



CITY OF IONIA
PLANNING COMMISSION
REGULAR MEETING AGENDA
4:30 PM, Wednesday, May 13, 2026
IONIA CITY HALL - COUNCIL CHAMBERS

I. Call to Order

II. Roll Call

III. Approval of Agenda

IV. Approval of Minutes

1. April 1, 2026 – Rescheduled Meeting
2. April 29, 2026 - Special Meeting

V. Public Comments

VI. Public Hearings and Associated Action

VII. Old Business

VIII. New Business

1. Ordinance Amendment - Chapter 1286: Miscellaneous Regulations

IX. Commissioner Comments

X. Adjournment

Next Meeting - June 10, 2026

PUBLIC PARTICIPATION POLICY: The City of Ionia Planning Commission encourages public comment on agenda and non-agenda items. Those desiring to speak should do so under Public Comments at the beginning of the meeting. After that point during the meeting public comments are not normally allowed. The Chairperson may limit the amount of time allowed for each person wishing to make comments during the meeting.



CITY OF IONIA
PLANNING COMMISSION
REGULAR MEETING MINUTES
4:30 PM, Wednesday, April 1, 2026
IONIA CITY HALL - COUNCIL CHAMBERS

I. CALL TO ORDER

Chairperson Bailey called the meeting of the Ionia Planning Commission to order at 4:30 PM.

II. ROLL CALL

Roll call revealed a Quorum with Planning Commissioners Logan Bailey, Michael Donaldson, Ryan Gregory, Tim Lee, and Judy Swartz present. Commissioners Keturah Kelley and Jason Perry were absent.

III. APPROVAL OF AGENDA

Chairperson Bailey introduced the agenda and asked if there were any requested changes. Planning Commissioner Donaldson made a motion, seconded by Planning Commissioner Lee, to approve the agenda as presented.

MOTION CARRIED BY VOICE VOTE.

IV. APPROVAL OF MINUTES

(IV.1.) March 11, 2026 – Regular Meeting

Minutes from the regular meeting of March 11, were reviewed. Planning Commissioner Swartz made a motion, seconded by Planning Commissioner Lee, to approve the March 11, 2026, meeting minutes as presented.

MOTION CARRIED BY VOICE VOTE.

V. PUBLIC COMMENTS

None.

VI. PUBLIC HEARINGS AND ASSOCIATED ACTION

None.

VII. OLD BUSINESS

None.

VIII. NEW BUSINESS

(VIII.1.) Planning Commission By-Laws Update

Assistant City Manager Bowman presented changes to the Planning Commission By-Laws and Rules of Procedures for consideration of the Commission to address Ex Parte Contact and Site

Inspections.

Planning Commissioner Bailey made a motion, seconded by Planning Commissioner Donaldson, to approve the revised Planning Commission By-Laws and Rules of Procedure subject to striking the parenthetical statement found in section 3.9 (5). The motion also included recommending the changes to City Council for final approval.

MOTION CARRIED BY VOICE VOTE.

(VIII.2.) Deerfield Business Park - Final Site Plan Presentation

Assistant City Manager Bowman introduced the final site plan for the City's proposed Deerfield Business Park located at the southeast intersection of Harwood Road and W. Riverside Drive. He indicated that the 80-acre property was purchased by the City from the State Land Bank Authority following demolition of the site's former correctional facilities. Bowman explained that the City's intent is to prepare the property for a high-tech business park with the needed roadways, public utilities, and other site preparations in order for it to be "shovel ready" for new business and industry.

Tyler DeNooyer from Prein&Newhof presented the details of the site plan to the Commission on behalf of the City and answered several questions from the Commission related to drainage, buffering, and public infrastructure.

Planning Commissioner Lee made a motion, seconded by Planning Commissioner Donaldson, to approve the final site plan for the Deerfield Business Park.

MOTION CARRIED BY VOICE VOTE.

(VIII.3.) Austin Pines West PUD and Site Condominium - Preliminary Review

Assistant City Manager Bowman provided an update on the Austin Pines West project, highlighting changes made since the developer originally submitted. He indicated that a traffic study was provided by the developer in response to concerns from the City about the Foxtail Drive and State Road (M-66) intersection. Bowman reported that the traffic study was reviewed by MDOT with minor feedback provided but no major concerns.

Mike West, representing Allen Edwin Homes, presented the updated preliminary site plan for 96 new residential units within the Austin Pines Planned Unit Development (PUD) District. He noted that the project includes 84 single-family detached homes in a site condominium subdivision and 12 attached townhomes in a traditional condominium. Mr. West described the intended two phases of the development and commented on the open space, parking, and emergency site access within the design.

Bowman provided a draft ordinance to amend Chapter 1292 - Austin Pines PUD District based on the preliminary plan from Allen Edwin Homes.

The Commission asked questions related to the development's layout, setbacks, lot sizes, access, and other features.

Planning Commissioner Donaldson made a motion, seconded by Planning Commissioner Swartz, to schedule necessary public hearings for the next scheduled Planning Commission meeting at Ionia City Hall regarding the ordinance and preliminary plan, subject to a review of the ordinance by the City Attorney's Office.

MOTION CARRIED BY VOICE VOTE.

(VIII.4.) Schedule Special April Planning Commission Meeting

On behalf of Allen Edwin Homes, Assistant City Manager Bowman requested the Commission to consider scheduling a special meeting to take action on the Austin Pines West Development.

Chairperson Bailey made a motion, seconded by Planning Commissioner Swartz, to schedule a special Planning Commission meeting for Wednesday, April 29, 2026, at 4:30 PM in the Council Chambers of Ionia City Hall to conduct necessary public hearings and consider action on the Austin Pines West Development.

MOTION CARRIED BY VOICE VOTE.

IX. COMMISSIONER COMMENTS

None.

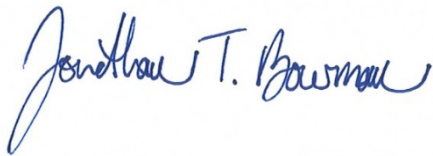
X. ADJOURNMENT

Planning Commissioner Donaldson made a motion, seconded by Planning Commissioner Lee, to adjourn.

MOTION CARRIED BY VOICE VOTE.

The meeting was adjourned at 5:32 PM.

Respectfully Submitted,



Jonathan T. Bowman, Recording Secretary
for Judy Swartz, Secretary



CITY OF IONIA

PLANNING COMMISSION

SPECIAL MEETING MINUTES

4:30 PM, Wednesday, April 29, 2026

IONIA CITY HALL - COUNCIL CHAMBERS

I. CALL TO ORDER

Chairperson Bailey called the special meeting of the Ionia Planning Commission to order at 4:30 PM.

II. ROLL CALL

Roll call revealed a Quorum with Planning Commissioners Logan Bailey, Ryan Gregory, Tim Lee, and Judy Swartz present. Commissioners Michael Donaldson, Keturah Kelley, and Jason Perry were absent.

Staff Present: Precia Garland, City Manager; Jonathan Bowman, Assistant City Manager; Toby Hayes, Planning Consultant.

Members of the Public Present: Mike West, Allen Edwin Homes; Aaron Besmer, Allen Edwin Homes; Kathy VanSyckle (919 W. Main St.); Carol Campbell (151 Foxtail Dr.); Marta Glass (1933 Aspen Valley Ln.); Rodney & Carolyn Fox (214 Katherine Ct.); Glenn Joy (185 Katherine Ct.); Dale Kramer (9271 State Rd.); Tyler Vanhouten (1850 Herrity Ln.); Bruce Sibert (234 Reimer Dr.); Karen Erskine (181 Reimer Dr.); David Bosley (2217 Westover Dr.); Kurtis & Katelynn Bray (161 Foxtail Dr.); Terry & Kittie Goucher (2177 Westover Dr.); Kenny Livingston (200 Holiday Dr.); Merita Hart (1966 Aspen Valley Ln.); Karen Miller (2259 Westover Dr.); Bill Vaarberg, Berlin Township Trustee.

III. APPROVAL OF AGENDA

Chairperson Bailey introduced the agenda and asked if there were any requested changes. Planning Commissioner Lee made a motion, seconded by Planning Commissioner Gregory, to approve the agenda as presented.

MOTION CARRIED BY VOICE VOTE.

IV. PUBLIC COMMENTS

None.

V. PUBLIC HEARINGS AND ASSOCIATED ACTION

(V.1.) Public Hearing to receive comments on Ordinance No. 604 to amend Chapter 1292:

Austin Pines Planned Unit Development District Assistant City Manager Bowman provided a brief historical background on the Austin Pines Planned Unit Development District and introduced the new development. Bowman gave an overview of the City's approval process, including details

on the Brownfield Redevelopment Authority's (BRA) review of an Act 381 Workplan connected to the development. He explained that the possible affordability component would be addressed by the BRA and City Council, but he described that the rental rates being considered are 120% Area Median Income (AMI). Bowman indicated that in 2025, the state's capped rental rate for 120% AMI in Ionia County was \$2,599 for a 3-bedroom home.

Land Planning Manager Mike West from Allen Edwin Homes presented the site plan and development proposal to Planning Commission. He explained the anticipated phasing and construction timeline.

Planning Consultant Toby Hayes reviewed a few of the key zoning provisions impacted by the development.

Chairperson Bailey opened the public hearing for comments on Ordinance No. 604 and the Austin Pines West Development Plan at 4:48 PM.

Notices were provided to all properties within 300 feet of the proposed development and many property owners attended the meeting, as indicated in the roll call attendance. A technical issue occurred with the meeting recording, so the robust number of comments have been summarized to the best of staff's abilities below:

The number one concern brought forth to the Commission was additional traffic that the development would cause to Foxtail and Reimer Drive. Additional concerns included driveway size, parking requirements, deterioration of Foxtail Drive, construction traffic, street parking, size of roads, number of units in condominium association, low-income housing, number of rentals, stormwater drainage, increases to property taxes, separation between Berlin Township and City of Ionia boundaries, and overall density. Many of the concerns mentioned were brought up numerous times.

In addition to the in-person public comments, a letter was submitted on behalf of Brandon Miller (4651 Richard Street, Holt, MI) and Ryan Miller (2259 Westover Drive). The letter referenced growing up in the area and appreciating the peaceful environment as well as concerns about the disruption of wildlife, increased traffic, higher property taxes, and Allen Edwin's reputation for poor quality construction. The letter advised against promoting future housing developments that will have negative impacts on Westover Drive and nearby areas.

Chairperson Bailey closed the public hearing at 5:29 PM.

The Planning Commission discussed the project and asked several questions related to traffic, access to the development, and ways to mitigate these concerns.

Mike West referenced the traffic study's results that indicated the development did not require additional access points.

City Manager Garland spoke to the adjacent Deerfield and Riverside property and its potential future development. She highlighted that future planning anticipates a connection from Austin Pines West through the Deerfield and Riverside property, allowing access to Hardwood Road and Riverside Drive when the State Land Bank facilitates the development of this property.

Bowman added that the results were sent to the Michigan Department of Transportation (MDOT) for review as the impacted intersection is M-66. He noted that MDOT has jurisdiction over M-66

and did not have major concerns with the intersection besides extending the width to create a designated left turn lane. Bowman also noted that the existing Foxtail Drive is not wide enough for parking on both sides of the street. He clarified that the small extension to Foxtail would be the same width. However, all other public streets would be designed to the City's municipal standards, allowing space for parking on both sides of the street. Bowman mentioned that possible new signage could be posted to indicate that parking is only permitted on one side of the street. The numerous staff recommended conditions were highlighted for the Commission along with the development standards found in Chapter 1266 and 1276.

Planning Commissioner Lee made a motion, seconded by Planning Commissioner Bailey, to recommend that City Council conditionally approve the Planned Unit Development (PUD) amended Development Plan and final site plan for Austin Pines West, which includes 96 housing units located on parcel 34-201-025-000-001-01 and a portion of parcel 34-201-036-000-001-01. This decision was based on the findings that the proposed use and plan comply with the Site Plan Standards of Chapter 1276 and the PUD Development Requirements of Chapter 1266 of the Code of Ordinances, as detailed and discussed above, subject to the approval by staff of the conditions listed below.

1. The PUD will consist of 96 dwelling units on 26.33 acres (3.65 dwelling units/acre) in the form of 84 Single-family detached homes and 12 three-unit attached single-family building (triplexes).
2. Detached single-family lots shall be no less than 3,610 square feet in area and no less than 33 feet wide.
3. Detached single-family lots shall have front and rear yard setbacks of 20 feet and shall have a 5-foot minimum side yard setback with both side yard setbacks totaling 11 feet.
4. Detached single-family lots shall have a lot coverage of no more than 45%.
5. Detached single-family site condominiums shall not be greater than 35 feet in height.
6. Attached unit buildings shall have front and rear yard setbacks of 20 feet and shall have 15-foot setbacks for the perimeter of the attached unit development area.
7. Attached unit buildings shall have a lot coverage of no more than 45%.
8. Attached unit buildings shall not be greater than 35 feet in height.
9. No demolition or earthwork shall be undertaken on the site until a building permit has been issued consistent with this site plan approval.
10. Before permits are issued, the applicant must have paid all applications, permits, and other fees related to this request. The applicant shall meet the requirements of all other applicable ordinances, codes, and requirements of the City of Ionia. Final site plan approval and permits will be conditioned upon obtaining necessary permits from relevant agencies.
11. Internal streets will be designed to the City of Ionia engineering standards, subject to review and approval by the City Engineer.
12. Compliance with the lighting standards in Section 1286.03 is required.
13. All future signs must be in accordance with the requirements of Chapter 1284 of the City of Ionia Zoning Ordinance, in accordance with requirements for signs in residential districts.
14. SESC permits will be obtained from the Ionia County Drain Commissioner.
15. The Ionia County Drain Commission approves the plan as presented; otherwise, the applicant will be required to make the appropriate alterations to the approved plan. An approval letter from the Ionia County Drain Commission shall be provided to the City of Ionia before construction commences.
16. The Ionia Department of Public Safety approves the plan as presented and is satisfied that emergency vehicles and personnel will be able to safely enter and exit the development.
17. The Ionia Department of Public Works and Department of Public Utilities approve the plan

as presented and confirm that the rights of way, public roads, street lighting, sidewalks, street landscaping, water and sewer utilities, and stormwater facilities comply with all City standards.

18. Open space areas must be in perpetuity and maintained in a natural state and free of future development. The dedicated open space document shall be recorded with the Ionia County Register of Deeds, and the City shall be provided with a recorded copy.
19. A tree list shall be submitted and approved by City staff with a variety of trees to be used as street trees.
20. As noted by MDOT, the City requires the developer to widen the Foxtail Drive approach as shown on sheet 5 of GEO-650-D rather than re-striping for turn lanes.
21. Reimer Drive will not be used for construction traffic and will be gated for emergency vehicle use following construction.
22. Allen Edwin Homes must reasonably attempt to work with the State Land Bank for temporary use of their adjacent property to the west for construction traffic and staging.

MOTION CARRIED BY VOICE VOTE.

(V.2.) Public Hearing to receive comments on the Preliminary Austin Pines West Site Condominium Project Plan and Final Site Plan Review

Assistant City Manager Bowman explained that this agenda item is for the same plans previously discussed for the last agenda item. However, in addition to the ordinance amendment and Planned Unit Development Plan, the project includes a site condominium and traditional condominium. He noted that the City Attorney's Office had reviewed all submitted materials related to condominiums such as the Master Deeds, Condominium Association Bylaws, and Restrictive Covenants. Minor changes were passed along to Allen Edwin Homes for review.

The applicable city codes and state laws were reviewed by the Planning Commission in the provided memorandum from Planning Consultant Williams & Works. These included the City of Ionia's Chapter 1272 and 1232, Section 1224.02, and the Michigan Condominium Act.

Chairperson Bailey opened the public hearing for comments on the Preliminary Austin Pines West Site Condominium Project Plan and Final Site Plan Review at 5:44 PM.

Notices were provided to all properties within 300 feet of the proposed development and many property owners attended the meeting, as indicated in the roll call attendance. A technical issue occurred with the meeting recording, so the comments have been summarized to the best of staff's abilities below:

A couple members of the public provided comments related to street traffic and congestion. One person noted the garages from Allen Edwin being too small for vehicles, causing an increase in street parking. Another comment was made regarding the challenges of small condominium associations managing their common assets and requesting consideration for one larger association instead of two separate associations.

Chairperson Bailey closed the public hearing at 5:49 PM.

Bowman and Garland shared their contact information with the members of the public in attendance and encouraged anyone with questions to reach out to City staff.

Planning Commissioner Lee made a motion, seconded by Planning Commissioner Swartz, to

approve the preliminary site condominium plan and recommend that City Council conditionally approve the final site condominium project plan and traditional condominium for Austin Pines West, which includes 96 housing units located on parcel 34-201-025-000-001-01 and a portion of parcel 34-201-036-000-001-01. This decision was based on the findings that the proposed use and plan comply with the Site Condominium Standards of Chapter 1272, the Preliminary Plat Requirements of Section 1224.02, Chapter 1232 – Improvements of the Code of Ordinances, and the submittal requirements of the Michigan Condominium Act: Section 66 of Act 59 of 1978, as detailed and discussed above, subject to the approval by staff of the conditions listed below.

1. No demolition or earthwork shall be undertaken on the site until a building permit has been issued consistent with this site plan approval.
2. Before permits are issued, the applicant must have paid all applications, permits, and other fees related to this request.
3. All condominium document drafts must be submitted and approved by the City Attorney and approved by the City Council. Once the documents are properly recorded, the City shall be provided with a recorded copy.
4. All easements shall be granted to the City of Ionia and approved by the City Attorney and all other applicable approving authorities representing the City.
5. The applicant shall meet the requirements of all other applicable ordinances, codes, and requirements of the City of Ionia.

MOTION CARRIED BY VOICE VOTE.

VI. OLD BUSINESS

None.

VII. NEW BUSINESS

None.

VIII. COMMISSIONER COMMENTS

Judy Swartz: (1) Noted the need for additional housing in the community; (2) Thanked all the members of the public for attending the meeting.

Tim Lee: (1) Thanked the public for attending; (2) Invited anyone interested in making further comments to attend the upcoming May 6 and June 3 City Council meetings; (3) Recommended contacting City staff to anyone with additional questions on the proposed housing development.

IX. ADJOURNMENT

Planning Commissioner Swartz made a motion, seconded by Planning Commissioner Gregory, to adjourn.

MOTION CARRIED BY VOICE VOTE.

The meeting was adjourned at 5:59 PM.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Jonathan T. Bowman". The signature is written in a cursive style with a large initial 'J'.

Jonathan T. Bowman, Recording Secretary
for Judy Swartz, Secretary



CITY OF IONIA

STAFF REPORT FOR PLANNING COMMISSION AGENDA ITEM

Agenda Item: VIII.1

TO: Planning Commissioners
FROM: Jonathan Bowman, Assistant City Manager
DATE: May 13, 2026
RE: Ordinance Amendment - Chapter 1286: Miscellaneous Regulations

Background:

As many people know, the upcoming Ionia Freak Fair Billy Strings event on August 28–29 will be bringing a lot of visitors to the Ionia community. Camping and the use of recreational vehicles have been large topics of conversation, due to limited overnight accommodations in the area. The City of Ionia does not currently have a designated camping ordinance with clear regulations. Accessory structure guidelines have generally been interpreted to restrict camping to a property's side or rear yard. However, tents are temporary structures and the definition for accessory structures found in Section 1286.01 prohibits the use of "cloth, canvas, plastic film, nylon, or similar material that does not provide long-term durability." Section 1286.01 (d) restricts the use of recreational vehicles to storage only within a driveway or rear yard. Additionally, the Public Health Code administered by the Ionia County Health Department requires a temporary campground license when five or more recreational units (i.e., tents, campers, RVs) are placed on a parcel or tract of land and are used for temporary living quarters. This licensing process is handled by the Ionia County Health Department.

After reviewing these provisions, staff decided to draft an amendment to Chapter 1286: Miscellaneous Regulations to add a "Camping and Recreational Vehicles" section. This has been added as Section 1286.16. The proposed changes would allow for a maximum of four tents to be used within a side or rear yard. Recreational vehicles would be treated the same as in the existing ordinance except for an established maximum number of two parked on a driveway or in a side yard. Seasonal limitations on camping have been drafted as April 1 through October 31, with a maximum of 14 days within a calendar year. Finally, a provision has been added to allow City Council to authorize a temporary exemption from this section of the Code.

While amending this chapter, there were a few additional items that staff thought could be updated or addressed. These include a new section for portable storage units and shipping containers, removal of Building Code details from accessory structure requirements, fencing clarification, river frontage construction procedural correction, and an amendment to the swimming pool fencing requirements. These will be explained in greater detail by staff during the meeting.

The drafted ordinance is provided for Planning Commission's consideration. A public hearing would be required for this ordinance amendment prior to making a recommendation to City Council.

Requested Action / Motion:

It is requested that the Planning Commission review the drafted ordinance to amend definitions found in Section 1240.11 and various sections in Chapter 1286 — Miscellaneous Regulations. It is

further requested that Planning Commission consider a motion to schedule a public hearing for the next Planning Commission meeting at Ionia City Hall on Wednesday, June 10 at 4:30 PM, subject to a review of the ordinance by the City Attorney's Office.

Motion By:

Seconded By:

**CITY OF IONIA
IONIA COUNTY, MICHIGAN
ORDINANCE NO. 606**

AN ORDINANCE TO AMEND CHAPTER 1240 – GENERAL PROVISIONS AND DEFINITIONS, SECTION 1240.11 – DEFINITIONS, TO ADD NEW DEFINITIONS AS SUBSECTIONS 95A AND 102A AND TO RENUMBER SUBSECTION 102 ACCORDINGLY; AND TO AMEND CHAPTER 1286 – MISCELLANEOUS REGULATIONS OF TITLE SIX – ZONING; PART TWELVE – PLANNING AND ZONING OF THE CODIFIED ORDINANCES OF THE CITY OF IONIA, COUNTY OF IONIA, STATE OF MICHIGAN

At a regular meeting of the City Council of the City of Ionia held on _____, 2026, at Ionia City Hall in the Council Chambers, Councilmember _____, supported by Councilmember _____, moved to adopt the following ordinance:

THE CITY OF IONIA HEREBY ORDAINS:

Section 1. Amendment of Chapter 1240. The City of Ionia hereby amends Chapter 1240 entitled “General Provisions and Definitions,” Section 1240.11 entitled “Definitions,” to add a new Subsection 1240.11(95a) entitled “Portable Shipping Units” and to add a new definition to Subsection (102a) entitled “Shipping Container” and to renumber Subsection (102) accordingly of Title Six – Zoning; Part Twelve – Planning and Zoning Code to read as follows:

**CHAPTER 1240
General Provisions and Definitions**

(95a) Portable Storage Units: A temporary structure to be used, or intended to be used, for the private noncommercial, nonindustrial storage uses by the property owner prior to the construction of, renovation to, or habitation of a residence on the property.

(102a) Shipping Container: A standardized, reusable container for transporting cargo that is capable of integrating with a railcar flatbed, flatbed semitrailer, or container ship for use in intermodal freight transport and also known as an intermodal container or cargo container. This definition also includes other standardized durable containers not used in intermodal freight transport which are designed for packing, shipping, storing, and transporting goods or other items.

(102b) Short-Term Property or Lot: A parcel or lot with an STR use or operation thereon.

(102c) Short-Term Rental ("STR"): A dwelling unit, cabin, cottage, or house that is available for rent or use or is used or rented for habitation, accommodation, or lodging of guests, paying a fee or other compensation, for a period of less than 30 consecutive days and nights at a time.

Section 2. Amendment of Chapter 1286. The City of Ionia hereby amends Chapter 1286, entitled “Miscellaneous Regulations” of Title Six – Zoning; Part Twelve – Planning and Zoning Code to read in its entirety as follows:

**CHAPTER 1286
Miscellaneous Regulations**

- 1286.01 Accessory Buildings.
- 1286.02 Landscaping.
- 1286.03 Exterior Lighting.
- 1286.04 Residential Entranceways.
- 1286.05 Corner Clearance.
- 1286.06 Fences.
- 1286.07 General Exceptions.
- 1286.08 Outdoor Boilers.
- 1286.09 Michigan Medical Marihuana Act, M.C.L.A. §§ 333.26421 et seq., as amended (MMMA) and Michigan Regulation and Taxation of Marihuana Act, M.C.L.A. §§ 333.27951 et seq., as amended (MRTMA).
- 1286.10 Home Occupations.
- 1286.11 Donation Drop Boxes.
- 1286.12 Decks and Porches.
- 1286.13 Swimming Pools, Hot Tubs, and Spas.
- 1286.14 Accessory Dwelling Units.
- 1286.15 Portable Storage Units and Shipping Containers
- 1286.16 Camping and Recreational Vehicles

1286.01 ACCESSORY BUILDINGS.

- (a) Accessory Buildings and Structures General Requirements. Accessory buildings, except as otherwise permitted herein, shall be subject to the following general requirements:
 - (1) Accessory buildings and structures that are customarily incidental and subordinate to an existing principal building or structure or use permitted by right within the applicable zoning district, located on the same lot and not otherwise regulated by this Zoning Code, shall be permitted subject to the regulations of this Zoning Code.
 - (2) Accessory buildings and structures shall not be constructed of cloth, canvas, plastic film, nylon, or similar material that does not provide long-term durability.
 - (3) Accessory buildings and structures ~~six hundred (600) square feet in floor area or greater shall be securely attached to a frost-free footing meeting building code requirements. Accessory buildings and structures less than six hundred (600) square feet in floor area but two hundred (200) square feet and greater shall be securely attached to a foundation, footing, or a concrete slab to be a permanent fixture on the property. In both cases must receive a Building Permit from the Ionia County Building Department when required by law.~~ A zoning permit from the City is required before construction begins and prior to receiving a Building Permit.

- (4) A tent that is otherwise lawfully erected for a special event on a short-term basis shall not be regulated under this section.
- (5) HVAC and mechanical equipment are deemed accessory structures and may not be located in the front yard unless deemed necessary by the Zoning Administrator due to practical difficulties. Screening shall be provided in all circumstances unless waived by the Zoning Administrator.
- (6) Attached Accessory Buildings and Structures.
- A. Attached accessory buildings and structures (i.e., attached garages, covered porches, decks (with a height greater than eight (8) inches above grade) shall be joined structurally to the principal building.
 - B. Attached accessory buildings and structures shall conform to the minimum setback requirements and other site development standards of the zoning district where the accessory building or structure is located.
 - C. Attached accessory buildings and structures shall be included in the calculation for maximum lot coverage.
- (7) Detached Accessory Buildings.
- A. Detached accessory buildings may include, such as garages, ~~and~~ sheds, or other similar structures that are not physically attached to the principal structure.
 - B. Detached accessory buildings shall be set back at least six (6) feet from any side or rear property line.
 - C. Detached accessory buildings must maintain at least ten (10) feet separation between the detached and principal structures. If the accessory building is less than 200 square feet, the required separation may be proportionately reduced at the Zoning Administrator's discretion.
 - D. Detached accessory buildings shall be included in the calculation for maximum lot coverage.
- (8) Detached Accessory Structures.
- A. Detached accessory structures may include, such as pergolas, ~~and~~ gazebos, and other similar structures that are not physically attached to the principal structure.
 - B. Detached accessory structures shall be set back at least six (6) feet from any property line.
 - C. Detached accessory structures must maintain at least ten (10) feet separation between the detached and principal structures. If the accessory building is less than 200 square feet, the required separation may be proportionately reduced at the Zoning Administrator's discretion.
 - D. Detached accessory structures shall not be located within any ~~clear~~ clear vision corner near a driveway or public/private street.
 - E. Detached accessory structures shall be included in the calculation for maximum lot coverage.
 - F. Detached accessory structures may be constructed in the front yard of a through lot opposite the principal structure's address, for a through lot is defined as having two front yards, so long as the detached accessory structure is not within a front yard setback requirement of said opposite front yard of the non-addressed side.

G. To the extent of any conflict between this subsection 1286.01(a) and other subsections of 1286.01, the more restrictive provisions shall govern and control.

(b) Accessory Buildings and Structures; Residential Districts or Uses.

- (1) Detached accessory buildings in a residential zoning district or ~~which is being used residentially~~ property that is a residential use in a non-residential district shall only be located in the side or rear yard. Attached accessory buildings or structures in a residential zoning district or ~~which is being used residentially~~ property that is a residential use in a non-residential district may be located in the front yard ~~but must~~ and shall conform to the district setback requirements outlined in this section. When an accessory building or structure is located on a corner lot which is considered to have two (2) front yards and two (2) side yards for the purposes of this Section, the side that is larger in terms of square footage shall be considered the rear yard.
- (2) The total square footage of all such principal and accessory buildings and structures shall not exceed the maximum lot coverage as set forth in Appendix I.
- (3) No such accessory building or structure shall exceed twenty (20) feet in height from grade to the peak of the highest point.
- (4) Decks and porches are considered accessory structures as defined in Section 1286.12.
- (5) Above ground and in ground swimming pools are considered accessory structures as defined in Section 1286.13. All pools are subject to lot coverage and setback requirements defined in this Chapter.

(c) Accessory Buildings and Structures; Non-residential Districts.

- (1) The total area of all accessory structures or buildings in a non-residential zoning district shall be no greater than 50% of the total gross floor area of the principal structure on site.
- (2) Accessory buildings in non-residential districts may only be located in the side or rear yard.
- (3) Such accessory buildings or structures under 500 square feet shall be located no closer than ten (10) feet from any lot line and those 500 square feet or greater must be located at least twenty (20) feet from any lot line.
- (4) No accessory building or structure shall be located closer than ten (10) feet to any building.
- (5) The Michigan Building Code and the Michigan State Fire Code must be followed as amended.
- (6) No accessory building or structure shall exceed the height for principal buildings or structures in the district in which it is located.
- (7) For this section, gasoline station pump canopies are considered accessory structures; however, they are permitted in the front yard and must be setback at least thirty-five (35) feet from the nearest property line or road right-of-way line and are not calculated in the maximum lot coverage. In addition, gasoline station pump canopies have a maximum height limit of fifteen (15) feet

~~(d) Recreational Vehicles. A recreational vehicle, for the purposes of this Section, is a vehicle designed to be used primarily for recreational purposes which contains sleeping quarters and/or cooking facilities, or a unit designed to be attached to a vehicle and used for such purposes including self-propelled motor homes, pick-up campers, fifth wheel trailers, travel trailers, tent trailers and folding camping trailers.~~

~~Recreational vehicles on the driveway or the property's rear yard shall further respect the requirements of this section applicable to accessory buildings in terms of setbacks from lot lines and buildings. Recreational vehicles parked or stored may not be connected to sanitary, water, or gas facilities and may not be occupied.~~

1286.02 LANDSCAPING.

- (a) Intent and Purpose. This section aims to promote public health, safety, and welfare by establishing minimum standards for the design, installation, and maintenance of landscaping in parking lots, which act as buffer zones between uses and along roadways. The City considers landscaping to be an essential element of land development, which is a critical factor in maintaining an attractive community character and conserving the value of land and buildings in the City.
- (b) Interpretation. The landscape standards of this section are considered the minimum necessary to achieve the objectives noted above. The standards are intentionally adjustable to promote flexibility and creative design. For example, applicants are encouraged to provide additional landscaping to improve the function, appearance, and value of their property.
- (c) Applicability.
- (1) The standards in this section shall apply to any site plan, special land use request, condominium, subdivision plan or PUD submitted for review and approval under this section, subject to the limitations given in paragraph (c)(2) hereof. The regulations of this article shall not apply to individual single-family and two-family dwelling units.
 - (2) Landscaping shall be installed consistent with this section. In its review of a site plan, the Planning Commission has the authority to increase, decrease, or otherwise modify the landscaping and screening requirements of this section. In doing so, the Commission shall consider the following criteria:
 - A. The amount of space on the site available for landscaping.
 - B. Existing landscaping on the site and on adjacent properties.
 - C. The type of use on the site and the size of the development.
 - D. Existing and proposed adjacent land uses.
 - E. The effect the required landscaping would have on the existing or proposed land use.
- (d) General Regulations.
- (1) Landscaping shall be installed within 180 days of occupancy of the building or structure unless a more extended period is permitted in writing by the Zoning

Administrator. The Zoning Administrator may require as a condition of any extension that a performance guarantee in an amount and of a type reasonably satisfactory to the Zoning Administrator shall be posted to ensure compliance with the terms of this section.

- (2) All landscaping shall be hardy plant materials and maintained thereafter in a neat, healthy and orderly manner. Withered and dead plant materials installed in accordance with the 180 days of occupancy shall be replaced within a reasonable period of time, but no longer than one growing season from the date of occupancy.
- (3) For this section, a comer lot is considered as having a front-yard along each street, and the appropriate landscaping shall be provided for both yards.

(e) Buffer Zone Requirements.

- (1) A landscape or buffer zone as required herein shall be provided wherever a nonresidential zone or use abuts a residential use or zone and wherever an HDR High-Density zone abuts an LDR or MDR Zone. The buffer zone shall be along the boundary between adjoining lands in different zoning districts.
- (2) Where the boundary between zoning districts lies on an active or abandoned railroad right-of-way, parcels adjacent to and separated solely by the railroad right-of-way shall be considered adjoining and subject to buffer zone requirements.
- (3) Buffer zone requirements shall not apply where a public street separates adjacent zoning districts. In such a case, this section's front-yard landscaping requirements shall apply.
- (4) Even if the abutting parcel is unimproved land, a buffer zone shall be required.
- (5) Where the buffer zone width requirements of this section are more significant than the minimum setback requirements for the zoning district of the subject property, a building footprint may encroach into the required buffer zone. However, no parking area or driveway shall be permitted to encroach within a required buffer zone.

(f) Width and Planting Requirements.

- (1) A buffer zone shall be at least fifteen (15) feet wide.
- (2) One canopy tree, two evergreens, and one ornamental tree, or a comparable group of plantings as determined by the Zoning Administrator, shall be planted within the buffer zone for each twenty-five (25) linear feet abutting the adjacent property.

(g) Plant Spacing and Size Requirements.

- (1) Plant materials shall not be placed closer than four (4) feet from the fence line or property line.
- (2) Where plant materials are placed in two (2) or more rows, plantings shall be staggered in rows.
- (3) Evergreen trees shall be planted not more than twenty-five (25) feet on centers and not less than five (5) feet in height.
- (4) Narrow evergreens shall be planted not more than six (6) feet on centers and not less than three (3) feet in height.

- (5) Ornamental trees or tree-like shrubs shall be planted not more than ten (10) feet on centers and not less than four (4) feet in height.
- (6) Large deciduous shrubs shall be planted not more than four (4) feet on centers and not less than three (3) feet in height.
- (7) Large deciduous trees shall be planted not more than twenty-five (25) feet on centers and not less than three-inch caliper.

(h) Trees Not Permitted. The following trees are not permitted:

- (1) Box Elder.
- (2) Silver Maples.
- (3) Elms.
- (4) Poplars.
- (5) Willows.
- (6) Horse Chestnut (nut-bearing).
- (7) Tree of Heaven.
- (8) Catalpa.
- (9) Walnut.

(i) Suggested Plant Materials. The following plant materials are suggested:

- (1) Evergreen Trees - Juniper, Fir, Spruce, Hemlock, Pine, Douglas Fir.
- (2) Narrow Evergreens - Column Hinoki Cypress, Blue Columnar Chinese Juniper, Pyramidal Red Cedar, Swiss Stone Pine, Pyramidal White Pine, Irish Yew, Douglas Arbor-Vitae, Columnar Giant Arbor-Vitae.
- (3) Ornamental Trees or Tree-Like Shrubs - Flowering Crab, Mountain Ash, Redbud, Horn-beam, Magnolia, Russian Olive, Dogwood, Rose of Sharon, Hawthorn.
- (4) Large Deciduous Shrubs - Honeysuckle, Mock Orange, Lilac, ~~Cottoneaster~~Cotoneaster, Euonymus, Buckthorn, Viburnum, Forsythia and Ninebark, Hazelnut, Privet and Sumac.
- (5) Large Deciduous Trees - Oak, Hackberry, Planetree (Sycamore), Ginkgo, Sweet Gum, Linden, Hard Maple, Birch, Beech, Honey Hlocust, Hop Hornbeam.

(j) Berms. Walls and Fences.

- (1) If a berm is used for all or part of the buffer zone, required plant material quantities may be reduced by twenty-five (25) percent. The berm shall comply with the minimum standards contained in this section. All plant materials shall be placed along the top and exterior side slope of the berm. The buffer zone width shall be increased as needed to accommodate maximum berm side slopes of one (1) foot vertical rise to three (3) feet horizontal.
- (2) A screen wall or fence may be used for all or part of the buffer zone. The following regulations apply:
 - A. Required quantities of plant materials may be reduced by fifty (50) percent for that area abutting the fence or wall.
 - B. All required plant materials shall be on the exterior side of the screen wall or fence.
 - C. The fence or wall shall comply with the applicable provisions of this Zoning Code.

- (k) Cover for Buffer Strip. All buffer strip areas outside of planting beds shall be covered with grass or other living ground cover.
- (l) Stormwater Detention/Retention Basins. Stormwater detention/retention areas shall be permitted within buffer zones, provided they do not reduce the screening effect.
- (m) Solid Waste Dumpsters. Solid waste dumpsters may be located in buffer zones, provided they are screened on three sides by a continuous opaque wall or fence six feet in height.
- (n) Front Yard Landscaping. The front yard shall be landscaped according to the following minimum requirements except for necessary driveways, frontage roads, service drives, or walkways. If the building is not set back sufficiently to allow adequate area for such landscaping, the Planning Commission or the Zoning Administrator, as the case may be, shall determine the proper number of plantings.
- (1) One (1) canopy tree, one (1) ornamental and one (1) evergreen tree for each seventy-five (75) feet of road frontage.
 - (2) Shrubs at a rate of one (1) per each tree required.
 - (3) Earthen berms may be permitted within the required front yard landscape area. A credit of up to twenty-five (25) percent may be received against providing the required plantings through the use of berms three (3) feet in height or greater.
 - (4) Plantings and berms shall be located so as not to obstruct the vision of drivers entering or leaving a site.
- (o) Off-Street Parking Area Landscaping Requirements. All parking areas having twenty or more parking spaces shall be landscaped according to the following minimum requirements:
- (1) One (1) canopy tree for every twenty (20) parking spaces, with a minimum of two (2) trees, shall be planted adjacent to and/or within the parking area.
 - (2) Trees shall be located to prevent damage by motor vehicles.
 - (3) Landscaping islands shall be dispersed through the parking lot to break up large expanses of paved surfaces and improve traffic flow and line of sight for drivers. Each landscape island shall be a minimum of six (6) feet wide and shall contain at least one (1) canopy tree.
 - (4) Landscaping shall be arranged so as not to obscure traffic signs, fire hydrants, or obstruct drivers' sight distance within the parking area and at driveway entrances.
 - (5) All landscape acres shall be protected by raised curbs, parking blocks, or similar methods.
 - (6) For any parking area, except locations serving one-family or two-family dwellings that abuts or faces a public right-of-way, a three (3)-foot high continuous obscuring screen, at least three (3) but no more than four (4) feet high may be required between the parking area and the public road right-of-way line. The screen may be comprised of natural or artificial material or any combination of these elements. Such screening may be required for parking lots across the street from residential uses where vehicle lights, noise or appearance may create a nuisance or safety hazard for residents.

(7) Landscaping required for buffer zones and front yard landscaping that abuts off-street parking areas may substitute for up to fifty (50) percent of the required parking lot landscaping.

(p) Minimum Standards for Berms.

(1) Wherever a berm is used to meet the minimum requirements of this section, it shall have a maximum height of five (5) feet above grade.

(2) Berms shall be constructed so as to maintain side slopes not to exceed a one (1)-foot vertical rise to three (3) feet horizontal ratio.

(3) Berm areas shall be covered with grass or another living ground cover.

(4) Berms shall be constructed ~~so as to~~ not to change drainage patterns on the site or adjacent properties.

1286.03 EXTERIOR LIGHTING.

(a) All outdoor lighting in all use districts used to light the general area of a specific site shall be shielded to reduce glare and shall be arranged to deflect the light away from all neighboring residential districts or residences.

(b) Illumination of signs shall be directed or shaded downward so as not to interfere with the vision of persons on the adjacent highways or adjacent property.

(c) Illumination of signs and other outdoor features shall not be of a flashing, moving, or intermittent type. Artificial light shall be maintained stationary and constant in intensity and color when used.

1286.04 RESIDENTIAL ENTRANCEWAYS.

In all Residential Districts, so-called entranceway structures, including, but not limited to, walls, columns, and gates marking entrances to single-family subdivisions or multiple housing projects, may be permitted and may be located in a required yard, except as provided in Section 1286.06, provided that such entranceway structures shall comply with all codes of the City of Ionia, and shall be approved by the City Manager or his or her designee.

1286.05 CORNER CLEARANCE.

No fence, wall, shrubbery, sign, or other obstruction to vision above a height of two (2) feet from the established street grades shall be permitted within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between said right-of-way lines at a distance along each line of twenty-five (25) feet from their point of intersection.

1286.06 FENCES.

(a) General Requirements.

- (1) All fences require a zoning permit subject to the requirements of this section unless they are approved by the Planning Commission as part of an overall site plan.
- (2) The application shall require a site plan or sketch drawn to scale in accordance with the requirements outlined in this section. A drawing or picture of the fence indicating its style, materials, and height shall also be provided.
- (3) Fences, privacy walls, and retaining walls may be erected along property lines or within yards, irrespective of the setback requirements of this Chapter. No site plan review is required for a fence, privacy wall, or retaining wall that conforms to a residential district's Ordinance standards. In addition, the Zoning Administrator may waive site plan review for a fence, privacy wall, or retaining wall if no other structural changes or changes to the design or layout of the site are proposed.
- (4) Corner lots are considered to have two front yards for purposes of this section.
- (5) Fences, walls, or obscuring walls shall not contain barbed wire, electric current or charge of electricity, glass, spikes, or other sharp protruding objects.

Notwithstanding the preceding provision that security fences six (6) feet tall or higher may include up to eighteen (18) inches of barbed wire in an industrial area, surrounding a public utility, or around a public safety or emergency services facility. Such barbed wire shall slant inwards toward the property or be positioned straight up. Security fences with barbed wire in any other location or surrounding any other use require a special use permit approved by the Planning Commission.

(6) Fences shall be constructed of conventional fencing materials. The use of scrap materials, shipping containers, storage units, pallets, and similar materials or detritus as fencing is prohibited. For the purposes of this provision, "conventional fencing materials" shall mean materials commonly utilized and arranged in a way that is customary in the construction industry such as chain link fences, split rail fences, wood privacy fences, wrought iron, etc. However, the foregoing shall not be construed to prohibit the use of alternative materials when, in the opinion of the Zoning Administrator, such materials are arranged in creative, innovative, or artistic manner or display consistent with the character of the adjacent area.

~~(6)~~(7) Fences that enclose public or institutional parks, playgrounds, or public landscaped areas, situated within an area developed with recorded lots shall not exceed eight (8) feet in height, measured from the surface of the ground, and shall not obstruct clear vision from intersecting sidewalks, streets, alleyways, or driveways.

~~(7)~~(8) Recorded lots having an area in excess of two acres, if not included within the boundaries of a recorded plat, are excluded from these regulations.

~~(8)~~(9) The Zoning Administrator may require the removal, reconstruction, or repair of any fence, privacy wall, or retaining wall if it is deemed that the structure is not in good condition and a hazard to the public's safety.

(b) Residential Districts or Uses.

(1) Side or Rear Yard Fences.

- A. Shall not exceed six (6) feet in height measured from the surface of the ground.
- B. Shall have the finished side of such fence facing the adjacent property.

C. Shall not extend toward the front of the lot nearer than the front of the house unless following the front yard requirements outlined in Section 1286.07(a)(2).

(2) Front Yard Fences.

- A. Shall not block the view of traffic or impede clear vision of an intersecting sidewalk, street, alley, or driveway (See Section 1286.06).
- B. Must be approved by the Zoning Administrator following ~~an~~ application and payment of all applicable fees.
- C. Shall consist of split rail, decorative iron, wood, engineered wood, plastic products, or similar material.
- D. Chain link, snow fence, woven fence, or rubber shall not be allowed.
- E. Shall not exceed 50% opacity and shall be constructed to allow air passage through the fence to the adjacent property.
- F. Shall not be installed in the right-of-way.
- G. The finished side of the fence shall face the adjacent property.
- H. The maximum height of the posts for a fence installed in the front yard shall not be greater than forty-eight (48) inches absent approval from the Zoning Administrator, and the height of the fencing between the posts shall not be greater than forty-two (42) inches.

(c) Business Districts or Uses.

(1) Side or Rear Yard Fences.

- A. Shall not exceed eight (8) feet in height, measured from the surface of the ground.
- B. Shall have the finished side of such fence facing the adjacent property.
- C. Shall not extend toward the front of the lot nearer than the front of the principal building unless following the front yard requirements outlined in Section 1286.07(b)(2).

(2) Front Yard Fences.

- A. Shall not block the view of traffic or impede clear vision of an intersecting sidewalk, street, alley, or driveway (See Section 1286.06).
- B. Must be approved by the Zoning Administrator following application and payment of all applicable fees.
- C. Shall consist of split rail, decorative iron, wood, engineered wood, plastic products, or similar material.
- D. Chain link, snow fence, woven fence, or rubber shall not be allowed.
- E. Shall not exceed 50% opacity and shall be constructed to allow air passage through the fence to the adjacent property.
- F. Shall not be installed in the right-of-way.
- G. The finished side of the fence shall face the adjacent property.
- H. The maximum height of any part of the posts for a fence installed in the front yard shall not be greater than forty-eight (48) inches absent approval from the Zoning Administrator. and the height of the fencing between the posts shall not be greater than forty-two (42) inches.

- (d) Industrial Districts or Uses. Industrial properties may install privacy or security fencing around the perimeter of the property lines, irrespective of the setback requirements, of up to nine (9) feet in height. Fencing shall not obstruct clear vision from intersecting sidewalks, streets, alleyways, or driveways.

1286.07 GENERAL EXCEPTIONS.

- (a) Area, Height and Use Exceptions. The provisions of this Zoning Code shall be subject to the following interpretations and exceptions.
- (b) Essential Services. Essential services as strictly defined herein shall be permitted as authorized and regulated by law and other ordinances of the City, it being the intention hereof to exempt such essential services from the application of this Zoning Code.
- (c) Voting Places. The provisions of this Zoning Code shall not be so construed as to interfere with the temporary use of any property as a voting place in connection with a Municipal or other election.
- (d) Height Limits. The height limitations of this Zoning Code shall not apply to farm buildings, chimneys, church spires, elevator or stairwell rooftop bulkheads, flagpoles, or public monuments, provided, however, that the Board of Zoning Appeals may specify a height limit for any such structure when such structure requires authorization as a conditional use. The height of wireless communication towers and equipment shall be regulated by Chapter 1280.
- (e) Lot Area. Any lot existing and of record on the effective date of this Zoning Code may be used for any principal use, other than conditional uses for which special lot area requirements are specified in this Zoning Code, permitted in the district in which such lot is located, whether or not such lot complies with the lot area requirements of this Zoning Code, except as provided in Section 1278.02. Such use may be made, provided that all requirements other than lot area requirements prescribed in this Zoning Code are satisfied, and provided that not more than one (1) dwelling unit shall occupy any lot except in conformance with the provisions of this Zoning Code for the required lot area for each dwelling unit.
- (f) Lots Adjoining Alleys. In calculating the area of a lot that adjoins an alley for the purpose of applying lot area requirements of this Zoning Code, one-half the width of such alley abutting the lot shall be considered as part of such lot.
- (g) Yard Regulations. When yard regulations cannot reasonably be complied with, or where their application cannot be determined on lots of peculiar shape or topography or due to architectural or site arrangement, such regulations may be modified or determined by the Board of Zoning Appeals.
- (h) Projections into Yards. Architectural features, not including decks, porches, or vertical projections, may extend or project into a required side yard not more than two (2) inches

for each one (1) foot of width of such side yard, and may extend or project into a required front yard or rear yard not more than three (3) feet.

- (i) Access Through Yards. For the purpose of this chapter, access drives may be placed in the required front or side yards to provide access to rear yards and accessory or attached structures. These drives shall not be considered structural violations in front and side yards. Further, any walk, terrace or other pavement serving a like function, and not over nine (9) inches above the grade upon which placed, shall, for this chapter, not be considered a structure, and shall be permitted in any required yard.
- (j) Lots Having River Frontage. Those residential lots and parcels having river frontage and abutting a public thoroughfare shall maintain the yard on the river side as an unobscured open yard, except that a covered and uncovered boat well shall be permitted after review and approval of plans by the ~~Board of Zoning Appeals~~ Planning Commission. Accessory structures shall be permitted in the setback between the abutting road right-of-way and the main building, provided the front yard setback required in Appendix I, Schedule of Regulations, is met.

1286.08 OUTDOOR BOILERS.

- (a) Outdoor Boilers, Defined. An outdoor boiler is considered to be an accessory structure consisting of an above or below grade chamber or furnace constructed of metal or other non-combustible material in which wood, wood pellets, grain pellets, or other combustible material is burned to heat water or other liquid that is piped above-ground or underground to provide heat for a house or different structure.
- (b) Outdoor Boilers, Prohibited. Outdoor boilers are prohibited in all zoning districts.
- (c) Outdoor Boilers, Existing. All existing outdoor boilers must be registered with the City Clerk within thirty days after the effective date of this section. No replacement outdoor boilers shall be installed or used within the City.

~~1286.09 MICHIGAN MEDICAL MARIHUANA ACT, M.C.L.A. §§ 333.26241 ET SEQ., AS AMENDED (MMMA) AND MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT, M.C.L.A. §§ 333.27951 ET SEQ., AS AMENDED (MRTMA).~~

- ~~(a) The medical use of marihuana as defined by the Michigan Medical Marihuana Act, M.C.L.A. §§ 333.26421 et seq., as amended, is permitted according to all requirements of the MMMA and any rules promulgated by the Department of Licensing and Regulatory Affairs of the State of Michigan.~~
- ~~(b) The following shall apply to the medical use of marihuana as permitted and regulated by the MMMA:
 - ~~(1) A qualifying patient who has been issued and possesses a registry identification card is not subject to arrest or penalty in any manner, provided that the qualifying patient possesses an amount of marihuana that does not exceed a combined total~~~~

of 2.5 ounces of usable marihuana and usable marihuana equivalents in the form of marihuana-infused products. In addition, if the qualifying patient has not specified that a primary caregiver will be allowed under state law to cultivate marihuana for the qualifying patient, the qualifying patient may possess 12 marihuana plants, and any incidental amount of seeds, stalks, and unusable roots, kept in an enclosed, locked facility, as defined herein.

- (2) A primary caregiver who has been issued and possesses a registry identification card is not subject to arrest or penalty in any manner for assisting a qualifying patient to whom he or she is connected through the department's registration process with the medical use of marihuana in accordance with the MMMA. The privilege from arrest applies only if the primary caregiver presents both his or her registry identification card and a valid driver's license or government-issued identification card that bears a photographic image of the primary caregiver. In addition, the privilege from arrest applies only if the primary caregiver possesses marihuana in forms and amounts that do not exceed any of the following:
- A. — For each qualifying patient to whom he or she is connected through the department's registration process, a combined total of 2.5 ounces of usable marihuana and usable marihuana equivalents.
 - B. — For each registered qualifying patient who has specified that the primary caregiver will be allowed under state law to cultivate marihuana for the qualifying patient, 12 marihuana plants kept in an enclosed, locked facility as defined herein, and any incidental amount of seeds, stalks, and unusable roots.
- (c) The use of marihuana, as defined by the Michigan Regulation and Taxation of Marihuana Act, M.C.L.A. §§ 333.27951 et seq. (MRTMA), as amended is permitted in accordance with all requirements of the MRTMA and any rules promulgated by the Department of Licensing and Regulatory Affairs of the State of Michigan.
- (d) The following shall apply to the use of marihuana as permitted and regulated by the MRTMA:
- (1) No person under the age of 21 shall possess, consume, purchase or otherwise obtain, cultivate, process, transport, or sell marihuana.
 - (2) No person shall operate, navigate, or be in control of any motor vehicle, aircraft, snowmobile, off-road recreational vehicle, or motorboat while under the influence of marihuana or while consuming marihuana; and no passenger in any area of a vehicle upon a public way or public road shall smoke marihuana while a passenger in a vehicle.
 - (3) No person shall consume marihuana in a public place or smoke marihuana where prohibited by the person who owns, occupies, or manages the property, except for purposes of this Section 1286.10(d)(3) a public place does not include an area designated for consumption when such consumption is authorized by a license issued under the Michigan Regulation and Taxation of Marihuana Act, M.C.L.A. §§ 333.27951 et seq., as amended within a municipality that has authorized consumption in designated areas that are not accessible to persons under 21 years of age. Additionally, no consumption of marihuana in a public place shall be

permitted unless a Special Permit is issued according to the regulations of Section 606.01(e) of the City Code.

- ~~(4) No person shall cultivate marihuana plants if the marihuana plants are visible from a public place without the use of binoculars, aircraft, or other optical aids or outside of an enclosed area equipped with locks or other security devices that restrict access to the area.~~
- ~~(5) No person shall possess marihuana accessories, or possess or consume marihuana on the grounds of a public or private school where children attend classes in preschool programs, kindergarten programs, or grades 1 through 12, or where students of any age attend an educational facility for non-traditional or special needs learners, in a school bus, or on the grounds of any correctional facility.~~
- ~~(6) No person shall possess more than 2.5 ounces of marihuana within a person's place of residence unless the excess marihuana is stored in a container or area equipped with locks or other functioning security devices that restrict access to the contents of the container or area.~~
- ~~(7) The requirements herein shall not limit the rights of persons as provided by the Michigan Medical Marihuana Act, 2008 IL 1, M.C.L.A. §§ 333.26421 et seq. as amended, or the Medical Marihuana Facilities Licensing Act, 2016 PA 281, M.C.L.A. §§ 333.27201 et seq., as amended.~~
- ~~(8) A person may prohibit or otherwise regulate the consumption, cultivation, distribution, processing, sale, or display of marihuana and marihuana accessories on property the person owns, occupies, or manages, except that a lease agreement may not prohibit a tenant from lawfully possessing and consuming marihuana by means other than smoking.~~
- ~~(9) A person age 21 years or older may possess, use, consume, purchase, transport or process 2.5 ounces or less of marihuana, except that not more than 15 grams of marihuana may be in the form of marihuana concentrate. In addition, a person age 21 years or older may give away or otherwise transfer without remuneration up to 2.5 ounces of marihuana, except that not more than 15 grams of marihuana may be in the form of marihuana concentrate, to a person 21 years of age or older, as long as the transfer is not advertised or promoted to the public.~~
- ~~(10) Within a person's residence, a person may possess, store, and process not more than 10 ounces of marihuana, including any marihuana produced by marihuana plants cultivated on the premises, and may cultivate not more than that 12 marihuana plants on the premises at once for personal use.~~

1286.09 [RESERVED]

1286.10 HOME OCCUPATIONS.

- (a) A home occupation is a permitted use in all residential districts and Planned Unit Development districts according to the requirements of this section.
- (b) According to the following requirements, two home occupations, Level 1 and Level 2, are permitted.

(c) Level 1 home occupation requirements:

- (1) A Level 1 home occupation is a home occupation that is conducted entirely within the dwelling or an attached accessory building. It is conducted in such a manner that under normal circumstances, there is no external evidence of the home occupation operation except that a Level 1 home occupation is permitted to have one (1) sign, which shall be attached to the wall of the dwelling or accessory building. Such a sign shall not be illuminated and shall not be more than four (4) square feet in size.
- (2) A permit from the City is not required to conduct a Level 1 home occupation.
- (3) Only family members who reside on the premises shall be employed or involved in the home occupation.
- (4) The use of the dwelling for a home occupation must be accessory, incidental, subordinate, and attached to the permitted principal use. A home occupation shall occupy no more than 25 percent of the total floor area of the dwelling where it is conducted, exclusive of any porch, attached garage, or similar space not suited or intended to be occupied as living quarters provided.
- (5) Exterior storage of equipment or accessory items and display of materials, goods, or supplies used in the home occupation is prohibited.
- (6) The dwelling shall not be altered from its residential appearance to conduct the home occupation but for the addition of an advertising sign as permitted above.
- (7) The home occupation shall be conducted so that it does not constitute a nuisance or annoyance to adjoining residents because of noise, smoke, odor, electrical disturbance, outdoor lighting, or the creation of unreasonable traffic to the premises.
- (8) There shall be no selling of goods, merchandise, supplies, or products or offering services to customers except occasionally, generally less than five times per week.

(d) Level 2 home occupation requirements:

- (1) A Level 2 home occupation is a home occupation that has one (1) employee or one (1) individual involved in the operation of the business outside of the family members who reside on the premises and which has customers coming to the home occupation for services or products offered by the home occupation on more than an occasional basis, generally more than five (5) times per week.
- (2) A Level 2 home occupation shall only be permitted if the Planning Commission approves a special land use following the procedures and standards of Chapter 1274 herein.
- (3) An application for a Level 2 home occupation shall contain the following information:
 - A. Name and address of property owner and occupant of the dwelling.
 - B. Provide a description of the proposed home occupation, including materials to be used, days and hours of operation, estimated customer and delivery vehicle trips per week, and if an employee will be involved in the business.
 - C. A site plan, as typically required by Chapter 1276 herein, shall not be required. Instead, an accurate drawing shall be submitted illustrating the property, buildings on the property, the area within the building to be devoted to

the home occupation, parking for the business, screening, sign, and other information as may be required by the Zoning Administrator to ensure compliance with the requirements of this section.

- (4) The home occupation shall be conducted only within the dwelling or an attached or detached accessory building.
- (5) Only family members who live on the premises and no more than one (1) other person who does not reside on the premises shall be employed by or involved in the home occupation.
- (6) Traffic generated by the home occupation shall be compatible with traffic generally expected in the zoning district in which the home occupation is located.
- (7) A home occupation shall provide a minimum of two (2) on-site parking spaces and the parking spaces required for the dwelling.
- (8) A home occupation is permitted to have one (1) sign attached to the dwelling or accessory building wall. Such a sign shall not be lighted and shall not be more than four (4) square feet in size.
- (9) A Level 2 home occupation shall also comply with the requirements for a Level I home occupation contained in Section 1286.01(c)(4)-(7) herein.
- (10) In approving a Level 2 home occupation, the Planning Commission may prescribe certain conditions to ensure that the home occupation can be compatible with its residential surroundings. Such conditions may include but are not limited to restricting the hours of operation, the number and type of delivery vehicles, and limiting the number of customer visits to the home occupation.

1286.11 DONATION DROP BOXES.

- (a) Donation Drop Boxes and Collection Bins, Defined. A receptacle or other portable structure made of metal, steel, or similar durable material placed outdoors and intended and used for the collection of clothing, shoes, books, toys, household items, or other non-perishable goods and materials donated by the public but no including facilities and structures owned and operated by a governmental entity such as but not limited to post office mail drop boxes, bill payment drop boxes, library collection boxes, and recycling boxes.
- (b) Donation Drop Boxes and Collection Bins, Prohibited. As defined herein, donation boxes and collection bins are prohibited in all zoning districts.
- (c) Donation Drop Boxes and Collection Bids, Existing. Donation drop boxes and collection bins that are existing as of the effective date of this Section 1286.12 shall be removed from the property on which they are located within 60 days of January 21, 2014 as they are considered to be portable accessory uses and are not considered permanent non-conforming uses by virtue of the adoption of this Section 1286.12. Failure to remove a donation drop box or collection bin within the 60 days shall be considered a civil infraction subject to payment of fines as outlined in Section 202.99(b) of this City Code.

1286.12 DECKS AND PORCHES.

- (a) A deck is an attached accessory structure constructed from wood or composite materials uncovered and attached to the principal building.
- (b) A porch is an attached accessory structure, usually covered, and is often constructed from wood, masonry, or other composite material, located at the principal building's primary or secondary entrance points.
- (c) The area of decks and porches are used to calculate the maximum lot coverage percentages on residential lots.
- (d) All decks and porches must comply with the Building Code, ~~as amended from time to time.~~
- (e) ~~Uncovered decks~~Porches may extend up to ten (10) feet into the front yard setback ~~(See Section 1286.07(h)).~~ No canopy may be erected after the original construction of ~~the a~~ deck in the front yard unless it is an attached roof to establish a covered front porch.
- (f) Decks may only be constructed in the side or rear yards and may encroach no more than three (3) feet into the required side or rear yard setback.
- (g) At no time may a deck or porch be located closer than six (6) feet from any property line.

1286.13 SWIMMING POOLS, HOT TUBS, AND SPAS.

- (a) Private swimming pools, hot tubs, or spas are classified as an accessory use within the side or rear yard only, provided they meet the following requirements:
 - (1) There shall be a distance of not less than ten (10) feet between the adjoining property line and the outside of the pool wall.
 - (2) There shall be a distance of not less than four (4) feet between the outside pool wall and any building located on the same lot.
 - (3) No swimming pool shall be located less than ten (10) feet from any side street or alley right-of-way, or the distance required for a side yard by this Zoning Code, whichever is greater.
 - (4) No swimming pool shall be located in an easement.
 - ~~(5) For the protection of the general public, all yards containing swimming pools shall be completely enclosed by a fence not less than four feet in height. The gates shall be of a self-closing and latching type, with the latch on the inside of the gate not readily available for children to open. Gates shall be capable of being securely locked when the pool is not in use. However, if the entire premises of the residence are enclosed, then this provision may be waived by the Zoning Administrator upon inspection and approval.~~
 - (5) All swimming pools, whether in ground or above ground, will be calculated into the total lot coverage percentage calculations as defined in Section 1286.01(b)(5).
 - (6) All swimming pools, hot tubs, and spas shall comply with applicable Building Code provisions enforced by the Ionia County Building Department (i.e., barrier requirements).

1286.14 ACCESSORY DWELLING UNITS.

Not more than one (1) Accessory Dwelling Unit (ADU) may be included within a detached single-unit dwelling (principal dwelling unit) or accessory building, existing separately from but located on the same lot as a detached single-unit dwelling.

- (a) Minimum Lot Area. An ADU may be developed on a lot meeting the minimum lot size for the applicable zone district.
- (b) Building Height. When newly added, the portion of a single-unit detached dwelling with an ADU shall not exceed the permissible main building height of the Zoning District. The maximum permitted height for a detached ADU is twenty-five (25) feet, where the applicable zoning district setback requirements for a principal structure are met. Where zoning district setback requirements for a primary structure cannot be satisfied, the detached ADU shall be no higher than (20) feet (i.e., an existing detached accessory structure that does not meet the principal structure setback requirements, etc.).
- (c) Front Yard Prohibited. If not part of the main building, the ADU shall not be in the front yard.
- (d) Minimum/Maximum ADU Size. The ADU shall not exceed forty (40) percent of the gross floor area of the principal dwelling unit and, in any case, shall be at least four hundred (400) square feet and not larger than eight hundred fifty (850) square feet in gross floor area.
- (e) Bedroom Maximum. A maximum of two (2) bedrooms are permitted within an ADU.
- (f) Owner Occupancy. At least one (1) of the dwelling units on a lot shall be owner-occupied.
- (g) Leasing or Rental. No ADU shall be leased or rented for less than thirty (30) days and shall not be used as a short-term rental.
- (h) Alterations or New Construction. Any alterations to existing buildings or structures or the construction of a new structure to accommodate the ADU shall be designed to maintain the architectural design, style, appearance, and character of the main building as a detached single-family dwelling, including but not limited to entrances, roof pitch, siding, and windows, and exterior building materials.
- (i) Deed Restriction. A binding deed restriction enforceable and approved by the City shall be recorded prior to the issuance of a building permit stipulating that the ADU will not be conveyed separately from the primary dwelling unit and including other provisions specified by the City.

1286.15 PORTABLE STORAGE UNITS AND SHIPPING CONTAINERS.

- (a) Portable storage units and shipping containers may only be used in the City of Ionia in compliance with the following requirements:
- (1) Portable storage units or shipping containers may be placed on lots and used for storage within the B-3, T, or F zoning districts. Units or containers must be located in the rear yard and effectively screened from adjacent properties with fencing, landscaping, or other acceptable screening. The portable storage units or shipping containers shall be accessory to a permitted primary use with the total square footage used not exceeding 25% of the primary use footprint.
 - (2) In a residential district, up to one portable storage unit may be placed on a lot and used for no longer than thirty (30) consecutive days. This timeframe may be extended, if the unit is used for the storage of goods and items during the remodeling or reconstruction of a building on the lot and the Zoning Administrator is provided evidence of such construction, and that the construction is proceeding diligently toward completion in a timely manner.
 - (3) Shipping containers shall not be permitted in a residential district.
 - (4) Portable storage units shall not exceed eight (8) feet in height, eight (8) feet in width, or sixteen (16) feet in length.
 - (5) Portable storage units or shipping containers shall not be placed within any public or private street right-of-way unless allowed on a temporary basis through a right-of-way permit under the discretion of the Zoning Administrator.
 - (6) Any signage on a portable storage unit or shipping container shall be limited to the name, address, and telephone number of the provider or manufacturer, but shall not include any advertising, slogan, or reference to any other service or product.
 - (7) A storage unit or shipping container shall be used only for the storage of goods and property. It shall not be used for the storage of goods or items not associated with the land use conducted on the lot or parcel on which the unit is placed.
 - (8) A storage unit or shipping container shall be secured in a manner that does not endanger the safety of persons or property in the vicinity.
 - (9) A storage unit or shipping container shall be maintained in good condition, free from evidence of deterioration, weathering, discoloration, graffiti, rust, ripping, tearing, or other holes or breaks at all times.
 - (10) A storage unit or shipping container shall not be used for human occupancy or for the storage of any toxic or hazardous materials, trash, junk, solid waste, construction debris, or demolition debris.

1286.16 CAMPING AND RECREATIONAL VEHICLES.

- (a) Intent and Purpose. The purpose of this section is to establish reasonable regulations for temporary camping and the use of recreational vehicles within the City in order to protect the public health, safety, and welfare while allowing limited and orderly use.
- (b) Definitions.

- (1) Camping: The temporary occupancy or use of land for outdoor living purposes, which may include sleeping, eating, or residing in a recreational vehicle, tent, or other temporary shelter.
- (2) Recreational Vehicles: A vehicular or portable structure designed and constructed to be used as temporary living quarters for travel, recreation, or vacation purposes, and not as a permanent dwelling, whether self-propelled, towed, or otherwise transportable.
- (3) Tenting: The placement and use of a tent or similar fabric or temporary shelter on land for the purpose of camping or overnight occupancy.

(c) Tenting.

- (1) Tenting shall be permitted only within the side yard or rear yard of a parcel as an accessory use in a residential zoning district within the duration and seasonal limitations of Section 1286.16 (f).
- (2) No more than four (4) tents shall be allowed for use on any parcel at the same time.
- (3) Temporary campgrounds, as defined by the State of Michigan and regulated by the Ionia County Health Department, are not permitted in residential zoning districts.

(d) Recreational Vehicles.

- (1) Recreational vehicles shall be permitted only when located on a driveway or within a property's side or rear yard.
- (2) Recreational vehicles shall not be occupied for sleeping, living, or housekeeping purposes except where a temporary exemption has been granted by the City Council pursuant to subsection (d).
- (3) At any one time, no more than two recreational vehicles including boats and trailers shall be parked on a property's driveway or side yard.
- (4) Under no circumstances shall a recreational vehicle be connected to public utilities, including water, sanitary sewer, or electrical service.
- (5) The dumping or discharge of waste, including gray water or sewage, from a recreational vehicle onto the ground, into storm drains, or into any unauthorized location is prohibited.

(a)(e) Temporary Exception.

- (1) The City Council may, by resolution, authorize a temporary exemption from one or more provisions of this section when it determines that such exemption serves a public purpose, including but not limited to community events, festivals, or other similar activities.
- (2) Any such exemption shall:
 - A. Be for a defined period of time;
 - B. Clearly specify the provisions of this section from which exemption is granted; and
 - C. Include any conditions deemed necessary by the City Council to protect the public health, safety, and welfare.

(3) All activities conducted under a temporary exemption shall comply with all other applicable provisions of the Codified Ordinances unless expressly modified by the approving resolution.

(f) Duration and Seasonal Limitations.

(1) Camping, including tenting and any permitted occupancy of recreational vehicles, shall be limited to a maximum period of seven (7) consecutive days on any parcel.

(2) No parcel shall be used for camping for more than fourteen (14) total days within any calendar year, whether consecutive or nonconsecutive.

(3) Camping activities shall only be permitted between April 1 and October 31 of each calendar year.

(4) The use of camping or recreational vehicles shall not be established or maintained in a manner that constitutes long-term or permanent residential occupancy.

(5) No permits are required by the City for camping on private property within the parameters of this Code.

(g) Public Peace and Spaces.

(1) All camping and recreational vehicle activities shall be conducted in a manner that does not create a disturbance of the public peace, as regulated by Chapter 664 of the Codified Ordinances.

(2) No overnight camping, sleeping, or parking shall be permitted, nor shall any vehicle be stored or parked, in any public park or public property during those hours the park or public grounds are closed, except as may be otherwise provided in this Code.

(h) Fires. Cooking fires, campfires, and recreational fires shall be permitted in accordance with Chapter 1614 of the Codified Ordinances.

~~(b)~~(i) Enforcement and Penalties. Any person who violates any provision of this section shall be responsible for a municipal civil infraction and subject to enforcement and penalties as provided in the Codified Ordinances.

Section 3. Repealer. All ordinances and parts of ordinances in conflict herewith are repealed to the extent of such conflict.

Section 4. 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 5. Publication and Effective Date. The City Clerk shall cause a notice of adoption of this ordinance to be published. This ordinance shall take effect seven (7) days upon publication of a summary thereof as permitted by law, along with the date of its adoption, in the Daily News, a newspaper of general circulation in the City.

ORDINANCE NO. 606 DECLARED ADOPTED.

CITY OF IONIA

Dated: _____

Jonathan T. Bowman, City Clerk

CERTIFICATION

I, the undersigned City Clerk of the City of Ionia, Michigan (the “City”), certify that the above is a true and complete copy of an ordinance adopted at a regular meeting of the Ionia City Council held on _____, 2026, pursuant to notice given in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended, and notice of its adoption, including a summary of its contents and its effective date, was published in the *Daily News*, on _____, 2026, and was effective seven (7) days after publication.

Dated: _____

Jonathan T. Bowman, City Clerk

Introduction and First Reading:
Notice of Public Hearing:
Public Hearing, Second Reading, Adoption:
Effective (7 days after publication):