

CITY OF IONIA

IONIA COUNTY, MICHIGAN

Ordinance No. 571

AN ORDINANCE TO AMEND PART TWELVE “PLANNING AND ZONING CODE”, OF TITLE SIX “ZONING”, OF CHAPTER 1240 ENTITLED “GENERAL PROVISIONS AND DEFINITIONS”; TO AMEND CHAPTER 1256 ENTITLED “B-1 NEIGHBORHOOD BUSINESS DISTRICT”; RENAME AND AMEND CHAPTER 1258 ENTITLED “B-2 COMMUNITY BUSINESS DISTRICT” INTO “B-2 CENTRAL BUSINESS DISTRICT”; AND AMEND CHAPTER 1260 ENTITLED “B-3 GENERAL BUSINESS DISTRICT”; TO RENAME CHAPTER 1255 ENTITLED “O OFFICE DISTRICT” AS “HSD HEALTH SERVICES DISTRICT; AND TO REZONE PERMANENT PARCEL NUMBERS 34-202-100-000-105-00, 34-204-090-000-670-50, AND 34-204-070-000-025-00 INTO THE DISTRICT ENTITLED “HSD HEALTH SERVICES DISTRICT” OF THE CODIFIED ORDINANCES OF THE CITY OF IONIA.

THE CITY OF IONIA ORDAINS:

Part One: Amendment

That Part Twelve, Title Six, Chapter 1240, entitled “General Provisions and Definitions” of the Codified Ordinances of the City of Ionia, Michigan is amended to add the definitions as follows and renumber the subsections in appropriate order:

**CHAPTER 1240
General Provisions and Definitions**

- 1240.01 Short title.
- 1240.02 Conflicts of laws.
- 1240.03 Compliance required.
- 1240.04 Zoning of annexed areas.
- 1240.05 Zoning of vacated areas.
- 1240.06 District requirements.
- 1240.07 Amendments.
- 1240.08 Interpretation.
- 1240.09 Vested rights.
- 1240.10 Rules of construction.
- 1240.11 Definitions.

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1240.11 DEFINITIONS.

As used in this Zoning Code, the following words and terms shall have the meanings given to them herein:

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Adult Oriented Use: Any establishment which, for money or any other form of consideration either has as one of its principal purposes to sell, exchange, rent, loan, trade, transfer, or provide for viewing, off the premises or on premises, any adult oriented materials or entertainment. [This term] includes but is not limited to accessories, books, magazines, photographs, prints, drawings, paraphernalia, paintings, motion pictures, live shows, pamphlets, videos, slides, tapes, or electronically generated images or devices including computer software, or any combination thereof.

Banking and Financial Institutions: A Bank or Financial Institution is a for-profit or non-profit business open to the public and engaged in deposit banking and performing closely related functions such as making loans, investments, and fiduciary activities.

Clinic, Medical, or Dental: A facility operated by one or more physicians, dentists, chiropractors, or other licensed practitioners of the healing arts for the examination and treatment of a person solely on an outpatient basis.

Dry Cleaning Establishment: An establishment or business maintained for the pickup and delivery of dry cleaning and/or laundry without the maintenance or operation of any laundry, dry cleaning equipment, or machinery.

Dry Cleaning Plant: A building or portion of a building, or premises, used or intended for cleaning fabrics, textiles, wearing apparel, or articles of any sort that are cleaned by process of immersion or agitation in volatile solvents, petroleum distillates, and chlorinated hydrocarbons.

Event Center: Any establishment at which organized events for the purpose of amusement, entertainment, or ceremony are held when a reserving party utilizes the space for a contractual period of time or, if open to the general public, the public pays an admission fee.

General Office: An office for activities such as, but not limited to, real estate agencies, advertising agencies, insurance agencies, travel agencies and ticket sales, chambers of commerce, credit bureaus (but not finance institutions), abstract and title agencies or insurance companies, stockbrokers, and the like. It is characteristic of a business office where retail or wholesale goods are not shown or sold on the premises to a customer. A barber or beauty shop is not a general office.

Governmental Building or Facility: A building or structure owned, operated, or occupied by a governmental agency to provide governmental service to the public.

Indoor Recreational Facility: A commercial, recreational land use conducted entirely within a building (i.e., arcades, athletic and health clubs, gymnasiums, swimming pools, skating, etc.).

Institutional Use: Public and public-private group use of a non-profit nature, typically engaged in public service (i.e., places of public gathering, charitable organizations, libraries, museums, non-profit cultural centers, etc.).

Medical or Dental Laboratories: A facility used for medical, dental, or other health science collection, research, or analysis.

Personal Services: Enterprises serving individual necessities, such as barber shops, beauty salons and spas, clothing rental, coin-operated laundromats, massage services by masseurs/masseuses, photographic studios, tattoo parlors.

Place of Public Assembly: Buildings, structures and grounds, including theaters, churches, auditoriums, sports arenas, concert halls, lecture halls and other similar facilities intended for commercial or non-commercial entertainment, instruction, worship or similar activities involving assembled groups of people numbering thirty (30) or more.

Professional Services: A business that offers any type of personal service to the public that requires as a condition precedent to the rendering of such service, the provider must often obtain a license or other legal authorization. By way of example, and without limiting the generality of this definition, professional services include services rendered by certified public accountants, engineers, architects, medical doctors, dentists, and attorneys at law.

Storage, Commercial: The storage of goods or materials for sale in or operation of a business.

Storage, Personal: A structure to be used, or intended to be used, for private noncommercial, nonindustrial storage uses, also commonly referred to as mini-storage.

Storage, Outdoor: The storage of any good or materials outside the principal or accessory buildings on a property.

Warehouse: Indoor facilities characterized by storage of finished or unfinished products for industry or commercial enterprises.

Part Two: Renaming and Amendment

That Part Twelve, Title Six, Chapter 1255, entitled "O Office District" of the Codified Ordinances of the City of Ionia, Michigan is hereby renamed as the "HSD Health Services District." And is hereby amended to read in its entirety as follows:

CHAPTER 1255 Health Services Office District

1255.01 Intent.

1255.02 Principal uses permitted.

1255.03 Special uses.

1255.04 Area and bulk requirements.

CROSS REFERENCES

Zoning and planning in home rule cities - see M.C.L.A. § 117.4i

Regulation of location of trades, buildings and uses by local authorities - see M.C.L.A. § 125.581
Regulation of buildings; authority to zone - see M.C.L.A. § 125.582
Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. § 125.583a
Special land uses - see P. & Z. Ch. 1274
Nonconforming uses - see P. & Z. Ch. 1278
Off-street parking and loading - see P. & Z. Ch. 1282
Signs - see P. & Z. Ch. 1234
Provisions applicable to all districts - see P. & Z. 1286

1255.01 INTENT.

~~It is the intent of this chapter to provide for a variety of office uses of a business and professional nature as well as activities compatible with these uses. The regulations contained in this chapter are designed to encourage a harmonious relationship between the office district and abutting land uses and provide a transition between arterial streets and residential uses.~~

It is the intent of this chapter to promote and expand the health services and technology industry in the City of Ionia by providing a setting in which the physical design and supporting amenities are attractive to the health and technology sectors.

1255.02 PRINCIPAL USES PERMITTED.

In the Health Service Office District, no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this Zoning Code:

- (a) Professional oOffice establishments that perform business and professional services, such as government, insurance, real-estate, legal, financial, architectural, planning, and other similar services.
- (b) Medical and dental laboratories, dental, and mental health clinics and offices.
- (c) Health clubs.
- (d) Assisted living and skilled nursing facilities. Mortuaries and funeral homes, not including crematories.
- (e) Hospitals. Banks, credit unions and similar financial establishments, not including drive-through windows.
- (f) Psychiatric or Substance Abuse Treatment Centers. Research, development, and testing laboratories and offices without manufacturing.
- (g) Urgent Care Facilities. Radio and television studios.
- (h) Museums, libraries, art galleries and similar cultural facilities, either public or private. Ambulance Services.
- (i) Studios or schools for instruction, such as dance, music, or art. Retail uses under 1,500 square feet in floor area, in conjunction with medical offices and hospitals.
- (j) ~~Child day care centers and nursery schools~~ Restaurants, cafes, and similar uses under 1,500 square feet in floor area in conjunction with medical offices and hospitals.

- (k) ~~Schools for vocational training.~~ Pharmacies.
- (l) ~~Church, mosque or synagogue and church, mosque or synagogue related accessory use~~
Accessory buildings, structures and uses in conformity with Section 1240.11(1) that are customarily incident to any of the above uses as regulated by Section 1286.01.

1255.03 SPECIAL USES.

The following uses may be permitted as special land uses in the Health Service District office district-subject to the procedures and standards of Chapter 1274 of these Codified Ordinances.

- (a) Heliports. ~~Banks, credit unions, and similar financial establishments with drive-through or drive-up windows.~~
- (b) ~~Gathering halls, lodges, or clubs of fraternal organizations.~~ Residential catering to district employees.
- (c) ~~Hospitals.~~

1255.04 AREA AND BULK REQUIREMENTS.

See Appendix I, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lots by permitted land use, and providing minimum yard setback requirements.

Part Three: Amendment.

That Part Twelve, Title Six, Chapter 1256, entitled “B-1 Neighborhood Business District” of the Codified Ordinances of the City of Ionia, Michigan is amended to read in its entirety as follows:

CHAPTER 1256 B-1 Neighborhood Business District

- 1256.01 Intent.
- 1256.02 Principal uses permitted.
- 1256.03 Required conditions.
- 1256.04 Special land uses.
- 1256.05 Area and bulk requirements.

1256.01 INTENT.

The B-1 Neighborhood Business District, as herein established, is intended to meet the day-to-day convenience shopping and service needs of persons residing in adjacent residential areas.

1256.02 PRINCIPAL USES PERMITTED.

In a Neighborhood Business District, no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this chapter:

~~—(a) Generally recognized retail businesses which supply commodities on the premises, such as, but not limited to, groceries, meats, dairy products, baked goods or other foods, drugs, dry goods, clothing and notions or hardware.~~

(a) Banking and Other Financial Institutions, excluding drive-through establishments.

~~—(b) Personal service establishments which perform services on the premises, such as, but not limited to, repair shops (watches, radio, television, shoe, etc.), tailor shops, beauty parlors or barber shops, photographic studios, and self-service laundries and dry cleaners.~~

~~(be) Dry cleaning establishments or pick-up stations but not, dealing directly with the consumer.~~
cCentral dry cleaning plants serving more than one retail outlet are shall be prohibited.

~~—(d) Business establishments which perform services on the premises, such as, but not limited to, banks, loan companies, insurance offices, and real estate offices.~~

~~—(e) Professional services, including the following: offices of doctors, dentists, osteopaths, and similar or allied professions.~~

~~—(f) Facilities for human care such as hospitals, sanitariums, rest and convalescent homes.~~

~~—(g) Post office and similar governmental office buildings serving persons living in the adjacent residential area.~~

~~—(h) Other uses similar to the above uses.~~

~~—(i) Accessory buildings, structures and uses in conformity with Section 1240.11(1) that are customarily incident to the uses allowed in this district.~~

~~—(j) Dwelling units may be permitted within a building subject to the following conditions:~~

~~—(1) The dwelling unit shall be located on the second or third floor of the building.~~

~~—(2) Each dwelling unit shall contain a minimum of 600 square feet of floor area.~~

~~—(3) One off-street parking space shall be provided for each dwelling. The space shall be either on the same site as the dwelling unit or within 300 feet of the building containing the dwelling as measured by a straight line. Proof of parking shall be provided to the Community Development Director before a building permit is issued.~~

~~(4) A building permit shall be obtained to establish a dwelling unit in order to ensure compliance with the requirements of this section and with the Building Code, Fire Code and District Health Department. The entire building containing the dwelling unit shall also be brought into compliance with the Building Code and Fire Code before an occupancy permit is issued.~~

(c) General Offices

(d) Governmental Buildings

(e) Institutional Buildings

(f) Medical or Dental Clinics and Laboratories

(g) Mortuaries and Funeral Homes

(h) Personal Service Businesses

(i) Professional Service Businesses

(j) Retail Businesses

(k) Small restaurants, cafes, and other establishments under 1,500 square feet in size, excluding drive-through establishments.

(l) Utilities and Essential Services

~~(m)~~ Accessory buildings, structures and uses in conformity with the regulations of Chapter 1286.01 Section 1240.11(1) that are customarily incidental and subordinate to permitted uses to the uses allowed in this district. A barber pole shall be permitted as an accessory structure.

(n) Dwelling units may be permitted within a building subject to the following conditions:

- (1) The dwelling unit shall be located on the upper-floor(s) of the building.
- (2) Each dwelling unit shall contain a minimum of 600 square feet of floor area.
- (3) One off-street parking space shall be provided for each dwelling. The space shall be either on the same site as the dwelling unit or within 300 feet of the building containing the dwelling as measured by a straight line. Proof of parking shall be provided to the Zoning Administrator before a permit is issued.

1256.03 REQUIRED CONDITIONS.

~~—(a) All business establishments shall be retail or service establishments dealing directly with customers. All goods produced on the premises shall be sold at retail on the premises where they are produced.~~

~~—(b) All business, servicing, or processing, except for off-street parking or loading, shall be conducted within a completely enclosed building.~~

1256.04 SPECIAL LAND USES.

The following uses may be permitted as a special land use by the Planning Commission, subject to the general and specific requirements of Chapter 1274.

~~—(a) Gasoline service station for the sale of gasoline, oil, and minor automotive accessories only and where no repair work is done, other than incidental service, but not including steam cleaning or undercoating, vehicle body repair, painting, tire recapping, engine or drive train rebuilding, auto dismantling, upholstery, auto glass work, storage of inoperable vehicles, and such other activities whose external effects could adversely extend beyond the property line.~~

~~—(1) The curb cuts for access to a service station shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than twenty five feet from a street intersection (measured from the road right of way) or from adjacent Residential Districts and shall not exceed two access points for each service station site.~~

~~—(2) The minimum lot area shall be 15,000 square feet, and so arranged so that ample space is available for motor vehicles that which are required to wait.~~

~~—(3) All permitted repairs and services shall be conducted within a building except for the sale of products and performance of services not involving a prolonged wait by consumers.~~

~~—(4) All tires, batteries and accessories, except for motor oils, shall be stored within the principal building.~~

~~—(5) All areas between the street curbs and street right of way lines (except for accessways and sidewalks) shall be suitably landscaped with trees, shrubs or grass and shall be neatly maintained in a healthy growing condition.~~

~~—(6) At least ten percent of the total site area shall be landscaped with trees, shrubs or grass and shall be neatly maintained in a healthy growing condition.~~

~~—(b) Publicly owned buildings, public utility buildings, telephone exchange buildings, electric transformer stations and substations, gas regulator stations with service yards, but without storage yards; water and sewage pumping stations.~~

(ae) Housing for the elderly, retired or assisted care facilities and nursing homes subject to the standards of Section 1248.03(g).

(bd) Child care centers, which may also be called a pre-school.

1256.05 AREA AND BULK REQUIREMENTS.

See Appendix I, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lots by permitted land use, and providing minimum yard setback requirements.

Part Four: Renaming and Amendment

That Part Twelve, Title Six, Chapter 1257, entitled “B-2 Community Business District” of the Codified Ordinances of the City of Ionia, Michigan is hereby renamed as the “B-2 Central Business District.” And is hereby amended to read in its entirety as follows:

CHAPTER 1258

B-2 CentralCommunity Business District

1258.01 Intent.

1258.02 Principal uses permitted.

1258.03 Required conditions.

1258.04 Special land uses.

1258.05 Area and bulk requirements.

1258.01 INTENT.

The B-2 CentralCommunity Business District is intended to cater to the needs of a larger consumer population than is the general community and serve as the City’s traditional downtown business district. It intends to served by the Neighborhood Business Districts and is generally characterized by an integrated or planned cluster of establishments served by a common parking area, and The Central Business District generates large volumes of vehicular and pedestrian traffic, and long with contains traditional mixed-use buildings comprised of upper level apartment type dwelling units on the second and third floors. ~~levels of the structures within said District.~~

1258.02 PRINCIPAL USES PERMITTED.

In thea CentralCommunity Business District, no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this chapter.

~~—(a) Any use permitted in the B-1 District as principal uses permitted, subject to the regulations applicable in the following section of this chapter.~~

~~—(b) All retail business, service establishments or processing uses as follows:~~

~~— (1) Any retail business whose principal activity is the sale of merchandise in an enclosed building.~~

~~— (2) Any service establishment of an office, showroom, or a workshop nature of an electrician, decorator, dressmaker, tailor, baker, painter, upholsterer or an establishment doing radio or home appliance repair, photographic reproduction, and similar service establishments that require a retail adjunct.~~

~~— (3) Private clubs, fraternal organizations, and lodge halls.~~

~~— (4) Restaurants or other places serving food or beverage, except those having the character of a drive in.~~

~~— (5) Hotels and motels.~~

~~— (6) Theaters, assembly halls, concert halls or similar places of assembly when conducted completely within enclosed buildings.~~

~~— (7) Business schools and colleges or private schools operated for profit.~~

~~— (8) Other uses similar to the above uses.~~

~~— (9) Accessory structures and uses customarily incident to the above permitted uses.~~

(1975 Code § 5.72)

~~— (e) Accessory buildings, structures and uses in conformity with Section 1240.11(1) that are customarily incident to the uses allowed in this district. A barber pole shall be permitted as an accessory structure.~~

~~— (d) Residential apartment unit(s) on the second and third floor levels when one of the following off street parking conditions is met:~~

~~— (1) Off street parking shall be provided at the ratio of one per apartment unit when on site parking is provided or when off street parking is provided within 300 feet of the building it is intended to serve; or~~

~~— (2) Utilization of common remote off street parking within the B-2 Community Business District at a ratio of one off street parking space per apartment unit, subject, however, to the review and approval of a committee appointed by the City Council or by the approval of a majority of the City Council.~~

(Ord. 345. Passed 6-4-91; Ord. 481. Passed 12-7-10; Ord. 528. Passed 1-3-17.)

(a) Banking and Financial Institutions, excluding drive-through establishments.

(b) Micro-Breweries and Micro-Distilleries

(c) Dry cleaning establishments, or pick-up stations. Central dry-cleaning plants serving more than one retail outlet shall be prohibited.

(d) Event Centers

(e) Fraternal Clubs and Lodges

(f) General Offices

(g) Governmental Buildings and Uses

(h) Hotels

(i) Indoor Recreational Facilities

(j) Institutional Uses

(k) Medical or Dental Clinics and Laboratories

(l) Fine Arts Galleries and Instruction Studios

(m) Personal Services

(n) Professional Services

(o) Restaurants, Cafes, and Similar Uses, excluding drive-through establishments.

(p) Retail Businesses

(q) Theaters

(r) Utilities and Essential Services

(s) Accessory buildings, structures and uses in conformity with the regulations of Chapter 1286.01 customarily incidental and subordinate to permitted uses in this district.

(t) Dwelling units may be permitted within a building subject to the following conditions:

(1) The dwelling unit shall be located on the upper-floor(s) of the building.

(2) Each dwelling unit shall contain a minimum of 600 square feet of floor area.

(3) One off-street parking space shall be provided for each dwelling. The space shall be either on the same site as the dwelling unit or within 300 feet of the building containing the dwelling as measured by a straight line. Proof of parking shall be provided to the Zoning Administrator before a permit is issued.

1258.03 REQUIRED CONDITIONS.

(a) The B-2 Central Business District shall operate as a commercial district in conjunction with the above permitted uses, accessory uses, and mixed-use developments.

(b) All business, servicing or processing, except for off-street parking, loading and those open air uses indicated as being subject to special conditions in Section 1258.04, shall be conducted within completely enclosed buildings. All business shall be conducted inside an enclosed building or structure unless otherwise permitted in this Zoning Ordinance. Outdoor sales are permitted and must be located within 36" of the front wall of the building as long as the property owner maintains a minimum of a five-foot-wide pedestrian travel space on the public sidewalk. Any property owner that maintains an outdoor product display must remove said display daily at the end of business hours.

(c) Main entrances shall be provided along the primary street frontage and will be architecturally distinguishable as a primary entrance to the building. Secondary or rear and side entrances are encouraged where possible but should be less distinguishable in design to the primary entrance. The Planning Commission may modify this provision to allow for an alternate entrance location upon review.

1258.04 SPECIAL LAND USES.

The following uses may be permitted as a special land use by the Planning Commission subject to the general and specific requirements of Chapter 1274:

(a) Drive-throughs, excluding Main Street, for Banking and Financial Institutions based upon factors including, but not limited to, access points, traffic counts, adjoining usage, etc.

(ba) Open air business uses when developed in planned relationship with the B-2 District as follows:

(1) Retail sales of plant material not grown on the site, and sales of lawn furniture, playground equipment and garden supplies, provided that such uses shall be located at the exterior end rear of the building mass located in a B-2 District.

(2) Recreational space providing children's amusement park and other similar recreation when part of a planned development, provided that such use is located at the exterior end rear of the building mass located in a B-2 District, but not at the intersection of two major thoroughfares. Such recreation space shall be fenced on all sides with a four-foot chain-link-type fence meeting the requirements of the B-2 District.

~~(cb) Bowling alleys, and billiard halls, indoor archery range, indoor tennis courts, indoor skating rink, or similar forms of indoor commercial recreation, when located at least 100 feet from any front, rear or side yard of any residential lot in an adjacent Residential District.~~

~~—(c) Automobile service centers, when developed as part of a larger planned shopping center designed so as to integrate the automobile service center within the site plan and architecture of the total shopping center, and provided that a building permit shall not be issued separately for the construction of any automobile service center within the B-2 District.~~

(d) Housing for the elderly, retired or assisted care facilities and nursing homes subject to the standards of Section 1248.03(g).

(e) Child care centers, which may also be include called a pre-schools.

1258.05 AREA AND BULK REQUIREMENTS.

See Appendix I, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lots by permitted land use, and providing minimum yard setback requirements.

Part Five: Amendment

That Part Twelve, Title Six, Chapter 1260, entitled “B-3 General Business District” of the Codified Ordinances of the City of Ionia, Michigan is amended to read in its entirety as follows:

CHAPTER 1260 B-3 General Business District

1260.01 Intent.

1260.02 Principal uses permitted.

1260.03 Special land uses.

1260.04 Area and bulk requirements.

1260.01 INTENT.

The B-3 General Business District is intended to provide sites for more diversified business types ~~that~~ which would often be incompatible with the pedestrian movement in the Neighborhood Business District or the CentralCommunity Business District.

1260.02 PRINCIPAL USES PERMITTED.

In ~~the~~a General Business District, no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this Zoning Code.

~~—(a) Any retail business or service establishment permitted in B-1 and B-2 Districts as principal uses permitted and uses permitted subject to special conditions.~~

~~—(b) Auto laundries (car wash) when completely enclosed in a building.~~

~~—(c) Bus passenger stations.~~

~~—(d) New and used car salesroom, showroom, or office.~~

- ~~—(e) Church, mosque or synagogue and church, mosque or synagogue related accessory uses.~~
- ~~—(f) Other uses similar to the above uses.~~
- ~~—(g) Accessory buildings, structures and uses in conformity with Section 1240.11(1) that are customarily incident to the uses allowed in this district. A barber pole shall be permitted as an accessory structure.~~

(a) Banking and Financial Institutions, including drive through facilities subject to the following conditions:

(1) A setback of at least sixty feet from the right-of-way line of any existing or proposed street must be maintained.

(2) Access points shall be located at least sixty feet from the intersection of any two streets.

(3) All lighting shall be shielded from adjacent Residential Districts.

(4) A six-foot high completely obscuring wall shall be provided when abutting or adjacent districts are zoned for any (R) Residential Districts. The height of the wall shall be measured from the surface of the ground. Said wall shall further meet the requirements of Chapters ~~1278 through 1286.06.~~

(5) The front twenty feet shall be suitably landscaped with trees, shrubs or grass, neatly maintained in a healthy and growing condition.

(b) Bowling Alleys and Billiard Halls.

(c) Breweries and Distilleries.

(d) Car Washes.

(e) Child care centers, which may also include pre-schools.

(f) Places of public assembly.

(g) Dry cleaning establishments, or pick-up stations including central dry-cleaning plants serving more than one retail outlet.

(h) Educational Institutions

(i) Event Centers

(j) Fine Arts Galleries and Instruction

(k) Fraternal Clubs and Lodges

(l) Gasoline service station for the sale of gasoline, oil, and minor automotive accessories.

(1) The curb cuts for access to a service station shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than twenty-five feet from a street intersection (measured from the road right-of-way) or from adjacent Residential Districts and shall not exceed two access points for each service station site. The Planning Commission may allow for additional access points if deemed necessary.

(2) The minimum lot area shall be 15,000 square feet, and so arranged that ample space is available for motor vehicles that are required to wait.

(3) All permitted repairs and services shall be conducted within a building except for the sale of products and performance of services not involving a prolonged wait by consumers.

(4) All tires, batteries, and accessories, except for motor oils, shall be stored within the principal building.

(5) All areas between the street curbs and street right-of-way lines (except for accessways and sidewalks) shall be suitably landscaped with trees, shrubs or grass and shall be neatly maintained in a healthy growing condition.

(6) At least ten percent of the total site area shall be landscaped with trees, shrubs or grass and shall be neatly maintained in a healthy growing condition.

(m) General Offices

(n) Governmental Buildings and Uses

(o) Heavy automotive repair and body work.

(p) Hotels and Motels

(q) Indoor Recreational Facilities

(r) Institutional Uses

(s) Medical or Dental Clinics and Laboratories

(t) Mortuaries, Funeral Homes, and Crematoriums

(u) New and Used Car Sales, Showrooms, and Service Shops

(v) Personal Service Businesses

(w) Professional Service Businesses

(x) Restaurants, Cafes, and Similar Uses, including drive through facilities subject to the following conditions:

(1) A setback of at least sixty feet from the right-of-way line of any existing or proposed street must be maintained.

(2) Access points shall be located at least sixty feet from the intersection of any two streets.

(3) All lighting shall be shielded from adjacent Residential Districts.

(4) A six-foot high completely obscuring wall shall be provided when abutting or adjacent districts are zoned for any (R) Residential Districts. The height of the wall shall be measured from the surface of the ground. Said wall shall further meet the requirements of Chapters 1286.06.

(5) The front twenty feet shall be suitably landscaped with trees, shrubs or grass, neatly maintained in a healthy and growing condition.

(y) Retail Businesses

(z) Research and Technology Establishments

(aa) Storage, Personal

(bb) Utilities and Essential Services

(cc) Vehicle Rental Facilities

(dd) Accessory buildings, structures, and uses in conformity with the regulations of Chapter 1286.01 following the regulations of Chapter 1286.01 customarily incidental and subordinate to any permitted use in this district.

(ee) Dwelling units may be permitted within a building subject to the following conditions:

(1) The dwelling unit shall be located on the upper-floor(s) of the building.

(2) Each dwelling unit shall contain a minimum of 600 square feet of floor area.

(3) One off-street parking space shall be provided for each dwelling. The space shall be either on the same site as the dwelling unit or within 300 feet of the building containing the dwelling as measured by a straight line. Proof of parking shall be provided to the Zoning Administrator before a permit is issued.

1260.03 SPECIAL LAND USES.

The following uses may be permitted subject as a special land use by the Planning Commission subject to the general and specific requirements of Chapter 1274.

~~—(a) Outdoor sales space for exclusive sale of new or second hand automobiles, house trailers, or rental of trailers and/or automobiles, all subject to the following:~~

~~—(1) The lot or area shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained as to dispose of all surface water accumulated within the area.~~

~~—(2) Access to the outdoor sales area shall be at least sixty feet from the intersection of any two streets.~~

~~—(3) No major repair or major refinishing shall be done except within a fully enclosed building.~~

~~—(4) All lighting shall be shielded from adjacent Residential Districts.~~

~~—(5) Inoperable vehicles shall be stored within a fully enclosed building.~~

~~(a**b**) Business in the character of a drive-in or open front store, subject to the following conditions:~~

~~—(1) A setback of at least sixty feet from the planned right of way line of any existing or proposed street must be maintained.~~

~~—(2) Access points shall be located at least sixty feet from the intersection of any two streets.~~

~~—(3) All lighting shall be shielded from adjacent Residential Districts.~~

~~—(4) A six foot high completely obscuring wall shall be provided when abutting or adjacent districts are zoned for any (R) Residential, B-1 or B-2 Districts. The height of the wall shall be measured from the surface of the ground. Said wall shall further meet the requirements of Chapters 1278 through 1286.06.~~

~~—(5) The front twenty feet shall be suitably landscaped with trees, shrubs or grass, neatly maintained in a healthy and growing condition.~~

(b) Indoor and Outdoor Commercial Storage and Warehousing Facilities

~~—(c) Veterinary hospitals or clinics, provided that all activities are conducted within a totally enclosed main building and provided, further, that all buildings are set back at least 200 feet from abutting Residential Districts on the same side of the street.~~

~~—(d) Plant materials nursery for the retail sale of plant materials not grown on the site, and sales of lawn furniture, playground equipment and garden supplies, subject to the following conditions:~~

~~—(1) The storage and/or display of any materials and/or products shall meet all setback requirements of a structure.~~

~~—(2) All loading and parking shall be provided off-street.~~

~~—(3) The storage of any soil, fertilizer, or other loose, unpackaged materials shall be contained so as to prevent any effects on adjacent use.~~

~~(c**e**) Lumber yards, provided they comply with the following conditions:~~

~~(1) Primary access shall be provided on a major street or highway.~~

~~(2) The maximum size allowed when considering total land size shall not exceed 2.25 acres of total land.~~

~~(3) Not more than thirty percent of the salable goods shall be stored in the open air.~~

~~(d**)** Plant materials nursery for the retail sale of plant materials not grown on the site, and sales of lawn furniture, playground equipment and garden supplies, subject to the following conditions:~~

~~(1) The storage and/or display of any materials and/or products shall meet all setback requirements of a structure.~~

~~(2) All loading and parking shall be provided off-street.~~

~~(3) The storage of any soil, fertilizer, or other loose, unpackaged materials shall be contained so as to prevent any effects on adjacent use.~~

(e) Outdoor Theaters and Open Space Venues: Because outdoor theaters are unique in that they are used only after dark and since they develop a concentration of vehicular traffic entering

and leaving their parking area, they shall be permitted in B-3 and I-1 districts only. Outdoor theaters shall further be subject to the following conditions:

(1) Proposed internal design shall receive approval from the Zoning Administrator and the City Manager as to adequacy of drainage, lighting and other technical aspects based on applicable legal requirements.

(2) Outdoor theaters shall abut a major thoroughfare and points of ingress and egress shall be available only from such major thoroughfare.

(3) All vehicles, waiting or standing to enter the facility, shall be provided off-street waiting space. No vehicle shall be permitted to wait or stand within a dedicated right-of-way.

(4) The area shall be laid out so as to prevent the movie screen from being viewed from residential areas or adjacent major thoroughfares. All lighting used to illuminate the area shall be confined within and directed onto the premises of the outdoor theater site.

(f) Veterinary hospitals or clinics, provided that all activities are conducted within a totally enclosed main building and provided, further, that all buildings are set back at least 200 feet from abutting Residential Districts on the same side of the street.

1260.04 AREA AND BULK REQUIREMENTS.

See Appendix I, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lots by permitted land use, and providing minimum yard setback.

Part Six: Rezoning

That parcel number 34-202-100-000-105-00, identified by the street address 524 W. Main Street and parcel number 34-2204-090-000-670-50, identified by the street address of 550 East Washington Street, shall be rezoned to the HSD Health Services Zoning District; and parcel number 34-204-070-000-025-00, not containing an assigned address number, but located on the south side of the intersection at East Washington Street and Morse Street shall be rezoned to the HSD Health Services Zoning District, as established in Section 1246.01 Districts Established of Chapter 1246, and conforms with Section 1246.02 Districts Generally and Zoning Map District Boundaries of Chapter 1246 - Title Six – Zoning of Part Twelve – Planning and Zoning Code.

Part Seven: Zoning Map Update

That the official Zoning District Map of the City of Ionia, Michigan, last adopted on August 2, 2022, shall hereby be amended to rezone parcel 34-202-100-000-105-00, identified by the street address 524 W. Main Street; and parcel number 34-2204-090-000-670-50, identified by the street address of 550 East Washington Street; and parcel 34-204-070-000-025-00, not containing an assigned address number, but located at the south side of the intersection of Washington Street and Morse Street. These parcels shall be clearly labeled and zoned into the HSD Health Services Zoning District, as said district is presently labeled on the official Zoning District Map of the City of Ionia, Michigan.

Part Eight: Repealer

That all ordinances and parts of ordinances in conflict herewith are repealed to the extent of such conflict.

Part Nine: Publication and Effective Date

That the City Clerk shall cause a notice of adoption of this ordinance to be published. This ordinance shall take effect seven (7) days after it, or a summary thereof as permitted by law, along with the date of its adoption, is published in the *Daily News*, a newspaper of general circulation in the City unless otherwise provided by law.

Dated: February 1, '23

CITY OF IONIA

Mary Patrick
By: Mary Patrick, City Clerk

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

January 4, 2023
January 24, 2023
February 1, 2023
February 14, 2023