

**CITY OF IONIA  
IONIA COUNTY, MICHIGAN  
(Ordinance No. 594)**

At a regular meeting of City Council for the City of Ionia, Michigan held at City Hall on July 2, 2025, beginning at 6:30 P.M., City Councilmember Lee made a motion to adopt this Ordinance, which by motion was supported by Councilmember Millard.

**AN ORDINANCE TO AMEND PART TWELVE (PLANNING AND ZONING CODE), TITLE SIX (ZONING), CHAPTER 1276 (SITE PLAN REVIEW); CHAPTER 1289, SECTION 1289.08 (MEDICAL MARIHUANA FACILITIES; APPLICATION AND PROCESSING PROCEDURES); AND CHAPTER 1290, SECTION 1290.09 (ADULT USE MARIHUANA ESTABLISHMENTS; APPLICATION AND PROCESSING PROCEDURES); AND SECTIONS 1289.08 AND 1290.09 OF THE CODIFIED ORDINANCES OF THE CITY OF IONIA.**

The CITY OF IONIA (the “City”) HEREBY ORDAINS:

**Section 1. Amendment to Part Twelve, Title Six, Chapter 1276.** Part Twelve, Title Six, Chapter 1276 “Site Plan Review” of the Codified Ordinances is hereby amended to read in its entirety as follows:

Chapter 1276  
Site Plan Review

- 1276.01 Purpose.
- 1276.02 Site ~~P~~lan ~~R~~eview ~~r~~equired.
- 1276.03 Approval ~~A~~uthority.
- 1276.04 Application and ~~P~~rocedures.
- 1276.05 Site ~~P~~lan ~~R~~eview.
- 1276.06 Final ~~S~~ite ~~P~~lan ~~A~~pproval.
- 1276.07 Standards for ~~A~~pproval.
- 1276.08 Conditions of ~~A~~pproval.
- 1276.09 Validity of ~~F~~inal ~~S~~ite ~~P~~lans.
- 1276.10 Performance ~~G~~uarantees.
- 1276.11 Amendments to ~~A~~pproved ~~S~~ite ~~p~~lan.
- 1276.12 Expansion of ~~E~~xisting ~~U~~se, ~~S~~tructure or ~~B~~uilding.

1276.01 PURPOSE.

~~The purposes of site plan review are to determine compliance with the provisions of this Zoning Code; to promote the orderly development of the City; to prevent the depreciation of land value~~

through uses or structures which do not give proper attention to siting or area protection; and to provide consultation and cooperation between the applicant and the City Planning Commission in order that applicants may accomplish their objectives in the utilization of their land within the regulations of this Zoning Code and achieve the purposes of the City of Ionia Master Plan. The purpose of the Site Plan Review process is to ensure that new development and significant changes to existing sites are completed in a manner consistent with the City of Ionia's Master Plan, Zoning Code, and applicable design standards. The review process aims to: promote orderly growth and development; protect the health, safety, and welfare of the community; ensure compatibility with surrounding land uses and neighborhoods; prevent the depreciation of land value; and provide opportunity for consultation and cooperation between the applicant and the City Planning Commission as related to the applicant's objectives and compliance with the City's regulations.

#### 1276.02 SITE PLAN REVIEW REQUIRED.

~~A~~ Prior to the issuance of any permits, a site plan shall be submitted for review and approval prior to the issuance of a building permit as follows:

- (a) Administrative Staff Review: The Zoning Administrator shall review the following site plans or may refer such plans to the Planning Commission.
    - (1) Residential uses with up to three dwelling units.
    - (2) Accessory dwelling units.
    - (3) Minor expansions of existing non-residential buildings or outdoor uses that are less than fifty percent (50%) of the current building's size or land area occupied.
    - (4) Accessory buildings that do not exceed fifty percent (50%) of the size of the largest principal building on the site.
    - (5) A change in the use of a property that results in the need for additional parking.
  - (b) Planning Commission Review:
    - (1) Any new construction of a non-residential use.
    - (2) New construction of residential uses with more than three dwelling units.
    - (3) Special land uses, site condominiums, and planned unit developments (PUDs).
    - (4) Expansion of an existing non-residential use or residential use with more than three dwelling units, where the increase is fifty percent (50%) or more of the existing building's gross square footage or land area. For uses primarily outdoors, the expansion is determined by the increase in land area occupied.
    - (5) A change in use or expansion resulting in significant alterations to site circulation, drainage, landscaping, lighting, and/or other considerations of site plan review, as determined by the Zoning Administrator.
- ~~—(a) Planning Commission Level. The Planning Commission shall review the following site plans:~~
- ~~—(1) Any new principal commercial, office, industrial, business or institutional use or a residential use having more than two dwellings.~~
  - ~~—(2) Special land uses and planned unit developments.~~
  - ~~—(3) Existing commercial, industrial, business or institutional uses and buildings or residential uses having more than two dwellings proposed to be increased in size fifty percent or more of the existing building or use. The existing size shall be determined by the gross square~~

footage of an existing building, or if the principal use is primarily out of doors, then the land area occupied by the use shall be used to determine the existing size.

—(4) ~~Accessory buildings which are more than fifty percent of the size of the largest principal building on site.~~

—(b) ~~Staff Level. The Community Development Director shall review the following site plans or may refer such plans to the Planning Commission:~~

—(1) ~~Expansion of an existing use or building which comprises less than fifty percent of a building or less than fifty percent of the land area occupied by a use which is principally outdoors.~~

—(2) ~~A building which is accessory to the principal building if such accessory building is no more than one half of the size of the largest principal building on site.~~

—(3) ~~A change in the use of a property which results in the need for more parking spaces.~~

### 1276.03 APPROVAL AUTHORITY.

The Planning Commission or ~~Community Development Director~~Zoning Administrator shall have the power to approve, deny, modify, or approve with conditions all site plans submitted under this Zoning Code. A building permit shall not be issued until a site plan has been approved as required herein.

Review of site plans by ~~the Community Development Director~~the Zoning Administrator or his or her designee shall be in accordance with the same procedures, requirements and standards used by the Planning Commission except that the number of site plan copies and the submittal date shall be subject to the discretion of the ~~Director~~Zoning Administrator. When review of a site plan is performed by the Zoning Administrator or his or her designee, references to the "Planning Commission" in the Sections 1276.04 to 1276.12 shall be interpreted as references to the Zoning Administrator unless the context clearly indicates to the contrary.

The ~~Community Development Director~~Zoning Administrator may waive specific site plan review submittal requirements if it is determined that such requirements are not relevant to the site plan under consideration. The ~~Director~~Zoning Administrator shall keep a record of those items specifically waived and document reasons for the waiver.

### 1276.04 APPLICATION AND PROCEDURES.

An application for site plan review along with ~~twelve~~ four printed sets of the site plan and one electronic copy shall be submitted to the ~~Community Development Director~~Zoning Administrator in accordance with the submittal schedule established by the Planning Commission along with the fee as set by the City Council. The application shall at a minimum contain the following information:

- (a) The applicant's name, address and phone number.
- (b) Proof that the applicant is the owner of the property or has a legal or financial interest in the property, such as a purchase agreement.
- (c) The name, address and phone number of the owner(s) of record if different than the applicant.
- (d) The address of the property.

- (e) A legal description of the property.
- (f) The current zoning.
- (g) A project description.
- (h) The size of the parcel in acres.
- (i) The signature of the applicant and the owner of the property.

1276.05 SITE PLAN REVIEW.

(a) Upon receipt of the site plan and application, the ~~Community Development Director~~Zoning Administrator shall forward copies to the ~~Fire Department and the~~ Department of Public Works, Public Safety, Public Utilities, and others as necessary for review and subsequent report to the Planning Commission. The ~~Director~~Zoning Administrator shall send the application and site plan to members of the Planning Commission prior to the meeting at which it will be considered.

~~(b) A public hearing shall be held for each site plan considered by the Planning Commission. The public hearing shall comply with the Michigan Zoning Enabling Act, PA 110 of 2006 as amended and the other provisions of this section with regard to public notification.~~

~~(1) Responsibility for public notice. The City Clerk, or his or her designee, shall be responsible for preparing the content of the public notice, having it published and mailed or delivered as provided in this section.~~

~~(2) Notice requirements. Notice of a public hearing for site plan review shall be given not less than fifteen days before the date of the public hearing. The notice shall be given as follows:~~

~~A. Newspaper notice. The notice shall be published in a newspaper that circulates in the City.~~

~~B. Mail and personal notice. The notice shall be sent by first class mail or personal delivery to:~~

~~1. The owner of property for which approval is being considered, and the applicant, if different than the owner of the property.~~

~~2. Except for rezoning requests that are proposed for eleven (11) or more adjacent parcels, the notice shall be sent to all persons to whom property is assessed within three hundred (300) feet of the boundary of the property subject to the request, regardless of whether the property or occupant is located within the municipal boundaries of the City. If the name of the occupant is not known, the term "occupant" may be used in making notification. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure. In structures containing four (4) or fewer dwelling units, only one (1) occupant of each unit must be given notice of the public hearing.~~

~~3. All neighborhood organizations, public utility companies, airports, railroads, and other persons, which have requested to receive notice pursuant to this section.~~

~~(3) Record of mailing. The City Clerk, or his or her designee, shall prepare an affidavit of mailing which shall include those to whom the notice was mailed and the date of mailing.~~

~~(4) Content of notice. The public notice shall:~~

~~A. Describe the nature of the request.~~

~~B. Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the subject property. Street addresses do not need to be~~

created and listed if no such addresses currently exist for the property. If there are no street addresses, other means of identified may be used, such as a tax parcel identification number, identifying the nearest cross streets, or including a map showing the location of the property.

— C. Indicate the date, time and place of the public hearing.

— D. Include a statement describing when and where written comments will be received concerning the request and a statement that the public may appear at the public hearing in person or by counsel.

— (5) Registration to receive notice by mail. Any neighborhood organization, public utility company, railroad or any other person may register with the City Clerk to receive written notice of any public hearing held pursuant to Part Twelve, Planning and Zoning, of the City Code.

— (e) Final site plans shall be drawn at a scale of not more than one inch to 100 feet and shall contain the following information unless specifically waived by the Planning Commission:

— (1) The date on which the site plan was prepared.

— (2) The name, address and professional seal of the architect, landscape architect, engineer or professional surveyor who prepared the plan.

— (3) A north arrow and legal description based upon the most current survey.

— (4) Property lines, dimensions, and building setback distances and all structures, lot lines and wetlands within 100 feet of the site.

— (5) Existing and proposed topographic elevations at two-foot intervals on the site and to a distance of fifty feet outside the boundary lines of the site.

— (6) Direction of storm water drainage and how storm water runoff will be handled as well as a statement describing where storm water will be ultimately discharged such as a creek, stream, lake or wetland.

— (7) Location of existing and proposed buildings, their intended use, the length, width and height of each building, and the square footage of each building.

— (8) Location of abutting streets, rights of way, service drives, curb cuts, and access easements serving the site, as well as driveways opposite the site and driveways within 100 feet on either side of the site. Also driveway width, curb radii and design of proposed deceleration lanes.

— (9) Location and size of all water and sanitary sewer lines and storm drainage lines as well as fire hydrants and catch basins, and location of septic tanks and drainfields, and utility easements.

— (10) Location and type of all sidewalks, bike paths, and other walkways.

— (11) Location, type and size of any walls, fences or other screening devices.

— (12) Location of all proposed landscape materials, including size and type of plantings.

— (13) Location, size and height of all proposed accessory structures, flagpoles, storage sheds, transformers, dumpsters or trash removal areas or devices, and methods of screening, signs, and existing and proposed utility poles. Roof top or outdoor equipment shall also be indicated, including proposed methods of screening where appropriate.

— (14) Proposed parking areas and access drives showing the number and size of spaces and aisles, loading areas, handicapped access ramps, and the method of surfacing such areas.

— (15) Exterior lighting showing areas of illumination and type of fixtures as well as the method of shielding lights from adjacent properties and roadways.

— (16) Location and type of significant existing vegetation, watercourses, and water bodies, including County drains and man-made surface drainageways, floodplains, and wetlands.

Vegetation which is to be retained on the site must be illustrated.

- ~~—(17) Location of existing and proposed slopes which are twenty percent or greater.~~
- ~~—(18) Zoning and land use on adjacent properties.~~
- ~~—(19) Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by this Zoning Code or by State or Federal agencies.~~
- ~~—(20) The Planning Commission may request architectural elevation drawings of a building and cross section drawings of the site.~~
- ~~—(21) Small scale sketch of properties, streets and zoned uses of land within one half mile of the site.~~
- ~~—(d) The final site plan for developments which have been proposed in phases shall generally conform to the approved preliminary plan.~~
- ~~—(e) The Planning Commission may require written statements relative to the effects on the existing traffic capacity of streets, and the proposed development's impact on schools, existing utilities, the environment and natural features.~~
- ~~—In addition, the Commission may request additional studies, graphics or other written materials from the applicant in order to assist in determining the appropriateness of the site plan.~~

(b) Site Plan Requirements

(1) Plan Preparation Details

- A. Preparation Date
- B. Name, address, and professional seal of the architect, landscape architect, engineer, or professional surveyor responsible for the plan
- C. Scale of no greater than 1:100

(2) Basic Site Information

- A. North arrow
- B. Legal description based on the most current survey
- C. Property boundaries with dimensions

(3) Site and Surrounding Features

- A. Existing buildings and structures within 100 feet of the site
- B. Watercourses, water bodies, floodplains, wetlands, and man-made drainageways
- C. Significant vegetation, including retained trees, with location, size (diameter at breast height in inches), and common name. (e.g., northern pine, etc.)
- D. Topographic elevations at two-foot intervals for the site and up to 50 feet beyond the property lines
- E. Existing slopes of 20% or greater

(4) Utility Infrastructure

- A. Existing water, sanitary sewer, and storm drainage lines or on-site facilities (e.g., detention basins), including catch basins, fire hydrants, utility poles, septic tanks, and drain fields
- B. Utility easements

(5) Adjacent Properties

- A. Zoning and land use of neighboring properties
- B. Locations of nearby streets, rights-of-way, service drives, curb cuts, access easements, and driveways opposite of or within 100 feet of the site

(6) Buildings and Structures

- A. Location, dimensions (i.e., length, width, height), square footage, setback distance, and intended use of all proposed buildings
  - B. Location, size, height, and screening methods for accessory structures, flagpoles, storage sheds, dumpsters, utility poles, rooftop equipment, signs, and exterior equipment (e.g., silos, mechanical, tanks, etc.)
- (7) Parking and Access
  - A. Layout of parking areas, showing the number and size of spaces, aisle dimensions, loading areas, and handicapped ramps.
  - B. Driveway details, including width, curb radii, and deceleration lane design.
  - C. Access points
- (8) Landscaping and Screening
  - A. Location, type, and size of proposed landscaping materials
  - B. Walls, fences, and other screening devices, with height and material specifications
- (9) Pathways and Connections
  - A. Location, dimensions (i.e., width), and type of sidewalks, bike paths, and walkways
- (10) Lighting
  - A. Location, specifications, and areas of illumination for all exterior lighting indicated on cut sheets and photometric plans to the extent of the property boundaries
  - B. Shielding methods to minimize impacts on adjacent properties and roadways
- (11) Stormwater Management
  - A. All site drainage and details of stormwater runoff management shall meet the specifications of the Ionia County Drain Commissioner
  - B. Stormwater calculations may be required to verify adequate planned infrastructure
  - C. Proof of review and approval by the Ionia County Drain Commissioner, if requested by the Planning Commission
- (12) Hazardous Materials
  - A. Location and specifications of storage facilities for chemicals, salts, flammable or hazardous materials
  - B. Any required containment structures or clear zones in compliance with local, state, or federal regulations
- (13) Additional Requirements
  - A. Proposed grading that will result in new slopes of 20% or greater
  - B. Building elevation and cross-section drawings or floorplans, if requested by the Planning Commission
  - C. Small-scale map showing properties, streets, and zoning uses within one-half mile of the site
  - D. Any other details as required by the Planning Commission to evaluate the site's compliance with City standards

1276.06 FINAL SITE PLAN APPROVAL.

(a) The Planning Commission shall review the final site plan according to the general standards for site plan review as contained in this chapter and any other applicable regulations of this Zoning Code. Based on these standards and regulations, the Planning Commission shall approve, deny, or approve with conditions the final site plan.

(b) If approved, the applicant shall revise the site plan as necessary and submit the final site plan to the Community Development Director/Zoning Administrator to ensure that all revisions as required by the Planning Commission have been made.

(c) Upon approval of the final site plan, two copies of this plan shall be stamped as approved, dated, and signed by the Community Development Director/Zoning Administrator. One copy of the approved plan shall be retained by the applicant and one shall be retained by the Director Zoning Administrator as part of the building permit review process.

(d) The Community Development Director/Zoning Administrator shall notify the Building Department for issuance of a building permit upon receipt of an approved final site plan, provided that all other applicable City regulations have been met ~~including compliance with the Building and Housing Code~~.

#### 1276.07 STANDARDS FOR APPROVAL.

(a) General Approval Criteria: Before approving a site plan, the Planning Commission must ensure compliance with the following standards. If all applicable standards and other City ordinances are met, the site plan shall be approved.

(b) Access and Site Circulation

(1) Buildings must be arranged to allow emergency vehicle access as required by the City's Public Safety Department.

(2) The Planning Commission may:

A. Limit the number of driveways for a site.

B. Require shared driveways between contiguous parcels.

C. Require parking lots on adjacent parcels to be connected.

D. Align driveways opposite each other for improved traffic flow.

(3) Public and private circulation routes must integrate with existing or planned streets, pedestrian paths, and bicycle routes.

(4) Streets and drives that are part of an existing or planned street pattern serving adjacent development shall be of a condition appropriate to the traffic volume and type of traffic they will carry.

(5) On-site maneuvering space for trucks must be provided so that loading areas do not interfere with public right-of-way.

(c) Landscaping and Site Design

(1) Landscaping must comply with the City's landscape provisions.

(2) The site design must consider:

A. Topography

B. Type and size of lot and buildings

C. Character of adjoining property

D. Adjoining properties to prevent negative impacts on their orderly development or improvement for uses in this Zoning Code

(3) Natural features should be preserved where practical, with minimal removal of vegetation and alterations to topography.

(4) Areas of natural drainage, such as wetlands, ponds, and swales, must be protected to maintain natural drainage patterns and habitats.

(d) Privacy and Screening

(1) The site plan must provide reasonable visual and sound privacy for all dwelling units through the use of fences, landscaping, and other barriers where necessary.

(2) Outdoor storage and trash collection areas must comply with Chapter 1060 and be screened appropriately.

(e) Pedestrian and Non-Motorized Transportation

(1) In recognition that a connected sidewalk system along City streets enhances pedestrian safety and conserves energy through non-motorized transportation opportunities, sidewalks shall be required as determined by the Planning Commission and must comply with City of Ionia sidewalk standards, as detailed in the City's Municipal Standards.

(2) Factors for requiring sidewalks include:

A. Existing and future pedestrian traffic near the site

B. Ability to enhance pedestrian safety

C. Traffic volume on adjacent streets

D. Potential for a connected sidewalk network

E. Proximity to pedestrian attractors (e.g., schools, public buildings, shopping areas)

F. Location of the proposed use

(f) Lighting

(1) Exterior lighting shall be arranged so that illumination is deflected downward and away from adjacent properties and so that it does not interfere with the vision of motorists along adjacent streets.

(2) Flashing or intermittent lights shall not be permitted.

(3) Excessive lighting of buildings or structures shall be minimized to reduce light pollution.

(g) Stormwater Management

(1) Stormwater drainage must be designed to prevent adverse impacts on neighboring properties and the public stormwater system.

(2) Provisions must be made for:

A. Erosion control, particularly during construction

B. Dust prevention

C. Retention/detention ponds, where necessary

(3) Paved surfaces must be designed to prevent water pooling and maintain safe traffic flow.

(4) The Planning Commission may require catch basins with oil filters to prevent contamination of natural drainage systems.

(5) As deemed necessary, the Planning Commission may require the site plan to be reviewed by the Ionia County Drain Commissioner.

(h) Compliance with Regulations

(1) Site plans must comply with all applicable County, State, and Federal laws and regulations.

(2) Final site plan approval and permits may be conditioned upon obtaining necessary permits from relevant agencies.

- ~~—(a) Prior to approving a site plan, the Planning Commission shall require that the following standards be satisfied. If these standards and the other requirements noted in this section or in other City ordinances are met, the site plan shall be approved.~~
- ~~—(b) The Planning Commission shall have the authority to limit the number of driveways for a site, to require that parking lots on contiguous parcels be connected, that driveways for contiguous parcels be shared, and that opposite driveways be directly aligned.~~
- ~~—(c) Landscaping shall be provided and designed in accordance with the City's landscape provisions.~~
- ~~—(d) All elements of the site plan shall be designed to take into account the site's topography, the size and type of lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Zoning Code.~~
- ~~—(e) The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or by making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this Zoning Code. A development shall respect the natural resources of the City.~~
- ~~—(f) Areas of natural drainage, such as swales, wetlands, ponds, or swamps, shall be protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.~~
- ~~—(g) The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein. Fences, walls, barriers, and landscaping shall be used, as appropriate, to accomplish these purposes.~~
- ~~—(h) All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as requested by the City Fire Department.~~
- ~~—(i) In recognition that a sidewalk system along City streets would enhance pedestrian safety and conserve energy through non-motorized transportation opportunities, sidewalks shall be required as determined by the Planning Commission during the site plan review process. Sidewalks, if required, shall be constructed in accordance with the City of Ionia sidewalk standards. Additions to or renovations of buildings, existing as of the effective date of this chapter, which require site plan review, shall be subject to the requirements herein. In determining the need for a sidewalk, the following criteria shall be considered:
  - ~~—(1) The amount of current and future pedestrian traffic passing by the site.~~
  - ~~—(2) Whether a sidewalk would enhance the safety of pedestrians currently walking by the site as well as the safety of future pedestrians.~~
  - ~~—(3) The existing and future volume of traffic on the street abutting the site.~~
  - ~~—(4) The existence or probability of sidewalks being constructed on adjacent properties in order to create or complete a usable sidewalk system.~~
  - ~~—(5) The location of the proposed use.~~
  - ~~—(6) The location of pedestrian attractors such as schools, churches, public buildings, and shopping opportunities.~~~~
- ~~—(j) The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern serving adjacent development shall be of a condition appropriate to the traffic volume and type of traffic they will carry.~~
- ~~—(k) Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm water drainage system. Provisions~~

shall be made to accommodate storm water, prevent erosion, particularly during construction, and prevent the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic or create puddles in paved areas. The Planning Commission may, in its discretion, require catch basins to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system.

—(l) Exterior lighting shall be arranged so that illumination is deflected away from adjacent properties and so that it does not interfere with the vision of the motorist along adjacent streets. Flashing or intermittent lights shall not be permitted. Excessive lighting of buildings or structures shall be minimized to reduce light pollution.

— Street lights which conform to the City of Ionia specifications for street lighting shall be installed within the right of way along all streets abutting the parcel. The Planning Commission may, in its discretion, require these same street lights to be installed on the parcel at locations which are close to the street in order to maintain a consistent lighting theme along City streets.

—(m) Outside storage areas, including areas for the storage of trash shall conform to the regulations contained in Chapter 1060 of these Codified Ordinances.

—(n) Maneuvering space for trucks using on-site loading areas shall be provided on premises and shall not necessitate the use of the public right-of-way.

—(o) Site plans shall conform to all applicable requirements of County, State and Federal statutes, and approval may be conditioned on the applicant receiving necessary County, State and Federal permits before final site plan approval or any occupancy permit is granted.

#### 1276.08 CONDITIONS OF APPROVAL.

(a) As part of ~~an approval to any~~ site plan approval, the Planning Commission or the ~~Community Development Director~~ Zoning Administrator, as applicable, may impose ~~any~~ additional reasonable conditions or limitations ~~as in its judgment may be deemed~~ necessary ~~to for~~ protection of the public interest.

(b) Any conditions imposed must directly relate to and ensure compliance with the review standards outlined in Section 1276.07. ~~Such conditions shall be related to and ensure that the review standards of Section 1276.07 are met.~~

(c) ~~S~~ Approval of a site plan approval, including conditions made as part of the approval, shall apply to the property described in the application, regardless of subsequent changes in ownership.

(d) A record of conditions imposed shall be maintained. The conditions shall remain unchanged unless an amendment to the site plan is approved in accordance with this Zoning Code.

(e) The Planning Commission shall keep an official record of its decisions, including the rationale for approval or denial and any conditions imposed. These records shall be documented in the Planning Commission's meeting minutes. ~~A record of the decision of the Planning Commission, the reasons for the decision reached and any conditions attached to such decision shall be kept as part of the minutes of the Planning Commission.~~

(f) The ~~Community Development Director~~ Zoning Administrator may ~~make~~ conduct periodic investigations-inspections of approved developments to ensure compliance with the site plan and its conditions for which site plans have been approved. ~~Non-compliance with the requirements~~

and conditions of the approved site plan shall be violations of this Zoning Code. Any failure to comply shall be considered a violation of this Zoning Code.

#### 1276.09 VALIDITY OF FINAL SITE PLANS.

(a) Final site plan approval is valid for up to one year. If substantial construction has not begun and meaningfully progressed toward completion within this period, the approval becomes void. Approval of the final site plan is valid for a period of not longer than one year unless extended as allowed herein. If actual construction of a substantial portion of the improvements included in the approved site plan has not commenced and proceeded meaningfully toward completion during that period, the approval of the final site plan shall be voided.

(b) The applicant may request a one-time extension by submitting a written application before the one-year approval period expires. The Planning Commission may grant an extension of up to one additional year if the applicant provides sufficient evidence that construction is likely to commence within the extended timeframe. Upon written application, filed prior to the termination of the one year review period, the Planning Commission may authorize a single extension of the time limit for approval of a final site plan for a further period of not more than one year. Such extension shall only be granted based on evidence from the applicant that there is a likelihood of construction commencing within the one-year extension.

#### 1276.10 PERFORMANCE GUARANTEES.

(a) As a condition of approval of a site plan review, the Planning Commission may require a performance guarantee to ensure the installation of those features or components of the approved activity or construction that are considered necessary to protect the health, safety, and welfare of the public and of users or inhabitants of the proposed development. Such features or components, hereafter referred to as "improvements," may include but shall not be limited to roadways, curbs, landscaping, fences, walls, screens, lighting, drainage facilities, sidewalks, driveways, utilities, and similar items.

(1) Such performance guarantee shall be in a principal amount reasonably estimated to enable the City to recover any costs it incurs to complete such work or otherwise assure compliance with the requirements, specifications, and conditions of such approval should the applicant fail to do so within the time specified within the approval. The Zoning Administrator, City Attorney, and the applicant shall work together to establish the amount needed to reasonably cover the costs of non-performance. The terms of the performance guarantee may, but shall not be required to, provide for partial releases of the amount of the guarantee as the requirements, specifications, and conditions imposed with the approval are fulfilled. If the applicant disagrees with the City staff as to the amount needed to reasonably cover the costs of non-performance, the City shall procure an engineer's cost estimate for determining the amount required.

(2) The performance guarantee shall be provided before any permits are issued pursuant to this Zoning Code or the construction code and the failure of any such performance guarantee shall be a basis for revoking any permit granted under this Zoning Code.

(b) Performance guarantees shall be processed in the following manner.

- (1) Prior to the filing of a final site plan, a pre-application conference may be held to provide an opportunity for the City staff to inform the applicant of the City's requirements regarding performance guarantees.
- (2) Upon filing of the final site plan, the applicant shall prepare an itemized cost estimate of the required improvements, which shall then be reviewed by the Zoning Administrator. The amount of the performance guarantee shall be 100% of the cost of installing the required improvements, plus the cost of necessary engineering and a reasonable amount for contingencies.
- (3) The required performance guarantee may be in the form of a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the City.
- (4) Upon receipt of the required performance guarantee, the Zoning Administrator shall issue permits and approvals as appropriate for the subject development or activity, provided that all other requirements of this Zoning Code have been met.
- (5) The Zoning Administrator, upon written request of the obligor, shall rebate portions of the performance guarantee upon a determination that the improvements for which the rebate has been requested have been satisfactorily completed. The portion of the performance guarantee to be rebated shall be in the same amount as stated in the itemized cost estimate for the applicable improvement.
- (6) When all of the required improvements have been completed, the obligor shall send written notice to the City of the completion of said improvements.
- (7) Thereupon, the Zoning Administrator shall inspect all of the improvements and approve, partially approve, or reject the improvements with a statement of the reasons for any rejections. If partial approval is granted, the cost of the improvements rejected shall be set forth.
- (8) The Zoning Administrator shall notify the obligor in writing of the decision within 30 days after receipt of the notice from the obligor of the completion of the improvements. Where partial approval is granted, the obligor shall be released from liability pursuant to relevant portions of the performance guarantee, except for that portion sufficient to secure completion of the improvements not yet approved.

(a)(c) A record of authorized performance guarantees shall be maintained by the Zoning Administrator or his or her designee.

(a)-

~~The Planning Commission may require reasonable performance guarantees in order to assure the completion of required improvements. Such performance guarantees may include a performance bond, letter of credit or other written guarantees or assurances deemed satisfactory in the circumstances and authorized by law. The amount of the performance guarantee shall be determined by the Planning Commission. Such arrangements shall have such sureties or guarantors as are satisfactory to the Planning Commission and shall be conditioned upon faithful compliance with all of the provisions and requirements of the approved site plan and construction and placement of all of the improvements therein. In its discretion, the Planning Commission may reduce a proportionate share of the amount specified in a performance bond, letter of credit or other written assurance, based upon the percent or other portion of~~

improvements completed, as verified by the Planning Commission or appropriate City official. Furthermore, the Planning Commission may rebate or refund a proportionate share of a cash bond.

#### 1276.11 AMENDMENTS TO APPROVED SITE PLAN.

- (a) Notification of Amendments: Any proposed changes to an approved site plan must be reported to the Zoning Administrator.
  - (b) Minor Changes: Minor amendments that do not significantly alter the site's design or modify conditions set by the Planning Commission may be approved by the Zoning Administrator. The Administrator has the discretion to determine whether a change is minor but may also refer such requests to the Planning Commission for approval.
  - (a)(c) Major Changes: Major amendments that substantially modify the site's design or alter conditions imposed by the Planning Commission must be reviewed and approved by the Planning Commission. The determination of whether a change is major rests solely with the Zoning Administrator.
- ~~—(a) A person granted site plan approval shall notify the Community Development Director of any proposed amendment to the approved site plan.~~
- ~~—(b) A minor change, one that does not substantially change the basic design or alter conditions required by the Planning Commission, may be approved by the Community Development Director. Determination of a minor change shall rest solely within the discretion of the Administrator. The Administrator may, however, refer a minor change to the Planning Commission for its approval.~~
- ~~—(c) A major change, one that does substantially change the basic design or alter conditions required by the Planning Commission, may be approved by the Planning Commission. Determination of a major change shall rest solely within the discretion of the Community Development Director.~~

#### 1276.12 EXPANSION OF EXISTING USE, STRUCTURE OR BUILDING.

Recognizing that some existing land uses, buildings, and structures do not conform to current zoning regulations, any proposed expansions or modifications requiring site plan review (per Section 1276.02) must adhere to the following standards:

- (a) Application of Site Development Standards: Existing uses, buildings, or structures affected by expansions, enlargements, or increased intensity will be evaluated using the site development standards applied during site plan review. These standards will be enforced if any of the following conditions are found:
  - (1) Stormwater Management: Existing drainage provisions are inadequate to prevent runoff contamination or drainage issues on adjacent properties.
  - (2) Parking Deficiencies: On-site parking does not meet current zoning requirements, or a hard surface parking area is needed to reduce dust and prevent gravel or dirt runoff into the public drainage system.
  - (3) Traffic Hazards: Existing driveways create hazardous vehicle movements and should be closed or relocated.

(4) Landscaping and Screening: Additional plantings, replacement of removed vegetation, or new screening (fencing or landscaping) is necessary to buffer uses or shield stored materials.

(5) Improved Property Access: Connections between parking lots or installation of service drives are needed to enhance traffic circulation or reduce turning movements onto public streets.

(6) Pedestrian and Emergency Access: Enhancements are required to improve pedestrian safety or provide better access for emergency vehicles.

(7) Lighting Issues: Additional light is needed or improved lighting is needed to reduce glare or eliminate light pollution affecting drivers or nearby properties.

(8) Dumpster Screening: Proper screening of dumpsters is necessary to improve site appearance and reduce windblown debris.

(9) Sidewalks: Sidewalks are needed to enhance pedestrian safety or to fill priority gaps in the sidewalk system.

(b) Criteria for Applying Site Plan Standards: When determining how to apply site plan review standards to address deficiencies, the Planning Commission will consider:

(1) Public Benefit: Whether compliance improves safety, protects natural resources, enhances traffic circulation, promotes compatible land use, and aligns with the goals of site plan review.

(2) Practicality: The feasibility of implementing zoning requirements based on the site's existing design, layout, and operational constraints.

(3) Neighborhood Impact: Whether requiring compliance would positively or negatively affect the character, safety, and welfare of the surrounding area.

~~—(a) It is recognized that there are existing land uses, buildings, and structures which do not conform to the current regulations of this Zoning Code and as such do not achieve the intended purposes of this Zoning Code. When additions to these uses, buildings, and structures are made so that a site plan review is required per Section 1276.02, the following regulations shall apply.~~

~~—(b) The site development standards used in reviewing site plans shall be applied to existing uses, structures or buildings when they are affected by any expansions, enlargements or increases in intensity. These standards shall be applied if it is determined that as a result of such expansions, enlargements or increases in intensity, any of the following situations exist:~~

~~—(1) Existing stormwater drainage provisions on-site are inadequate to protect nearby lakes, streams or creeks from runoff contaminants or to prevent drainage onto adjoining properties.~~

~~—(2) There is insufficient on-site parking to satisfy current Zoning Code requirements and/or a hard surface parking area is needed to reduce dust and reduce gravel and dirt runoff into the public stormwater drainage system.~~

~~—(3) Existing driveways may result in hazardous vehicle movements and should be closed or relocated.~~

~~—(4) Additional plantings are needed in order to comply with the intent of the City of Ionia landscape regulations or to replace trees and shrubs previously removed, or screening is needed in the form of fencing or landscaping to provide a buffer between uses, particularly to screen materials stored outside.~~

~~—(5) Access to adjoining properties is inadequate and can be improved by way of parking lot connections or installation of service drives to improve traffic circulation and reduce the number of turning movements onto the public street system.~~

- ~~—(6) Safety for pedestrians can be improved and better emergency vehicle access can be provided.~~
- ~~—(7) Better lighting conditions are needed to reduce or eliminate nuisance lighting situations for drivers and nearby properties.~~
- ~~—(8) Screening of dumpsters is needed to improve the appearance of a site and reduce the likelihood of windblown trash.~~
- ~~—(9) Sidewalks are needed to improve pedestrian safety.~~
- ~~—(e) In determining how to apply the site plan review standards to address the above deficiencies found on a site, the Planning Commission shall be guided by the following criteria:~~
  - ~~—(1) Whether or not compliance would ensure safer on-site conditions, protect the natural environment, improve traffic circulation, achieve compatibility with adjacent land uses, promote the use of the land in a socially and economically desirable manner and generally accomplish the purposes of site plan review as described in this chapter.~~
  - ~~—(2) The practicality of requiring compliance with the applicable regulations of this Zoning Code based on the existing design, layout, and operation of the existing use and size of the site.~~
  - ~~—(3) Whether or not requiring compliance would have a negative impact on the character, safety, and welfare of the neighborhood or surrounding area.~~

**Section 2. Amendment to Part Twelve, Title Six, Chapter 1289, Section 1289.08.** Part Twelve, Title Six, Chapter 1289, Section 1289.08 of the Codified Ordinances is hereby amended to read in its entirety as follows:

**1289.08 APPLICATION AND PROCESSING PROCEDURES.**

- (a) As required by the Medical Marihuana Facilities Licensing Act, PA 281 of 2016, any applicant for a medical marihuana facility license shall provide the City of Ionia notification by registered mail informing the City that the applicant has applied for a license under the Act. When the City receives the notice, within 90 days the City shall provide to the Medical Marihuana Licensing Board a copy of the City of Ionia ordinance permitting and regulating medical marihuana facilities, and a description of any previous medical marihuana related ordinance violation of the applicant.
- (b) An application for special land use approval for a medical marihuana facility shall be in accordance with the application procedures for special land uses as required by Chapter 1274 of the City of Ionia Zoning Ordinance, including a site plan prepared according to the requirements of Chapter 1276.
- (c) A notice for public hearing as required by Section 1274.03(d), ~~and as required by Section 1276.05(b)~~ shall be additionally sent to all properties within the distance as required for those buffered uses as required by Section 1289.05(c)(1).
- (d) In addition to all application materials as required for a special land use, an application for a medical marihuana facility, on a form as approved by the City Council, shall be completed and submitted by the applicant.
- (e) The application shall include the following information in addition to any additional information as required by the application form for a medical marihuana facility:
  - (1) The City of Ionia may request from the applicant a copy of the Entity/Individual Prequalification Application Packet for a state medical marihuana facility operating license as required to be submitted to the State of Michigan.

- (2) A copy of the proposed Business Plan if requested by the Planning Commission.
  - (3) Proof of ownership of the entire premises wherein the medical marihuana establishment is to be operated; or written consent from the property owner of use of the premises for a medical marihuana facility, and a copy of any lease agreement.
  - (4) A description of the security plan for the medical marihuana establishment, prepared as required by the Medical Marihuana Facilities Licensing Act, PA 281 of 2016, M.C.L.A. §§ 333.27101 et seq., as amended, including but not limited to any lighting, alarms, barriers, recording or monitoring devices, and security guard arrangements proposed for the facility and its premises. Each medical marihuana facility shall have a security guard present during business hours, or alternative security measures by the Planning Commission as a condition of special land use approval.
  - (5) A professionally prepared scaled drawing of the floor plan of the medical marihuana facility including uses of all floor areas.
  - (6) A diagram of any proposed text or graphic materials to be shown on the exterior of the proposed medical marihuana facility.
  - (7) A location area map showing the distance to all buffered uses as required in Section 1289.05(c). Each buffered use shall be labeled on the location area map.
  - (8) A waste disposal plan, indicating how all waste products, including marihuana that is to be destroyed or is considered waste, will be disposed of and prevented from being ingested by humans or animals. In no case shall waste be burned on site, or introduced into the sanitary sewer system or stormwater management system.
  - (9) A signed affidavit that neither the applicant nor any investor with an interest in the medical marihuana facility is in default to the City of Ionia for failure to pay any property taxes, income taxes, special assessments, fines, fees, or other financial obligation to the City of Ionia.
  - (10) In the case of an application for a grower license, chemical and pesticide storage plan that states the names of the pesticides, herbicides, and any other chemicals that will be used in cultivation, and a plan for disposal of unused pesticides, herbicides, and chemicals.
- (f) All applications for special land use approval for a medical marihuana facility shall be accompanied by an application fee of \$5,000.
  - (g) All applications for a special land use for a medical marihuana facility shall obtain a building permit for any building utilized as a proposed medical marihuana facility, or for a change of occupancy for an existing building to be utilized as a proposed marihuana facility, from the governmental entity having jurisdiction to approve building permits in the City of Ionia under the Stille-DeRossett-Hale single state construction code act, PA 230 of 1972.
  - (h) Any other information requested by the Planning Commission, the City Council, public safety official, or other municipal official in order to complete the review of the application.

**Section 3. Amendment to Part Twelve, Title Six, Chapter 1290, Section 1290.09.** Part Twelve, Title Six, Chapter 1290, Section 1290.09 of the Codified Ordinances is hereby amended to read in its entirety as follows:

**1290.09 APPLICATION AND PROCESSING PROCEDURES.**

- (a) As required by the Michigan Regulation and Taxation of Marihuana Act, M.C.L.A. §§ 333.27951 et seq., as amended (MRTMA) and Rules, the Department shall forward a copy of any complete application for a marihuana establishment license to the City. The Department shall determine whether the applicant and the premises qualify for a state license, and shall notify the applicant of approval of a license or send the applicant notice of rejection within 90 days.
- (b) An application for special land use approval for a marihuana establishment shall be in accordance with the application procedures for special land uses as required by Chapter 1274 of the City Code, including a site plan prepared according to the requirements of Chapter 1276.
- (c) A notice for public hearing as required by Section 1274.03(d), ~~and as required by Section 1276.05(b)~~ shall be additionally sent to all properties within the distance as required for those buffered uses as required by Section 1290.06(g).
- (d) In addition to all application materials as required for a special land use, an application for a marihuana establishment, on a form as approved by the City Council, shall be completed and submitted by the applicant.
- (e) The application shall include the following information in addition to any additional information as required by the application form for a marihuana establishment:
  - (1) The City may request from the applicant a copy of the entity/individual prequalification application packet for a marihuana establishment operating license as required to be submitted to the State of Michigan.
  - (2) A copy of the proposed business plan if requested by the Planning Commission.
  - (3) Proof of ownership of the entire premises wherein the marihuana establishment is to be operated; or written consent from the property owner of use of the premises for a marihuana establishment, and a copy of any lease agreement.
  - (4) A description of the security plan for the marihuana establishment, prepared as required by the Michigan Regulation and Taxation of Marihuana Act, M.C.L.A. §§ 333.27951 et seq., as amended (MRTMA) and Rules, including but not limited to any lighting, alarms, barriers, recording or monitoring devices, and security guard arrangements proposed for the establishment and its premises. Each marihuana establishment shall have a security guard present during business hours, or alternative security measures approved by the Planning Commission as a condition of special land use approval.
  - (5) A professionally prepared scaled drawing of the floor plan of the marihuana establishment including uses of all floor areas. Locations of all interior and exterior security recording devices shall be shown on the floor plan.
  - (6) A diagram of any proposed text or graphic materials to be shown on the exterior of the proposed marihuana establishment.

- (7) A location area map showing the distance to all buffered uses as required in Section 1290.06(g)(1). Each buffered use shall be labeled on the location area map.
  - (8) A waste disposal plan, indicating how all waste products, including marihuana that is to be destroyed or is considered waste, will be disposed of and prevented from being ingested by humans or animals. In no case shall waste be burned on site, or introduced into the sanitary sewer system or stormwater management system.
  - (9) A signed affidavit that neither the applicant nor any investor with an interest in the marihuana establishment is in default to the City for failure to pay any property taxes, income taxes, special assessments, fines, fees, or other financial obligation to the City.
  - (10) In the case of an application for a grower establishment, a chemical and pesticide storage plan that states the names of the pesticides, herbicides, and any other chemicals that will be used in cultivation, and a plan for disposal of unused pesticides, herbicides, and chemicals.
- (f) All applications for special land use approval for a marihuana establishment shall be accompanied by an application fee of \$5,000, or a fee as set by resolution of the City Council.
  - (g) All applications for a special land use for a marihuana establishment shall obtain a building permit for any building utilized as a proposed marihuana establishment, or for a change of occupancy for an existing building to be utilized as a proposed marihuana establishment, from the governmental entity having jurisdiction to approve building permits in the City under the Stille-DeRossett-Hale single state construction code act, PA 230 of 1972.
  - (h) Any other information requested by the Planning Commission, the City Council, or other municipal official in order to complete the review of the application.

**Section 4. Severability.** Should any portion of this Ordinance be declared to be invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect any other portion or provision of this Ordinance, which shall remain valid and in full force and effect.

**Section 5. Effective Date.** This Ordinance shall become effective upon the expiration of seven (7) days after this Ordinance's adoption, or a summary thereof, appears in the newspaper as provided by law.

The vote to approve and adopt this Ordinance was as follows:

**YEAS:** Margot Cook, Brenda Cowling, Tim Lee, Tom Millard, Richard Starr, Jeff Winters, Mary Patrick.

**NAYS:** None.

**ABSENT/ABSTAIN:** John Milewski and Troy Waterman.

**ORDINANCE NO. 594 DECLARED ADOPTED**

CITY OF IONIA

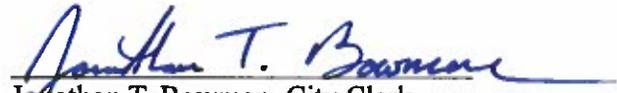
Dated: \_\_\_\_\_

7/2/25

  
Jonathan T. Bowman, City Clerk

**CERTIFICATION**

I hereby certify that the above is a true copy of the Ordinance adopted by the City Council of the City of Ionia as of the date, time, and place as specified above, pursuant to the required statutory procedures.

  
Jonathan T. Bowman, City Clerk

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

June 4, 2025  
June 10, 2024  
July 2, 2025  
July 23, 2025