any public park. Distance is measured as the shortest straight-line distance between lots. The requirements of this paragraph do not apply to the Village of Sparta Dog Park and the Village of Sparta Rogue River Park.

(5) The lot where a recreational marihuana secure transporter is located may not be within 50 feet of any property zoned R-M Residential, R-H Residential, PD Planned Unit Development, or BD Central Business. Distance is measured as the shortest straight-line distance between lots.

(t) *Shopping center or shopping mall.*

- (1) The minimum lot area for a shopping center or mall shall be three acres.
- (2) The site shall have a minimum of 300 feet of frontage on an arterial street, as shown in the village master plan.
- (3) Shopping centers or malls shall be served by public sanitary sewer and water supply.
- (4) Motor vehicle entrance and exit shall only be from an arterial or collector street identified in the village master plan.
- (5) Pedestrian movement between buildings shall be designed without the need to cross drives or parking areas.
- (6) No building within a shopping center or mall shall have a separate access to a street.
- (7) Existing trees and other significant vegetation on the site shall be preserved whenever possible. Greenbelts, buffer strips, and berms may be required.

(u) *Tractor trailer and trucking facilities, including storage and repair.*

- (1) Minimum lot area shall be one acre.
- (2) Minimum lot width shall be 200 feet.
- (3) Overhead doors shall not face any roadway, except as approved by the planning commission for any of the following circumstances:
 - a. For through garages where doors are provided on the front and rear of the building; or
 - b. Garages located on corner or through lots; or,
 - c. Where it is determined that a rear garage door would have a negative impact on an abutting residential district.
- (4) All repair work shall be done within the building.
- (5) All outdoor storage of vehicles, material, equipment and other material incidental to the operation shall be enclosed by a six-foot high solid wall or solid fence.
- (6) Materials stored outdoors shall not be stacked higher than the height of the storage area fence or wall and shall be stored in a manner so as not to be visible from adjoining properties or rights-of-way.

- (7) Outdoor storage areas are not permitted in the front yard of the site and shall meet the side and rear yard setback requirements.
 - (8) No operator shall permit outdoor storage of trucks or trailers within the parking lot. Vehicles stored within the parking lot of the site for a period in excess of 72 hours shall be considered a violation of this requirement.
- (v) *Vehicle service station and incidental repair and servicing.*
- (1) Parking or storage of inoperative vehicles shall be completely surrounded by an opaque fence of not less than six feet in height.
 - (2) A minimum lot frontage of 100 feet shall be required.
 - (3) No more than one curb opening shall be permitted for every 75 feet of frontage (or major fraction thereof) along any street, with a maximum of one per street when located on a corner lot, and two for any other street.
 - (4) No drive or curb opening shall be located nearer than 75 feet to any intersection nor more than 25 feet to any adjacent residential district property line. No drive shall be located nearer than 50 feet, as measured along the property line, to any other driveway. A driveway shall not be permitted where, in the opinion of the village council, it may produce a safety hazard to adjacent pedestrian or vehicular traffic.
 - (5) A raised curb of six inches in height shall be constructed along the perimeter of all paved and landscaped areas.
 - (6) In addition to the minimum lot area required by the zoning district in which the use is located, the minimum lot area shall be increased 500 square feet for each fuel pump unit in excess of four and 1,000 square feet for each service bay in excess of two, and 300 square feet for each parking space intended for the storage of inoperative vehicles.
 - (7) The lot shall be located such that it is at least 300 feet from an entrance or exit to any property on which is situated a public library, public or private educational institution, playground, play field, park, religious institution or hospital.
 - (8) Where applicable, vehicle queuing space shall be provided in front of each service bay for at least two vehicles.
 - (9) Sufficient stacking capacity for the fuel pump portion of the operation shall be provided to ensure that traffic does not extend into the public right-of-way. A minimum of three stacking spaces for the service ordering station shall be provided. Stacking spaces shall be located so as not to interfere with vehicular circulation and egress from the property by vehicles not using the fuel pump portion of the facility.
 - (10) All buildings and accessory structures including gasoline pumps shall be setback at least 50 feet from any lot line or street right-of-way, and not less than 50 feet from any side or rear lot line abutting a residential district.
 - (11) The visual impact of the service station is minimized and screened from adjacent rights-of-way and properties through placement of the use, screening, landscaping, and other site design techniques.

- (12) The location, size, design and operating characteristics of the proposed facility are reasonably compatible with the use of nearby properties.
 - (13) All equipment including hydraulic hoist, pits, and oil lubrication, greasing and automobile washing, repairing equipment and body repair shall be entirely enclosed within a building. There shall be no outdoor storage of merchandise such as tires, lubricants and other accessory equipment.
 - (14) All activities, except those required to be performed at the fuel pump, shall be carried on within a building.
 - (15) The rental of trucks, trailers, and any other vehicles on the premises is expressly prohibited without specific approval by the village council. If the use is permitted, proper screening, landscaping, and additional parking area shall be provided in accordance with the requirements set forth by the village council.
 - (16) There shall be no above ground tanks for the storage of gasoline, liquefied petroleum gas, oil or other flammable liquids or gases. In-ground storage of flammable liquids shall be in non-metallic containers, pressure tested under the supervision of an official designated by the village manager, and annually approved thereafter by the applicable state agency.
- (w) *Veterinary hospital, clinic or indoor kennel.*
- (1) Buildings wherein animals are kept, dog runs, and/or exercise areas shall not be located nearer than 100 feet to any adjacent occupied dwelling or any adjacent building used by the public.
 - (2) No dog runs and/or exercise areas shall be located in any required front, rear or side yard setback area.
- (x) *Waste lagoon ponds, industrially oriented and permanent in character.*
- (1) The applicant shall submit an impact assessment describing the expected odors; aesthetics; environmental impacts; and vehicular and truck traffic impacts associated with the use, and any mitigation measures to be employed.
 - (2) The site plan shall clearly illustrate the layout of the overall operation in relation to the proposed waste lagoon.
 - (3) Waste lagoon ponds shall be at least 500 feet from any residential district.
 - (4) The applicant shall describe procedures for managing stormwater runoff and preventing pollution of groundwater.
 - (5) The applicant shall use acceptable methods for control of odors.
 - (6) All uses shall be enclosed by a fence six feet or more in height around the periphery of the property. Fences shall be adequate to prevent trespassing.
 - (7) All uses shall be established and maintained in accordance with all applicable county, State of Michigan and federal laws.
 - (8) A bond shall be submitted to the village equal to the cost of removal and rehabilitation when use is discontinued. The bond will be returned to the applicant provided the waste

lagoon is appropriately removed and the site is appropriately rehabilitated within six months of completion of work.

(y) *Wireless telecommunication facilities.*

- (1) The applicant must provide sufficient information to demonstrate the following:
 - a. Collocation on or joint use of any existing tower or antenna is not possible.
 - b. The tower or antenna will not be injurious to the safety, aesthetics, or property values of nearby residences.
- (2) It is the village's policy to minimize the proliferation of new wireless telecommunication facility support structures in favor of collocation of such facilities on existing structures. No new wireless telecommunication facility support structures shall be constructed unless the applicant for the new structure demonstrates, and the village council finds, that collocation on an existing structure is not adequate or is not reasonably feasible.
- (3) All wireless telecommunication facility support structures, unless otherwise provided, shall have a monopole, unipole or similar nonlattice, single vertical structure design and shall be further designed to accommodate at least three wireless telecommunication arrays of antennas or panels. The applicant shall submit an affidavit by a design engineer registered in the state attesting that this requirement is met.
- (4) The site plan for any new support structure shall expressly state that the support structure shall be erected and available for collocation, and shall also show the proposed location of the applicant's and collocators' equipment shelters and related facilities.
- (5) Wireless telecommunication facilities shall not exceed 165 feet in height, as measured from the average grade at the base of the support structure to the top of the antenna or panel. Wireless telecommunication facilities which support three or more arrays of antennas or panels may be increased to 185 feet in height. In no case shall the height exceed any applicable height limitation established by county, state or federal regulations.
- (6) If located on the same lot as another permitted use, a wireless telecommunication facility shall not be located in a front yard or side yard abutting a street. The village council may approve a support structure utilizing camouflage or stealth design for location in a front or side yard abutting a street if the council determines that location will better facilitate a satisfactory and harmonious relationship with existing and prospective development of contiguous land and adjacent neighborhood.
- (7) Wireless telecommunication facilities shall be set back from the lot line a distance not less than one-half of its height or 65 feet, whichever is greater. However, when wireless telecommunication facilities are located on premises which abuts a residential district lot, the minimum setback from the lot line abutting that lot shall be equal to the height of the facility. All setbacks shall be measured from the edge of the facility.
- (8) Wireless telecommunication facilities shall be installed and maintained in accordance with manufacturers' specifications and the building code.
- (9) Removal:

- a. Upon discontinuance or cessation of use, the facility shall be removed by the owner thereof.
 - b. A performance guarantee shall be posted at the time of receiving a permit for the facility to ensure its removal when it is abandoned or no longer needed. The applicant shall demonstrate that funds will be available to the village for removal of any structure used for wireless communication in an amount which reasonably reflects the cost of its removal and restoration of the property or structure upon which the facility is placed.
 - c. Adequate funds shall also be provided to cover the village's administrative costs in the event that the applicant or its successor does not remove the wireless telecommunication facility in a timely manner.
 - d. The security shall, at the election of the village council, be in the form of cash; security bond; letter of credit; or an agreement in a form approved by the village attorney and recordable at the office of the register of deeds, establishing a promise of the applicant and owner of the property, or their successors, to remove the facility in a timely manner as required by this subsection.
 - e. The applicant, owner or successor, shall be responsible for payment of any costs or attorney fees incurred by the village in securing removal.
- (10) No sign shall be attached to or displayed on a wireless telecommunication facility. No signals or lights or other means of illumination shall be permitted on a facility unless required by state or federal law or regulation. The facility shall have a neutral color intended to blend with the surroundings.
- (11) If the wireless telecommunication facility is planned on a site upon which is located another main building or structure, and an equipment shelter is proposed, the equipment shelter shall be constructed with exterior facade materials similar to the main building or structure on the site.
- (12) Wireless telecommunication antennas or panels may be installed on existing buildings or structures provided such antennas or panels, and their supporting structure, do not exceed the height limitation set forth in subsection (5) above.
- (13) Any wireless telecommunication antenna or panel mounted on an existing building or structure which does not increase the height of the building or structure shall be exempt from the setback requirements of subsection (7) above.
- (14) Wireless telecommunication facilities located in one-family residential district shall meet one of the following requirements:
- a. The wireless telecommunication facility shall be mounted directly onto an existing, nonresidential building in a manner that does not increase the height of the building. The facility shall consist of material or color which is compatible with the exterior treatment of the building;
 - b. The wireless telecommunication facility shall be located on an existing non-residential support structure, pole or tower such as a public or private utility tower, pole or structure, but not on a building. The facility shall consist of a material or

color which is compatible with the tower, pole or structure. Antennas or panels may extend above the top of the tower, pole or structure not more than 30 feet; however, the height to the top of the antenna or panel may not exceed 165 feet; or

- c. The wireless telecommunication facility shall be located on a new support structure situated on public property. Any facility located on public property which is used for passive recreation shall be designed to minimize the conspicuousness of the facility (e.g., utilizing camouflaged or stealth designed poles or existing environmental features as screening). All such facilities located on public property shall meet the setback requirements of subsection (7) above.

Section 19: **Amendment.** That Chapter 82, Article V, Section 82-422 of the Sparta Village Code is hereby amended to read in its entirety as follows.

Sec. 82-422. Uses subject to site plan review.

- (a) A building permit for any proposed use or building requiring a site plan shall not be issued until a final site plan has been reviewed and approved in accordance with the requirements of this article.
- (b) A final site plan review and approval by the planning commission shall be required under the following conditions unless excepted by subsection (c) of this section:
 - (1) All special land uses (village council approval required);
 - (2) All permitted uses in the B and CBD districts;
 - (3) The following permitted uses in the R-M district:
 - i. Private educational institutions.
 - ii. Golf courses, country clubs, and related uses.
 - iii. Religious institutions.
 - iv. Bed and breakfasts.
 - (4) The following permitted uses in the R-H district:
 - i. Private educational institutions.
 - ii. Golf courses, country clubs, and related uses.
 - iii. Religious institutions.
 - iv. Bed and breakfasts.
 - v. Multiple family dwellings.
 - (5) The following permitted uses in all districts:
 - i. Public school facilities that are not otherwise exempt from local zoning under state law.
 - (6) Site condominium developments (section 82-125 requires village council approval);

- (7) The zoning administrator may request the planning commission to review any use that is deemed to have such intensity and potential effect on properties in the general vicinity.
- (c) Final site plans for the following uses shall be reviewed and approval by the zoning administrator.
- (1) Single, two-family, and three-family dwellings (unless submitted as a site condominium under the provisions of subsection (b)(6) above);
 - (2) State licensed family day care facilities;
 - (3) State licensed residential care family facilities;
 - (4) Accessory uses or structures; and
 - (5) Accessory dwelling units; and
 - (6) All other uses not provided for in subsection (b) of this section.

Section 20: **Amendment.** That Chapter 82, Article VII, Section 82-506 of the Sparta Village Code is hereby amended to read in its entirety as follows.

Sec. 82-506. Sign requirements for individual zoning districts.

RESIDENTIAL ZONING DISTRICTS—PERMITTED SIGNS IN THE R-M and R-H AND RESIDENTIAL PUD DISTRICTS	
<i>Ground Signs</i>	
Number	One (1) per major entrance to a subdivision, condominium, or two (2) ground signs per parcel for uses requiring site plan review by the planning commission or the village council pursuant to Article V, section 82-422, or as part of an application for and approval of a special land use.
Size	No greater than 25 sq. ft.
Location	Minimum of ½ of the front setback required for main buildings and a minimum of 15 ft. from any side or rear property line
Height	No higher than 8 ft.
<i>Wall Signs</i>	
Number	Two (2) per street frontage as part of an application for and approval of a special land use, or for uses requiring site plan review by the planning commission or the village council pursuant to Article V, section 82-422.
Size	No greater than 5% of the wall area to which the sign is affixed
Location	On 1 wall of building facing either the street or the main parking area
<i>Temporary signs as regulated by Section 82-504 (a) and the following</i>	
Number	2 per parcel
Size	No greater than 6 sq. ft. each
Location	Minimum of 10 ft. from any side or rear property line
Height	No higher than 6 ft.

PERMITTED SIGNS IN THE B DISTRICT AND THE COMMERCIAL AND INDUSTRIAL PUD DISTRICTS	
<i>Ground Signs</i>	
Number	1 per street frontage (provided the frontage meets the required lot width for the district in which it is located), except that only 1 ground sign or 1 freestanding sign shall be permitted per street frontage

Size	1 sq. ft. for each 1½ feet of lot frontage, not to exceed 75 sq. ft.
Location	Minimum of 10 ft. from any side or rear property line
Height	No higher than 8 ft.
<i>Freestanding Signs</i>	
Number	1 per street frontage (provided the frontage meets the required lot width for the district in which it is located), except that only 1 ground sign or 1 freestanding sign shall be permitted per street frontage
Size	1 sq. ft. for each 1½ of lot frontage, not to exceed 50 sq. ft.
Location	Minimum of 10 ft. from any side or rear property line
Height	No higher than 20 ft., except when the front setback of the sign exceeds 10 ft., 1 additional foot in height allowed for each additional foot in setback beyond 10 ft.
<i>Wall Signs</i>	
Number	1 per street frontage and 1 per main parking area without street frontage.
Size	No greater than 15% of the wall area to which the sign is affixed.
Location	On wall of building facing street and/or facing the main parking area
<i>Temporary signs as regulated by Section 82-504 (a) and the following</i>	
Number	2 per parcel
Size	No greater than 32 sq. ft. total
Location	Minimum of 10 ft. from any side or rear property line
Height	No higher than 6 ft.

CBD CENTRAL BUSINESS COMMERCIAL DISTRICT—PERMITTED SIGNS	
<i>Wall Signs</i>	
Number	1 wall sign per street frontage and parking lot frontage plus 1 projecting sign for each public entrance to a business establishment.
Size	Street frontage no greater than 10% percent of the wall area to which the sign is affixed
	Parking lot frontage no greater than 5% percent of the wall to which the sign is affixed
<i>Projecting Signs</i>	
Number	1 projecting sign for each public entrance to a business establishment
Size	Shall extend no more than five feet from the building. No greater than 20 square feet
Location	On wall of building facing street and wall facing public or private parking area
Height	Signs shall be mounted minimum eight feet from bottom of sign and not higher than the roof line of the building or the bottom of the window of the second story
<i>Ground sign or freestanding sign, when no projecting signs are used</i>	
Number	1 per street frontage (provided the frontage meets the required lot width for the district in which it is located), except that only 1 ground sign or 1 freestanding sign shall be permitted per street frontage
Size	No greater than 50 sq. ft. per sign
Location	Minimum of 5 ft. from any property line or adjacent building
Height	Ground sign: No higher than 8 ft.
	Freestanding sign: No higher than 20 ft.
<i>Temporary signs as regulated by Section 82-504 (a) and the following</i>	
Number	2 per parcel
Size	No greater than 32 sq. ft. total
Location	Minimum of 5 ft. from any property line or adjacent building
Height	No higher than 6 ft.
<i>Marquee Signs</i>	
Number	1 per street frontage

Size	No greater than 50 sq. ft.
Location	On face of marquee
Height	Minimum clear space of 8 ft. from bottom of marquee
Awning Signs	
Number	1 per awning face
Size	No greater than 50% of any awning face to which the sign is affixed
Location	On face of awning
Height	Minimum clear space of 8 ft. from bottom of awning
MIXED USE PUD AND TRADITIONAL NEIGHBORHOOD DEVELOPMENT PUD DISTRICT PERMITTED SIGNS	
Signs permitted in the Mixed Use PUD district and the Traditional Neighborhood Development PUD district shall be as approved by the Village Council upon recommendation by the Planning Commission.	

Section 21: Amendment. That Chapter 82, Article IX, Section 82-588 of the Sparta Village Code is hereby amended to read in its entirety as follows.

Sec. 82-588. Amendments to the zoning chapter.

- (a) *[Initiation of amendments.]* An amendment to this chapter may be initiated by motion of the village council, by motion of the planning commission, or by application for amendment of one or more persons having interest in property located within the jurisdiction of this chapter.
- (b) *[Application fee.]* The village council shall establish by resolution a fee to be paid in full at the time of receipt of any application to amend this chapter. Said fee shall be collected by the village clerk and no part shall be refundable to the applicant. No fee shall be charged when that applicant is a governmental body.
- (c) *[Application form.]* The planning commission shall adopt an application form for the purpose of amending this chapter. An application shall be completed and filed with the village clerk by the person or persons petitioning for the change for each parcel of land which is not contiguous to any adjacent parcel of land being proposed for the same amendment.
- (d) *[Application review.]* The zoning administrator shall review the application for completeness. Any application not properly filed or completed shall be returned to the applicant. Completed applications shall be transmitted to the planning commission.
- (e) *Public hearing.*
 - (1) The planning commission shall hold a public hearing on the proposed amendment within a reasonable time following receipt of a completed application to amend this chapter or after the resolution initiating the change is adopted by the village council or planning commission, as the case may be.
 - (2) The village clerk shall give notice of the time and place of the public hearing pursuant to the Zoning Act. An affidavit of delivery or mailing shall be maintained.
- (f) *Planning commission recommendation.*
 - (1) In reviewing any application for an amendment to this chapter the planning commission shall identify and evaluate all factors in its view that are relevant to the application.
 - (2) The matters to be considered by the planning commission shall include, but need not be limited to, the following:

- a. What, if any, identifiable conditions related to the proposed amendment have changed which justify the proposed amendment?
 - b. What, if any, error was made in the Ordinance which justifies the proposed amendment?
 - c. What are the precedents and the possible effects of such precedent which might result from the approval or denial of the petition?
 - d. What is the impact of the amendment on the ability of the village and other governmental agencies to provide adequate public services and facilities, and/or program, that might reasonably be required in the future if the proposed amendment is adopted?
 - e. Does the proposed amendment adversely affect environmental conditions, or the value of the surrounding property?
 - f. Does the proposed amendment generally comply with the adopted village master plan?
 - g. The ability of the property in question to be put to a reasonable economic use in the zoning district in which it is presently located.
- (3) All findings of fact shall be made a part of the public records of the meetings of the planning commission. The planning commission shall transmit its findings of fact, a summary of comments received at the public hearing and its recommended action to the village council.
- (g) *Consideration by the village council.*
- (1) Upon receipt of a report and summary of hearing comments from the planning commission, the village may hold an additional public hearing, if it considers it necessary, or may proceed to adopt the proposed amendment.
 - (2) If the village council considers further changes desirable, which are in addition to, or departures from the proposed amendment, it may first refer the matter back to the planning commission for a further report.
 - (3) Approval of amendments shall require a majority vote of the village council.
- (h) *Notice of adoption.*
- (1) Following the adoption of the amendment by the village council one notice of adoption shall be published in a newspaper of general circulation in the village within 15 days after adoption, a copy of which shall also be mailed to the airport manager entitled to notice under the Zoning Act.
 - (2) The notice shall include the following information:
 - a. Either a summary of the regulatory effect of the amendment including the geographic area affected, or the text of the amendment.
 - b. The effective date of the ordinance.
 - c. The place and time where a copy of the ordinance may be purchased or inspected.

Section 22. Amendment of the Zoning Map. That the official Zoning Map of the Village of Sparta, Michigan, referenced in Chapter 82, Article III, Division 2, Section 82-152 of the Sparta Village Code, shall be amended upon the effective date of this Ordinance to reflect the consolidation and rezoning of former districts R-1 and R-2 into the R-M Residential Medium Density Zoning District as set forth in Sections 8 and 10; to reflect the consolidation and rezoning of former districts R-3 and R-4 into the R-H Residential High Density Zoning District as set forth in Sections 8 and 11; and to reflect the consolidation and rezoning of former districts G-C and LI into the B-Business District as set forth in Sections 8 and 14 of this Ordinance.

Section 23. Severability.

Should any section, portion or part of this Ordinance be declared to be invalid by a court of competent jurisdiction, such declaration does not void or render inoperable any other part of this Ordinance.

Section 24. Repealer.

All ordinances and parts of ordinances in conflict herewith are repealed to the extent of any such conflict.

Section 25. Effective Date.

The Ordinance shall be effective upon the expiration of 7 days after this Ordinance (or a summary thereof) is published as provided by law.

YEAS: _____

NAYS: _____

ABSTAIN/ABSENT: _____

ORDINANCE DECLARED ADOPTED

I, Katy Shelton, the Clerk of the Village of Sparta, attests that the foregoing is a true and accurate copy of an ordinance adopted by the Village Council of the Village of Sparta at a regularly scheduled meeting held on June 10, 2024, which meeting was held in accordance with State Law.

Katy Shelton, Village Clerk

Introduced: May 13, 2024 _____

Public Hearing: June 3, 2024 _____

Adopted: _____

Published: _____

Effective: _____

**VILLAGE COUNCIL
VILLAGE OF SPARTA
KENT COUNTY, MICHIGAN**

Ordinance No. 24-03

At a regular meeting of the Village Council for the Village of Sparta at the Civic Center on June 10, 2024, commencing at 7:00 p.m., the following Ordinance was offered for adoption by Council Member _____ and was seconded by Council Member _____:

AN ORDINANCE TO REPEAL CHAPTER 58, ARTICLE III, SECTION 58-102 OF THE SPARTA VILLAGE CODE ENTITLED “SNOW REMOVAL.”

THE VILLAGE OF SPARTA (the “Village”) ORDAINS:

Article 1. Repeal of Section 58-102. That Chapter 58, Article III, Section 58-102 of the Sparta Village Code entitled “Snow Removal” is hereby repealed in its entirety:

Article 2. Severability.

The provisions of this Ordinance are severable. If any portion of this Ordinance is declared void or inoperable for any reason by a court of competent jurisdiction, such declaration shall not void any or render inoperable any other part or portion of this Ordinance.

Article 3. Effective Date.

This Ordinance is effective upon its publication in the manner required by law.

The vote regarding the adoption of this Ordinance was as follows:

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED. **CERTIFICATION**

I hereby certify that the foregoing Ordinance was adopted by the Village Council for the Village of Sparta, Kent County, Michigan, at a regular meeting of the Village Council duly called and held on June 10, 2024.

By:

Katy Shelton
Village Clerk

**VILLAGE COUNCIL
VILLAGE OF SPARTA
KENT COUNTY, MICHIGAN**

Ordinance No. 24-04

At a regular meeting of the Village Council for the Village of Sparta at the Civic Center on June 10, 2024, commencing at 7:00pm the following Ordinance was offered for adoption by Council Member _____ and was seconded by Council Member _____:

**AN ORDINANCE TO AMEND CHAPTER 70, ARTICLE I, SECTION 70-9
OF THE SPARTA VILLAGE CODE ENTITLED “YARD PARKING.”**

THE VILLAGE OF SPARTA (the “Village”) ORDAINS:

Article 1. Amendment of Section 70-9. That Chapter 70, Article I, Section 70-9 of the Sparta Village Code entitled “Yard parking” is hereby amended to read in its entirety as follows:

Sec. 70-9. – Yard parking.

(a) *Definitions.* The following definitions shall apply to this section.

“*Recreational vehicle*” shall mean a vehicle or equipment intended for temporary or periodic use for recreational or leisure pursuits. These vehicles shall include boats, airplanes, special purpose automobiles, floats, rafts, trailers, snowmobiles, camping or travel trailers, motorized homes, detachable travel equipment of the type adaptable to light trucks, and other equipment or vehicles of a similar nature.

“*Vehicle*” shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, or road, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

“*Yard*” shall mean an open space adjacent to a lot or property line, on the same land with a building or group of buildings, which open space lies in the area between the building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward.

- (1) *Front yard* shall mean an open space extending the full width of a lot and of a depth measured horizontally at right angles to the front property line, lot line, or right-of-way line.
- (2) *Rear yard* shall mean an open space extending the full width of a lot and of a depth measured horizontally at right angles to the rear property line, lot line, or right-of-way line between rear plane of the principal building and rear property line.
- (3) *Side yard* shall mean an open space extending on each side of the lot from the required front yard to the required rear yard, and of a width measured horizontally at right angles to the respective side property line, lot line, or right-of-way line.

(b) *General prohibition.* Unless otherwise provided in this section, it shall be unlawful for any person to park, store, or leave unattended any vehicle or recreational vehicle in any front, side

or rear yard in any residential, business, or commercial zoning district in the village unless all of the following requirements are met:

- i. The vehicle or recreational vehicle shall not be a semi-truck or a semi-trailer.
 - ii. The vehicle or recreational vehicle shall be parked parallel to an existing improved driveway and shall be within 1-foot (12 inches) of the edge of the driveway; or the vehicle shall be parked parallel to and within 3-feet of the side of an existing garage.
 - iii. The vehicle or recreational vehicle shall have valid, up-to-date license plates and registration as required by state law.
 - iv. The vehicle or recreational vehicle shall remain operational and in good working order and shall not become stuck in the yard.
 - v. The vehicle or recreational vehicle shall not encroach upon or obstruct in any manner any sidewalk or public right-of-way.
- (c) *Improved driveways.* Nothing in this section shall prohibit the parking of vehicles or recreational vehicles upon improved driveways that are constructed in accordance with the requirements of the village code of ordinances, as amended.
- (d) *Recreational Vehicle Parking.* Nothing in this section shall prohibit a person from parking, storing, or leaving unattended a recreational vehicle in a rear yard in any residential, business, or commercial zoning district provided that the recreational vehicle meets the following requirements:
- i. The recreational vehicle shall have up-to-date license plates and registration as required by state law.
 - ii. The recreational vehicle shall remain operational and in good working order and shall not become stuck in the yard.
 - iii. The recreational vehicle shall not encroach upon or obstruct in any manner any sidewalk or public right-of-way.
- (e) *Enforcement.* Members of the village police department shall enforce this section in accordance with the procedures specified within Section 1-7 of the village code of ordinances, as amended, and may issue municipal civil infraction citations for violations.
- (f) *Penalty.* Any violation of this section shall be subject to the penalties of section 70-66 of the village code of ordinances, as amended. Each day of continued violation shall constitute a separate offense.

Article 2. Severability.

The provisions of this Ordinance are severable. If any portion of this Ordinance is declared void or inoperable for any reason by a court of competent jurisdiction, such declaration shall not void any or render inoperable any other part or portion of this Ordinance.

Article 3. Effective Date.

This Ordinance is effective upon the expiration of the 20th day following its publication in the manner required by law.

The vote regarding the adoption of this Ordinance was as follows:

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the foregoing Ordinance was adopted by the Village Council for the Village of Sparta, Kent County, Michigan, at a regular meeting of the Village Council duly called and held on June 10, 2024.

By:

Katy Shelton
Village Clerk



ACTION MEMO

Staff Communication

DATE: June 10, 2024
TO: Village President Whalen and Members of Council
FROM: James A. Lower, Village Manager
RE: PFAS Class Action Settlement

SUMMARY OF REQUEST:

The Village of Sparta is eligible to participate in the class action 3M-Dupont PFAS settlement. Bill Hunter and I have been working on this with our legal counsel. We believe participating is in the best interest of the village and will lead to financial compensation.

STAFF RECOMMENDATION:

Staff recommends the following motion: A motion to approve the Village of Sparta's participation in the 3M-DuPont PFAS class action settlement and authorize the Village Manager to take all necessary steps to effectuate the settlement.



To: Sparta Village Council
From: Michael Krzciok, Airport Manager
Date: June 6, 2024
RE: Sparta Municipal Airport Monthly Report, May 2024

Fuel Sales:

Beautiful spring weather continued allowing for a busy month of flight school operations. Spata Aviation Flight School had one of its best months ever! Transient and based aircraft activity also increased helping to account for record year over year fuel sales for the month of May.

Month	Year	Transactions	Gallons Pumped
May	2024	373	6884
May	2023	321	5948
May	2022	266	5688
May	2021	320	6717

Airfield Project Update:

Construction began on the new Automated Weather Observation System (AWOS) and the good weather has allowed the project to stay on schedule. MDOT Aeronautics is anticipating FAA certification of the system before the end of June.

Well Water Update:

The final well water system inspection was completed and the new Type 2 Water Permit was approved by the Kent County Health Department in May. Quarterly water sampling has begun with the help of the Sparta DPW.

Mowing:

Unlike last year's extremely dry spring/early summer, mowing season is in full swing as the grass is currently growing non-stop. Airfield mowing is important not only for aesthetics but particularly for wildlife control. Tall weeds and grass give cover to various critters and birds which can cause an accident if they cross the runway at the wrong time. As the weeds and grass dry out later in the season, un-cut grass/weeds also pose a fire hazard. A well mowed airport, along with our wildlife/security fence, not only looks good but provides for a safer aircraft operating environment.

Hangar Demand:

All hangars remain occupied. We had one t-hangar turn over and added two more names to the waiting list. I'm also working with one of our based customers on another possible private hangar build. I have met with his contractor and should soon have a set of plans to submit for approval with our airport engineer and Airport Committee.

Available Hangars	0
Upcoming Availability	0
T-Hangar Waitlist	52

Hangar Upgrade:

We are currently in the permitting process for an upgrade to one of the private hangars on the field. They will be adding a lobby, conference room and bathrooms along with a parking lot with access from Vinton Ave. This will be our first new well and septic system permits on the airport's new water permit. This will be a great addition to an already important asset to the airport.



ACTION MEMO

Staff Communication

DATE: June 5, 2024
TO: Village President Whalen and Members of Council
FROM: William Hunter, Director of Public Works
RE: DPW Monthly Update

Project Name:	Banners in the Village limits
Project Manager/Lead	William Hunter
Project Scope:	Consumers have approached me about having Village banners attached to their poles. Pole attachment agreements are required for this, which cost approximately \$18 per pole per year. In addition, all of the banners will need to be reinstated according to consumers' specifications.
Issues/Items of Note:	The staff has completed the inventory and attached it to Consumers Energy. On June 5, 2024, I emailed Consumers to follow up on our application.
Project Name:	Centennial/Washington Street Storm Sewer
Project Manager/Lead	William Hunter
Project Scope:	Extending the storm sewer on Centennial between Maple and Washington and on Washington between Centennial and W. Gardner. These are the first two phases of a project that is intended to reduce I&I and address aging storm infrastructure that is not all in the public right-of-way or existing easements.
Issues/Items of Note:	I'm in contact with the contractor to set up a kick-off meeting. It looks like the project will start on July 8 th .
Project Name:	DSMI-Update
Project Manager/Lead	William Hunter
Project Scope:	Two thousand eighteen revisions to the Michigan Safe Drinking Water Act, 1976 PA 399, as amended, require that water supplies develop and maintain a CDSMI. Under Rule 325.11604(c)(ii), a CDSMI must be submitted to the

	Michigan Department of Environment, Great Lakes, and Energy (EGLE) by January 1, 2025. Update: EPA requires all communities to complete it by October 1, 2024.
Issues/Items of Note:	The updated Lead & Copper rule mandates communities to randomly verify 20% of all unknown services, including 53 sites on our DSMI. To conduct these random verifications, staff members must pothole the stop box and specific points at the main. A 2015 Vac-con Truck and Village staff will be used to pothole this service.
Project Name:	Timesheet program
Project Manager/Lead	William Hunter
Project Scope:	Implementation of the timesheet program.
Issues/Items of Note:	Implementing a web-based timesheet program in the Village of Sparta can bring several benefits. First, it increases efficiency by automating the timesheet process, reducing the time employees and managers spend on manual entry and approval. It also improves accuracy and reduces errors associated with manual data entry, ensuring precise tracking of hours worked. With real-time data access, managers and employees can monitor timesheet data from anywhere, facilitating better decision-making. Integration with payroll systems streamlines payroll processing, reducing administrative burden and ensuring timely and accurate payments. Moreover, a web-based system helps ensure compliance with labor laws and regulations by providing accurate records and easy reporting. This leads to significant cost savings over time by reducing paper usage and administrative tasks associated with manual timesheets. Enhanced transparency lets employees see their hours and leave balances, promoting organizational trust. Additionally, as the Village of Sparta grows, a web-based system can quickly scale to accommodate more employees without significantly increasing administrative workload. Security is also enhanced with data encryption and secure login, protecting sensitive employee information. Finally, reducing paper usage contributes to the village's sustainability efforts by lowering its environmental footprint.
Project Name:	347 Evergreen-Facility Improvements
Project Manager/Lead	William Hunter
Project Scope:	Sidewalk repairs-HVAC RTU replacements-Siding repairs
Issues/Items of Note:	In collaboration with contractors, the DPW team has successfully completed critical repairs at the facility located at 347 Evergreen. These repairs include replacing the heaved sidewalk, a significant tripping hazard, with a new, even surface. The old, molded siding has been

	<p>upgraded to a sustainable composite material, ensuring durability and reduced maintenance. We also replaced two rooftop HVAC units over 25 years old, significantly improving the building's energy efficiency and climate control.</p> <p>These enhancements address safety and maintenance concerns and provide a more reliable and environmentally friendly facility for the individual leasing the space to operate a daycare. This ensures a safer and more comfortable environment for the children and staff, aligning with our commitment to community welfare and sustainability.</p>
Project Name:	Hazard Material Survey-276 W Division
Project Manager/Lead	William Hunter
Project Scope:	Hazard Material Survey-Site Demo Requirement
Issues/Items of Note:	<p>The Village of Sparta hired a consultant to conduct a hazardous material survey in preparation for the future demolition of the Department of Public Works (DPW) building located at 276 W Division. This survey is essential for several reasons. First and foremost, it ensures the health and safety of workers and the public by identifying and appropriately managing hazardous materials like asbestos, lead, and mold, which are common in older buildings. Complying with federal, state, and local regulations, such as those mandated by the Clean Air Act and OSHA standards, is necessary to avoid legal penalties and ensure safe demolition practices. Additionally, the survey helps protect the environment by preventing the contamination of soil, water, and air through proper disposal of hazardous materials. It also aids in managing liabilities for the Village of Sparta by identifying and mitigating potential risks associated with dangerous substances. Ultimately, this careful planning and adherence to safety protocols demonstrate the Village's commitment to responsible and safe demolition practices.</p>

Here are just some of the other tasks DPW staff has been working on over the last month:

5-6-24 thru 5-8-24-Miss Digs, mowing, sewer maintenance, storm Maintenance, preparing for Town and Country, sweeper maintenance, Vac-Con maintenance, cleaned sewer structure at Old Orchard, Old Orchard sample, brush pick up, street sweeping, emergency response training, set up Civic Center two times and tore down washed trucks and tractor

5-9-24-Miss Digs, sweeper maintenance, street sweeping, mowing, yard restoration (27 Centennial), Old Orchard sample, tree removal for Safe Routes to Schools, festival preparation, electric repair at gazebo, coded invoices,

5-20-24-Miss Digs, street sweeping, mowing, festival clean up, coded invoices

5-21-24-Miss Digs, street sweeping, equipment maintenance, mowing, and trimming Old Orchard sample, brush pick up after the storm

5-14-24-Miss Digs, Old Orchard (Low flow, no backup, and no fruit smell), street sweeping, Lamoraux Park ready for Memorial Day activities, washed trucks and sweeper, cleaned office and bathroom, emptied garbage

5-28-24-Miss Digs, mowing and trim, Old Orchard sample, trash pickup, mower maintenance, brush pickup from the storm

5-29-24-Miss Digs, sweeper maintenance, mowing and trimming, water service potholes, trash pickup at Rogers Park Old Orchard

5-31-24-Miss Digs, Mowing and trimming, cleaned Roger's Park pavilion, Vac-Con maintenance, picked up mower from airport, emptied garbage, weed kill downtown, sweeper maintenance

Miss Digs, coded invoices, moved office furniture, brush pick up, mowed and trimmed 201 marketplace maintenance, met with soil boring co. , repaired pump at WWTP, Sweeper maintenance set up civic center, trash pickup

6-4-24-Old Orchard sample, Miss digs, sweeper maintenance, tear down the civic center, downtown tree removal, mowing and trimming, brush pick up

6-5-24-Miss Digs, started ROW tree assessment, preparing for Beer and Brat Festival, Vac-Con maintenance, sweeper maintenance, toolcat maintenance, preparing Rogers Park for the concert, coded receipts



Sparta Police Department

Andrew M. Milanowski

Chief of Police

260 W. Division - Sparta MI 49345 - Office (616) 887-8716 - Fax (616) 887-7681

MONTHLY REPORT

May 2024

Crime Report Information:

The "Incident Description Count Report" for May 2024 is attached.

Incidents of interest

Sweet Fire Tobacco was broken into and the suspects obtained some vaping units. The door was boarded up and the next night it was broken into again. And once again attempted on the 5th of June. We have suspects identified in the first break in and are working with Grand Rapids Police on this one as they were hit the same morning. The other two we are still working identifying suspects.

Alchem was broken into and three suspects were caught on camera. Sgt. Price spotted the three suspects a few days later in town. They were identified and we are now moving forward with the investigation with charges coming soon.

Traffic

The "Ticket Offense Report" for May is attached.

Parking Citations for May

Zero (0)

Department Issues

The Code Enforcement Officer has started. The computer and chair arrived and both were installed. Deb is now working out of the office and so far, other than some starting pains things are going well.

Officer Bultsma has received radar certification and is now able to issue citations with the use of radar. This makes all Sparta Police staff radar certified.

Incident Description Count Report

Report Criteria:

Start Date	End Date	Status
05/01/2024	05/31/2024	ALL

Incident	Rprt Date	Description	Area	Officer	Status
<i>2 CAR CRASH</i>					Count: 1
24-001030	05/15/2024	2 CAR CRASH		JONES, CALEB	Closed
<i>7 YEAR OLD OUT OF CONTROL</i>					Count: 1
24-000965	05/05/2024	7 YEAR OLD OUT OF CONTROL		JONES, CALEB	Closed
<i>ACCIDENTAL DISPATCH</i>					Count: 1
24-001140	05/28/2024	ACCIDENTAL DISPATCH		KUSMIERSKI, TRAVIS	Closed
<i>ALARM</i>					Count: 4
24-000942	05/02/2024	ALARM		JONES, CALEB	Closed
24-000984	05/09/2024	ALARM		SIETSEMA, ETHAN	Closed
24-001026	05/14/2024	ALARM		KUSMIERSKI, TRAVIS	Closed
24-001071	05/19/2024	ALARM		SIETSEMA, ETHAN	Closed
<i>ALARM / DISREGARD</i>					Count: 2
24-001061	05/18/2024	ALARM / DISREGARD		PRICE, DAVE	Closed
24-001149	05/30/2024	ALARM / DISREGARD		PRICE, DAVE	Closed
<i>ALARM / UNLOCKED DOOR</i>					Count: 1
24-000987	05/10/2024	ALARM / UNLOCKED DOOR		KUSMIERSKI, TRAVIS	Closed
<i>ANIMAL WELFARE</i>					Count: 1
24-001090	05/21/2024	ANIMAL WELFARE		BULTSMA, ZACHARY NEAL	Closed
<i>AREA CHECK</i>					Count: 4
24-001000	05/11/2024	AREA CHECK		BULTSMA, ZACHARY NEAL	Closed
24-001077	05/19/2024	AREA CHECK		KUSMIERSKI, TRAVIS	Closed
24-001117	05/25/2024	AREA CHECK		BULTSMA, ZACHARY NEAL	Closed
24-001144	05/30/2024	AREA CHECK		BULTSMA, ZACHARY NEAL	Closed
<i>ASSAULT</i>					Count: 3
24-001067	05/18/2024	ASSAULT		SIETSEMA, ETHAN	Warrant Request
24-001098	05/22/2024	ASSAULT		SIETSEMA, ETHAN	Open
24-001150	05/30/2024	ASSAULT		PRICE, DAVE	Closed
<i>ASSIST</i>					Count: 3
24-001022	05/14/2024	ASSIST		SOULES, CALEB HOWARD	Closed
24-001044	05/17/2024	ASSIST		BULTSMA, ZACHARY NEAL	Closed
24-001050	05/17/2024	ASSIST		SOULES, CALEB HOWARD	Closed

Incident Description Count Report

Report Criteria:

Start Date	End Date	Status
05/01/2024	05/31/2024	ALL

Incident	Rprt Date	Description	Area	Officer	Status
<i>ASSIST ACO</i>					Count: 1
24-001096	05/22/2024	ASSIST ACO		SOULES, CALEB HOWARD	Turned Over
<i>ASSIST ANIMAL CONTROL</i>					Count: 1
24-001100	05/23/2024	ASSIST ANIMAL CONTROL		PRICE, DAVE	Open
<i>ASSIST COUNTY WITH PI</i>					Count: 1
24-001139	05/28/2024	ASSIST COUNTY WITH PI		KUSMIERSKI, TRAVIS	Closed
<i>ASSIST KCSO</i>					Count: 4
24-001025	05/14/2024	ASSIST KCSO		SIETSEMA, ETHAN	Closed
24-001029	05/15/2024	ASSIST KCSO		SIETSEMA, ETHAN	Closed
24-001099	05/23/2024	ASSIST KCSO		SIETSEMA, ETHAN	Closed
24-001128	05/27/2024	ASSIST KCSO		BULTSMA, ZACHARY NEAL	Closed
<i>ASSIST KCSO ON SUICIDE</i>					Count: 1
24-001135	05/28/2024	ASSIST KCSO ON SUICIDE		SOULES, CALEB HOWARD	Turned Over
<i>ASSIST KCSO W/ SUICIDAL</i>					Count: 1
24-000935	05/01/2024	ASSIST KCSO W/ SUICIDAL		JONES, CALEB	Closed
<i>ASSIST MEDICAL</i>					Count: 2
24-000952	05/03/2024	ASSIST MEDICAL		KUSMIERSKI, TRAVIS	Closed
24-001053	05/19/2024	ASSIST MEDICAL		JONES, CALEB	Closed
<i>ASSIST MSP/KCSO</i>					Count: 1
24-000977	05/08/2024	ASSIST MSP/KCSO		SOULES, CALEB HOWARD	Turned Over
<i>ASSIST ROCKFORD AMBULANCE</i>					Count: 1
24-001069	05/18/2024	ASSIST ROCKFORD AMBULANCE		SIETSEMA, ETHAN	Closed
<i>ASSIST VILLAGE HALL</i>					Count: 1
24-001107	05/24/2024	ASSIST VILLAGE HALL		JONES, CALEB	Closed
<i>ATL LOOSE CANINE(S)</i>					Count: 1
24-000945	05/02/2024	ATL LOOSE CANINE(S)		JONES, CALEB	Closed
<i>B&E</i>					Count: 1
24-001156	05/31/2024	B&E		BULTSMA, ZACHARY NEAL	Open
<i>B&E / STALKING</i>					Count: 1
24-000968	05/06/2024	B&E / STALKING		JONES, CALEB	Closed
<i>BARKING DOG / SPEEDING / MUFFLERS / MUSIC</i>					Count: 1
24-000963	05/05/2024	BARKING DOG / SPEEDING / MUFFLERS / MUSIC		JONES, CALEB	Closed
<i>BARKING DOGS</i>					Count: 1
24-001081	05/20/2024	BARKING DOGS		KUSMIERSKI, TRAVIS	Closed

Incident Description Count Report

Report Criteria:

Start Date	End Date	Status
05/01/2024	05/31/2024	ALL

Incident	Rprt Date	Description	Area	Officer	Status
<i>BARKING DOGS</i>					Count: 1
<i>BROADCAST</i>					Count: 3
24-001010	05/12/2024	BROADCAST		BULTSMA, ZACHARY NEAL	Closed
24-001034	05/15/2024	BROADCAST		BULTSMA, ZACHARY NEAL	Closed
24-001089	05/22/2024	BROADCAST		BULTSMA, ZACHARY NEAL	Closed
<i>CHEMICAL SMELL</i>					Count: 1
24-001013	05/13/2024	CHEMICAL SMELL		SOULES, CALEB HOWARD	Closed
<i>CIVIL DISPUTE</i>					Count: 3
24-000972	05/07/2024	CIVIL DISPUTE		JONES, CALEB	Closed
24-001065	05/18/2024	CIVIL DISPUTE		BULTSMA, ZACHARY NEAL	Closed
24-001120	05/26/2024	CIVIL DISPUTE		BULTSMA, ZACHARY NEAL	Closed
<i>CIVIL DOMESTIC</i>					Count: 1
24-000946	05/02/2024	CIVIL DOMESTIC		JONES, CALEB	Closed
<i>CONCERNS FOR SUBJECT</i>					Count: 1
24-000933	05/01/2024	CONCERNS FOR SUBJECT		JONES, CALEB	Closed
<i>CPS REFERAL</i>					Count: 1
24-001133	05/27/2024	CPS REFERAL		SIETSEMA, ETHAN	Open
<i>CRIMINAL HISTORY CHECK</i>					Count: 1
24-000080	05/06/2024	CRIMINAL HISTORY CHECK		ALT, BROOKE L	Closed
<i>CRIMINAL HISTORY CHECKS</i>					Count: 7
24-000081	05/07/2024	CRIMINAL HISTORY CHECKS		ALT, BROOKE L	Closed
24-000082	05/07/2024	CRIMINAL HISTORY CHECKS		ALT, BROOKE L	Closed
24-000084	05/07/2024	CRIMINAL HISTORY CHECKS		ALT, BROOKE L	Closed
24-000087	05/17/2024	CRIMINAL HISTORY CHECKS		ALT, BROOKE L	Closed
24-000088	05/20/2024	CRIMINAL HISTORY CHECKS		ALT, BROOKE L	Closed
24-000089	05/20/2024	CRIMINAL HISTORY CHECKS		ALT, BROOKE L	Closed
24-000090	05/21/2024	CRIMINAL HISTORY CHECKS		ALT, BROOKE L	Closed
<i>DAILY LIGHT FLASHER</i>					Count: 1
24-000951	05/03/2024	DAILY LIGHT FLASHER		KUSMIERSKI, TRAVIS	Closed
<i>DISORDERLY</i>					Count: 1
24-001078	05/20/2024	DISORDERLY		SIETSEMA, ETHAN	Closed
<i>DISORDERLY JUVENILES</i>					Count: 1
24-000956	05/03/2024	DISORDERLY JUVENILES		SIETSEMA, ETHAN	Closed

Incident Description Count Report

Report Criteria:

Start Date	End Date	Status
05/01/2024	05/31/2024	ALL

Incident	Rprt Date	Description	Area	Officer	Status
<i>DOA</i>					Count: 1
24-001006	05/12/2024	DOA		JONES, CALEB	Closed
<i>DOG TIED UP OUTSIDE</i>					Count: 1
24-001082	05/20/2024	DOG TIED UP OUTSIDE		KUSMIERSKI, TRAVIS	Closed
<i>DOMESTIC ASSAULT</i>					Count: 2
24-000949	05/03/2024	DOMESTIC ASSAULT		SOULES, CALEB HOWARD	Closed
24-001084	05/21/2024	DOMESTIC ASSAULT		BULTSMA, ZACHARY NEAL	Warrant Request
<i>DOMESTIC SITUATION</i>					Count: 1
24-001068	05/18/2024	DOMESTIC SITUATION		SIETSEMA, ETHAN	Closed
<i>DOMESTIC VIOLENCE</i>					Count: 1
24-001032	05/15/2024	DOMESTIC VIOLENCE		KUSMIERSKI, TRAVIS	Closed
<i>DRIVERS AVOIDING SIGNAL</i>					Count: 1
24-000948	05/02/2024	DRIVERS AVOIDING SIGNAL		JONES, CALEB	Closed
<i>DRUG PARAPHERNALIA</i>					Count: 1
24-000085	05/10/2024	DRUG PARAPHERNALIA		ALT, BROOKE L	Closed
<i>DWLS</i>					Count: 1
24-001020	05/14/2024	DWLS		SOULES, CALEB HOWARD	Closed
<i>EXPIRED OPS</i>					Count: 1
24-000975	05/07/2024	EXPIRED OPS		SOULES, CALEB HOWARD	Closed
<i>FALSE ALARM</i>					Count: 2
24-001058	05/17/2024	FALSE ALARM		SIETSEMA, ETHAN	Closed
24-001134	05/28/2024	FALSE ALARM		SIETSEMA, ETHAN	Closed
<i>FALSE DOCUMENT DURING INVESTIGATION</i>					Count: 1
24-000967	05/06/2024	FALSE DOCUMENT DURING INVESTIGATION		PRICE, DAVE	Warrant Request
<i>FIRE ASSIST</i>					Count: 1
24-001092	05/22/2024	FIRE ASSIST		BULTSMA, ZACHARY NEAL	Closed
<i>FLEE/ELUDE, NO OPS, UNREG VEH / ACCIDENT</i>					Count: 1
24-000941	05/02/2024	FLEE/ELUDE, NO OPS, UNREG VEH / ACCIDENT		SOULES, CALEB HOWARD	Warrant Request-County
<i>FOUND BACKPACK</i>					Count: 1
24-001060	05/17/2024	FOUND BACKPACK		JONES, CALEB	Closed
<i>FOUND BICYCLES</i>					Count: 1
24-000981	05/09/2024	FOUND BICYCLES		KUSMIERSKI, TRAVIS	Closed

Incident Description Count Report

Report Criteria:

Start Date	End Date	Status
05/01/2024	05/31/2024	ALL

Incident	Rprt Date	Description	Area	Officer	Status
<i>FOUND VAPE AND BB GUN</i>					Count: 1
24-001129	05/27/2024	FOUND VAPE AND BB GUN		SOULES, CALEB HOWARD	Closed
<i>FOUND WALLET</i>					Count: 1
24-001033	05/15/2024	FOUND WALLET		JONES, CALEB	Closed
<i>FRAUD</i>					Count: 1
24-001051	05/17/2024	FRAUD		SOULES, CALEB HOWARD	Open
<i>FRAUD - FALSE ID</i>					Count: 1
24-001158	05/31/2024	FRAUD - FALSE ID		SOULES, CALEB HOWARD	Open
<i>HELP FIND LOST DOG</i>					Count: 1
24-001141	05/28/2024	HELP FIND LOST DOG		KUSMIERSKI, TRAVIS	Closed
<i>HIT AND RUN</i>					Count: 1
24-001094	05/22/2024	HIT AND RUN		SOULES, CALEB HOWARD	Closed
<i>ID THEFT / 10-96</i>					Count: 1
24-000964	05/05/2024	ID THEFT / 10-96		JONES, CALEB	Closed
<i>IMPOUND VEHICLE</i>					Count: 1
24-000086	05/16/2024	IMPOUND VEHICLE		ALT, BROOKE L	Closed
<i>INDUSTRIAL ACCIDENT</i>					Count: 1
24-001142	05/28/2024	INDUSTRIAL ACCIDENT		KUSMIERSKI, TRAVIS	Closed
<i>JUVENILE PETITION PICKUP</i>					Count: 1
24-001080	05/20/2024	JUVENILE PETITION PICKUP		KUSMIERSKI, TRAVIS	Closed
<i>KEEP THE PEACE</i>					Count: 1
24-001085	05/21/2024	KEEP THE PEACE		SOULES, CALEB HOWARD	Closed
<i>LARCENY</i>					Count: 1
24-000962	05/05/2024	LARCENY		SIETSEMA, ETHAN	Closed
<i>LARCENY OF OXYGEN TANK</i>					Count: 1
24-000947	05/02/2024	LARCENY OF OXYGEN TANK		JONES, CALEB	Closed
<i>LOCAL RECORDS CHECK</i>					Count: 8
24-000079	05/03/2024	LOCAL RECORDS CHECK		ALT, BROOKE L	Closed
24-000083	05/07/2024	LOCAL RECORDS CHECK		ALT, BROOKE L	Closed
24-000091	05/23/2024	LOCAL RECORDS CHECK		ALT, BROOKE L	Closed
24-000092	05/23/2024	LOCAL RECORDS CHECK		ALT, BROOKE L	Closed
24-000093	05/23/2024	LOCAL RECORDS CHECK		ALT, BROOKE L	Closed
24-000094	05/24/2024	LOCAL RECORDS CHECK		ALT, BROOKE L	Closed

Incident Description Count Report

Report Criteria:

Start Date	End Date	Status
05/01/2024	05/31/2024	ALL

Incident	Rprt Date	Description	Area	Officer	Status
<i>LOCAL RECORDS CHECK</i>					Count: 8
24-000095	05/24/2024	LOCAL RECORDS CHECK		ALT, BROOKE L	Closed
24-000097	05/29/2024	LOCAL RECORDS CHECK		ALT, BROOKE L	Closed
<i>LOCK OUT</i>					Count: 2
24-000974	05/07/2024	LOCK OUT		JONES, CALEB	Closed
24-001041	05/16/2024	LOCK OUT		JONES, CALEB	Closed
<i>LOCKOUT</i>					Count: 1
24-001160	05/31/2024	LOCKOUT		SIETSEMA, ETHAN	Closed
<i>LOITER</i>					Count: 1
24-001153	05/31/2024	LOITER		BULTSMA, ZACHARY NEAL	Closed
<i>LOUD ARGUING</i>					Count: 1
24-000966	05/05/2024	LOUD ARGUING		JONES, CALEB	Closed
<i>MALICIOUS DESTRUCTION OF PROPERTY</i>					Count: 1
24-000999	05/11/2024	MALICIOUS DESTRUCTION OF PROPERTY		PRICE, DAVE	Open
<i>MDOP</i>					Count: 1
24-001074	05/19/2024	MDOP		JONES, CALEB	Closed
<i>MEDICAL</i>					Count: 1
24-000990	05/10/2024	MEDICAL		BULTSMA, ZACHARY NEAL	Closed
<i>MOTORIST ASSIST</i>					Count: 2
24-000943	05/02/2024	MOTORIST ASSIST		JONES, CALEB	Closed
24-001101	05/23/2024	MOTORIST ASSIST		KUSMIERSKI, TRAVIS	Closed
<i>NEIGHBOR DISPUTE</i>					Count: 4
24-001007	05/12/2024	NEIGHBOR DISPUTE		JONES, CALEB	Closed
24-001097	05/22/2024	NEIGHBOR DISPUTE		SOULES, CALEB HOWARD	Closed
24-001105	05/23/2024	NEIGHBOR DISPUTE		SIETSEMA, ETHAN	Closed
24-001111	05/24/2024	NEIGHBOR DISPUTE		BULTSMA, ZACHARY NEAL	Closed
<i>NEIGHBOR ISSUES</i>					Count: 1
24-001130	05/27/2024	NEIGHBOR ISSUES		SOULES, CALEB HOWARD	Closed
<i>NOISE COMPLAINT</i>					Count: 4
24-000955	05/03/2024	NOISE COMPLAINT		SIETSEMA, ETHAN	Closed
24-000961	05/04/2024	NOISE COMPLAINT		KUSMIERSKI, TRAVIS	Closed
24-001040	05/16/2024	NOISE COMPLAINT		JONES, CALEB	Closed
24-001127	05/27/2024	NOISE COMPLAINT		BULTSMA, ZACHARY NEAL	Closed

Incident Description Count Report

Report Criteria:

Start Date	End Date	Status
05/01/2024	05/31/2024	ALL

Incident	Rprt Date	Description	Area	Officer	Status
<i>OWI</i>					Count: 1
24-001115	05/25/2024	OWI		BULTSMA, ZACHARY NEAL	Cleared by Arrest
<i>OWI - CHILD ENDANGERMENT</i>					Count: 1
24-000989	05/10/2024	OWI - CHILD ENDANGERMENT		KUSMIERSKI, TRAVIS	Closed
<i>OWI 1ST</i>					Count: 1
24-001073	05/19/2024	OWI 1ST		JONES, CALEB	Closed
<i>OWI BROADCAST</i>					Count: 1
24-000959	05/04/2024	OWI BROADCAST		SIETSEMA, ETHAN	Closed
<i>PARKING COMPLAINT</i>					Count: 1
24-001064	05/18/2024	PARKING COMPLAINT		BULTSMA, ZACHARY NEAL	Closed
<i>PARKING CONCERN</i>					Count: 1
24-001062	05/18/2024	PARKING CONCERN		PRICE, DAVE	Closed
<i>PDA</i>					Count: 1
24-001063	05/18/2024	PDA		BULTSMA, ZACHARY NEAL	Closed
<i>PEOPLE ON GOLF CART</i>					Count: 1
24-000978	05/08/2024	PEOPLE ON GOLF CART		KUSMIERSKI, TRAVIS	Closed
<i>PPO ENTERED 17TH CC</i>					Count: 1
24-000096	05/28/2024	PPO ENTERED 17TH CC		ALT, BROOKE L	Closed
<i>PRIVATE PROPERTY ACCIDENT</i>					Count: 3
24-000960	05/04/2024	PRIVATE PROPERTY ACCIDENT		KUSMIERSKI, TRAVIS	Closed
24-001108	05/24/2024	PRIVATE PROPERTY ACCIDENT		KUSMIERSKI, TRAVIS	Closed
24-001126	05/26/2024	PRIVATE PROPERTY ACCIDENT		BULTSMA, ZACHARY NEAL	Closed
<i>PROPERTY ACCIDENT</i>					Count: 1
24-001005	05/12/2024	PROPERTY ACCIDENT		BULTSMA, ZACHARY NEAL	Open
<i>PROPERTY CHECK / VEHICLE IN DRIVE</i>					Count: 1
24-001102	05/23/2024	PROPERTY CHECK / VEHICLE IN DRIVE		KUSMIERSKI, TRAVIS	Closed
<i>RECKLESS DRIVER</i>					Count: 1
24-000932	05/01/2024	RECKLESS DRIVER		JONES, CALEB	Closed
<i>RECKLESS DRIVING</i>					Count: 1
24-001042	05/16/2024	RECKLESS DRIVING		JONES, CALEB	Closed
<i>REMOVE DEER FROM ROADWAY</i>					Count: 1
24-001076	05/19/2024	REMOVE DEER FROM ROADWAY		KUSMIERSKI, TRAVIS	Closed

Incident Description Count Report

Report Criteria:

Start Date	End Date	Status
05/01/2024	05/31/2024	ALL

Incident	Rprt Date	Description	Area	Officer	Status
<i>RETAIL FRAUD</i>					Count: 2
24-000969	05/06/2024	RETAIL FRAUD		JONES, CALEB	Open
24-001043	05/16/2024	RETAIL FRAUD		BULTSMA, ZACHARY NEAL	Closed
<i>SAME AS 24-932</i>					Count: 1
24-000934	05/01/2024	SAME AS 24-932		JONES, CALEB	Closed
<i>SAME SUBJECT AS 24-933</i>					Count: 1
24-001052	05/17/2024	SAME SUBJECT AS 24-933		SOULES, CALEB HOWARD	Closed
<i>STAND BY</i>					Count: 1
24-001039	05/16/2024	STAND BY		JONES, CALEB	Closed
<i>STOLEN IPHONE</i>					Count: 1
24-001059	05/17/2024	STOLEN IPHONE		PRICE, DAVE	Closed
<i>STRAY DOG</i>					Count: 1
24-001015	05/13/2024	STRAY DOG		SOULES, CALEB HOWARD	Closed
<i>STUDENTS THROWING WATER BALLOONS</i>					Count: 1
24-000986	05/10/2024	STUDENTS THROWING WATER BALLOONS		KUSMIERSKI, TRAVIS	Closed
<i>SUICIDAL SUBJECT</i>					Count: 2
24-001106	05/24/2024	SUICIDAL SUBJECT		SIETSEMA, ETHAN	Closed
24-001159	05/31/2024	SUICIDAL SUBJECT		SIETSEMA, ETHAN	Closed
<i>SUSPICIOUS</i>					Count: 9
24-000936	05/01/2024	SUSPICIOUS		SOULES, CALEB HOWARD	Closed
24-001012	05/13/2024	SUSPICIOUS		BULTSMA, ZACHARY NEAL	Closed
24-001017	05/13/2024	SUSPICIOUS		SOULES, CALEB HOWARD	Closed
24-001021	05/14/2024	SUSPICIOUS		SOULES, CALEB HOWARD	Closed
24-001028	05/14/2024	SUSPICIOUS		KUSMIERSKI, TRAVIS	Closed
24-001036	05/15/2024	SUSPICIOUS		BULTSMA, ZACHARY NEAL	Closed
24-001075	05/19/2024	SUSPICIOUS		KUSMIERSKI, TRAVIS	Closed
24-001118	05/26/2024	SUSPICIOUS		BULTSMA, ZACHARY NEAL	Closed
24-001151	05/30/2024	SUSPICIOUS		BULTSMA, ZACHARY NEAL	Closed
<i>SUSPICIOUS / OBSCENITY DRAWN INTO DUST</i>					Count: 1
24-001146	05/30/2024	SUSPICIOUS / OBSCENITY DRAWN INTO DUST		PRICE, DAVE	Closed
<i>SUSPICIOUS SITUATION</i>					Count: 1
24-001070	05/18/2024	SUSPICIOUS SITUATION		SIETSEMA, ETHAN	Closed

Incident Description Count Report

Report Criteria:

Start Date	End Date	Status
05/01/2024	05/31/2024	ALL

Incident	Rprt Date	Description	Area	Officer	Status
<i>SUSPICIOUS SITUATION</i>					Count: 1
<i>SUSPICIOUS VEHICLE</i>					Count: 1
24-001132	05/27/2024	SUSPICIOUS VEHICLE		SOULES, CALEB HOWARD	Closed
<i>TARP IN ROAD</i>					Count: 1
24-001123	05/26/2024	TARP IN ROAD		JONES, CALEB	Closed
<i>THREAT / TRESPASS NOTICE</i>					Count: 1
24-001103	05/23/2024	THREAT / TRESPASS NOTICE		KUSMIERSKI, TRAVIS	Closed
<i>THREATS</i>					Count: 2
24-000950	05/02/2024	THREATS		SOULES, CALEB HOWARD	Closed
24-001079	05/20/2024	THREATS		KUSMIERSKI, TRAVIS	Closed
<i>TICKET SIGN OFF</i>					Count: 1
24-001016	05/13/2024	TICKET SIGN OFF		SOULES, CALEB HOWARD	Closed
<i>TREE DOWN</i>					Count: 1
24-001124	05/26/2024	TREE DOWN		JONES, CALEB	Closed
<i>TRESPASS</i>					Count: 1
24-001091	05/21/2024	TRESPASS		BULTSMA, ZACHARY NEAL	Closed
<i>VEHICLE LOCKOUT</i>					Count: 2
24-000988	05/10/2024	VEHICLE LOCKOUT		KUSMIERSKI, TRAVIS	Closed
24-001104	05/23/2024	VEHICLE LOCKOUT		KUSMIERSKI, TRAVIS	Closed
<i>VERBAL DOMESTIC</i>					Count: 3
24-001112	05/25/2024	VERBAL DOMESTIC		BULTSMA, ZACHARY NEAL	Closed
24-001116	05/25/2024	VERBAL DOMESTIC		BULTSMA, ZACHARY NEAL	Closed
24-001119	05/26/2024	VERBAL DOMESTIC		BULTSMA, ZACHARY NEAL	Closed
<i>VERBAL THREATS</i>					Count: 1
24-000944	05/02/2024	VERBAL THREATS		JONES, CALEB	Closed
<i>VIN INSPECTION</i>					Count: 1
24-001095	05/22/2024	VIN INSPECTION		SOULES, CALEB HOWARD	Closed
<i>WARRANT ARREST</i>					Count: 2
24-000938	05/01/2024	WARRANT ARREST		SOULES, CALEB HOWARD	Cleared by Arrest

Incident Description Count Report

Report Criteria:

Start Date	End Date	Status
05/01/2024	05/31/2024	ALL

Incident	Rprt Date	Description	Area	Officer	Status
<i>WARRANT ARREST</i>					Count: 2
24-001038	05/16/2024	WARRANT ARREST		BULTSMA, ZACHARY NEAL	Closed
<i>WELFARE CHECK</i>					Count: 5
24-000954	05/03/2024	WELFARE CHECK		KUSMIERSKI, TRAVIS	Closed
24-000973	05/07/2024	WELFARE CHECK		JONES, CALEB	Closed
24-001008	05/12/2024	WELFARE CHECK		JONES, CALEB	Closed
24-001031	05/15/2024	WELFARE CHECK		JONES, CALEB	Closed
24-001086	05/21/2024	WELFARE CHECK		SOULES, CALEB HOWARD	Closed
<i>WRECKLESS COMPLAINT</i>					Count: 1
24-001157	05/31/2024	WRECKLESS COMPLAINT		SOULES, CALEB HOWARD	Closed
<i>WRONG WAY DRIVER</i>					Count: 1
24-000980	05/08/2024	WRONG WAY DRIVER		SIETSEMA, ETHAN	Closed
					Total: 180

Ticket Offense Report

Report Criteria:

Start Date	End Date	Start Offense	End Offense
05/01/2024	05/31/2024	.653A1A	Y

Ticket	Issued Date	Ticket Type	Location	Officer	Count:	
257.215 -- Unregistered motor vehicle					Count:	1
43767	05/14/2024	Misdemeanor	W DIVISION/M37	SOULES,CALEB,HOWARD		
257.255 -- Expired Registration Plate					Count:	1
44005	05/29/2024	Civil Infraction	E DIVISION ST /PROSPECT ST NW	BULTSMA,ZACHARY,NEAL		
257.301 -- Expired Operators License					Count:	1
43766	05/07/2024	Misdemeanor	AVERILL/S UNION	SOULES,CALEB,HOWARD		
257.301(1) -- Drove While License Not Valid					Count:	1
43797	05/16/2024	Misdemeanor	N STATE ST / GROVE ST NW	BULTSMA,ZACHARY,NEAL		
257.328 -- No Proof of Insurance on a motor vehicle					Count:	1
43767	05/14/2024	Misdemeanor	W DIVISION/M37	SOULES,CALEB,HOWARD		
257.614 -- Disregarded Red Flashing Stop and Go Light					Count:	8
43792	05/11/2024	Civil Infraction	DIVISION/S STATE	BULTSMA,ZACHARY,NEAL		
43793	05/11/2024	Civil Infraction	DIVISION/S STATE	BULTSMA,ZACHARY,NEAL		
43794	05/11/2024	Civil Infraction	DIVISION/STATE	BULTSMA,ZACHARY,NEAL		
43798	05/17/2024	Civil Infraction	DIVISION/STATE	BULTSMA,ZACHARY,NEAL		
43799	05/17/2024	Civil Infraction	STATE/DIVISION	BULTSMA,ZACHARY,NEAL		
44002	05/26/2024	Civil Infraction	STATE/ DIVISION	BULTSMA,ZACHARY,NEAL		
44003	05/26/2024	Civil Infraction	STATE/GARDNER	BULTSMA,ZACHARY,NEAL		
44006	05/31/2024	Civil Infraction	DIVISION/STATE	BULTSMA,ZACHARY,NEAL		
257.624A -- Open Intoxicants in Vehicle (Driver)					Count:	1
44098	05/20/2024	Misdemeanor	206 S STATE/E GARDNER ST	JONES,CALEB		
257.624B -- Person Under 21 Transport/Possess in Vehicle					Count:	1
44001	05/25/2024	Misdemeanor	W DIVISION/M37	BULTSMA,ZACHARY,NEAL		
257.625(1) -- Operating While Intoxicated (O.W.I.)					Count:	2
44098	05/20/2024	Misdemeanor	206 S STATE/E GARDNER ST	JONES,CALEB		
44001	05/25/2024	Misdemeanor	W DIVISION/M37	BULTSMA,ZACHARY,NEAL		
257.625(7) -- Operating-Minor With Any BAC-Occupant Less Than 16					Count:	1
43957	05/10/2024	Misdemeanor	560 W SPARTAN DR NW	KUSMIERSKI,TRAVIS		
257.625H -- Refused Preliminary breath test					Count:	2
43957	05/10/2024	Misdemeanor	560 W SPARTAN DR NW	KUSMIERSKI,TRAVIS		
44098	05/20/2024	Misdemeanor	206 S STATE/E GARDNER ST	JONES,CALEB		
257.626B -- Careless Driving					Count:	1
44004	05/26/2024	Civil Infraction	565 S STATE/12 MILE RD	BULTSMA,ZACHARY,NEAL		
257.628 -- Exceeded Posted Speed					Count:	3
44116	05/09/2024	Civil Infraction	M37/ 13 MILE	SIETSEMA,ETHAN		
44097	05/19/2024	Warning	12 MILE /M37	JONES,CALEB		
44099	05/26/2024	Warning	W DIVISION/ANDERSON	JONES,CALEB		
257.642 -- Improper lane usage					Count:	1
43795	05/12/2024	Civil Infraction	600 S STATE/12 MILE RD	BULTSMA,ZACHARY,NEAL		

Ticket Offense Report

Report Criteria:

Start Date	End Date	Start Offense	End Offense
05/01/2024	05/31/2024	.653A1A	Y

Ticket	Issued Date	Ticket Type	Location	Officer	Count:	
<i>257.643 -- Following to closely</i>					Count:	1
43800	05/18/2024	Civil Infraction	S STATE/ AVERILL/E GARDNER	BULTSMA,ZACHARY,NEAL		
<i>257.649(6) -- Fail to Stop at Stop Sign</i>					Count:	1
43796	05/15/2024	Civil Infraction	MARTINDALE/TENTREE	BULTSMA,ZACHARY,NEAL		
<i>257.686 -- Defective Tail lights</i>					Count:	3
43765	05/01/2024	Civil Infraction	MARTINDALE/ ATKINSON	SOULES,CALEB,HOWARD		
44115	05/04/2024	Warning	S STATE	SIETSEMA,ETHAN		
43766	05/07/2024	Misdemeanor	AVERILL/S UNION	SOULES,CALEB,HOWARD		
<i>257.710D -- Violation of Child Restraint Law</i>					Count:	1
43957	05/10/2024	Misdemeanor	560 W SPARTAN DR NW	KUSMIERSKI,TRAVIS		
<i>257.710E -- Seat Belt violation Failed to use/wear</i>					Count:	1
44003	05/26/2024	Civil Infraction	STATE/GARDNER	BULTSMA,ZACHARY,NEAL		
<i>257.904 -- Drove While License Suspended/Denied/Revoked</i>					Count:	2
43765	05/01/2024	Civil Infraction	MARTINDALE/ ATKINSON	SOULES,CALEB,HOWARD		
43767	05/14/2024	Misdemeanor	W DIVISION/M37	SOULES,CALEB,HOWARD		
					Total:	34