

**CITY OF IONIA
Ordinance No. 557**

AN ORDINANCE TO ADD A NEW CHAPTER WHICH NEW CHAPTER SHALL BE DESIGNATED AS CHAPTER 1285 – AC DEVELOPMENT PLANNED UNIT DEVELOPMENT DISTRICT OF TITLE SIX – ZONING OF PART TWELVE – PLANNING AND ZONING CODE OF SAID CODIFIED ORDINANCES OF THE CITY OF IONIA

THE CITY OF IONIA HEREBY ORDAINS:

That the following Chapter 1285, entitled AC DEVELOPMENT PUD – AC Development Planned Unit Development District of Title Six – Zoning of Part Twelve – Planning and Zoning Code shall be added and shall read as follows:

PART TWELVE – PLANNING AND ZONING CODE
Title Six – Zoning

Chapter 1285 – AC Development Planned Unit Development District

1285.01 PLANNED UNIT DEVELOPMENT DISTRICT.

The AC Development Planned Unit Development District shall be as shown on the official Zoning Map of the City of Ionia as PUD 3 AC Development.

1285.02 CONDITIONS ON THE PLANNED UNIT DEVELOPMENT.

The Planned Unit Development District, in accordance with the Final Development Plan of the AC Development Planned Unit Development (“the Development”), is expressly subject to all of the following terms and conditions:

(a) Development Plan Compliance and Review of Phases

- (1) The AC Development Planned Unit Development as submitted by Mr. Gregory Cook and Mr. Daniel Avery., successors and assigns (“the Applicant”), shall comply in all respects with the Final Development Plan (the “Plan”) which consists of a Site Plan with a last revision date of July 7, 2021, except where the Plan has been changed, revised or modified by this Ordinance. In such cases, the provisions of this Ordinance shall control.
- (2) Approval of the Plan shall constitute approval only of the overall design and road and utility layout for this property and not approval of any individual building or group of buildings of the Plan. The Development as illustrated on the Plan shall be submitted to the Planning Commission for review under the site plan review requirements of the City of Ionia Zoning Ordinance as appropriate for approval.

- (3) *Site Plan Review*. In its review of those portions of the Development which require site plan review by the Planning Commission, the Commission may approve minor modifications from the Final Development Plan to that phase of the Plan provided the modifications do not result in a significant change to the Plan and the modifications still meet the PUD approval standards as contained in the City of Ionia Zoning Ordinance. Changes which are not considered to be minor by the Planning Commission shall be reviewed in the same manner as the original application.
- (4) *Amendments to an Approved Plan*. A change to the approved plan of the Development may be approved in accordance with Section 1266.06 of the Ionia Zoning Ordinance.

(b) Land Uses

- (1) The Development shall be constructed and used for a maximum total of 12 dwelling units to be constructed as follows: 12 units shall be single-family attached dwellings to be developed as three separate structures of 4 units each with the applicable regulations of the City of Ionia Zoning Ordinance.
- (2) The future use of the parcel may include attached single-family residential use. Such use shall be subject to the site plan review requirements of the Ionia Zoning Ordinance and the site development requirements for the proposed use which would normally be imposed by the Zoning Ordinance. The City Council, however, following a recommendation of the Planning Commission, may modify the site development requirements in accordance with Section 1266.04(e) of the Zoning Ordinance.
- (3) Accessory buildings are permitted per Chapter 1248.

(c) Lot Area

The minimum area of the lot shall not be less than 5.7 acres or 248,292 sq. ft. with a minimum width of 465 feet as measured at the minimum required front setback line between the side lot lines.

(d) Dwelling Unit Setbacks & Height

- (1) Each attached dwelling structure shall comply with the following minimum setbacks:
 - A. Front: 70 feet (measured from front property centerline)
 - B. Rear: No setback minimum
 - C. Minimum side yards: 20 feet and 30 feet, with a combined total of 50 feet
 - D. Minimum distance between buildings: 10 feet

(2) No building shall exceed a height of 25 feet as determined by the City of Ionia Zoning Ordinance.

(e) **Dwelling Unit Size**

All dwellings shall comply with the minimum floor area requirements of the City of Ionia Zoning Ordinance for the type of dwelling unit proposed.

(f) **Sanitary Sewer and Water Supply**

Each dwelling unit in the Development shall be served by public water and sanitary sewer systems in accordance with all applicable City of Ionia Ordinances.

(g) **Sidewalks**

(1) All sidewalks shall be a minimum of four feet wide and constructed to the specifications of the City of Ionia Municipal Standards Ordinance.

(2) The Applicant shall provide for the maintenance of all sidewalks and walkways located outside the public street right of way.

(h) **Tree Plantings and Landscaping**

(1) Trees shall be planted within the public right of way as illustrated on the Plan. The

(2) Other landscaping as shown on the Plan shall be subject to the review and approval of the Planning Commission during the review of each phase.

(3) All landscaping shall be maintained according to the landscaping maintenance agreement.

(i) **Dedicated Open Space.**

(1) The Development shall include open space as shown on the Plan. Such areas shall be clearly delineated on the Plan as Dedicated Open Space and maintained as open space in perpetuity and no dwellings shall be constructed within this Dedicated Open Space.

(2) No improvements, buildings or structures, except as otherwise shown on the Plan shall be constructed upon the Dedicated Open Space areas.

(3) Documentation to establish and maintain the Dedicated Open Space areas shall be subject to the approval of the City Attorney and such document shall be recorded with the Ionia County Register of Deeds.

(4) The Applicant shall provide a recorded copy of the Dedicated Open Space document to the City Clerk prior to the issuance of any building permits for the Development.

- (5) All Dedicated Open Space areas shall be completed in conjunction with each phase in which the open space or portion of the open space is located as shown on the Plan.

(j) Storm-water Management

A storm water management plan shall be provided to ensure that storm water runoff does not have an adverse effect on adjacent or nearby properties. This plan shall be subject to approval of the City Engineer and the Ionia County Drain Commissioner before any earthmoving shall occur on the property. The phasing of the construction of the stormwater management facilities shall be subject to the approval of the City Engineer or the Ionia County Drain Commissioner.

(k) Construction Plans

Complete construction plans for all site improvements including but not limited to site grading, storm water drainage, and streets shall be submitted to the City Engineer for approval before any construction commences on site.

(l) Signs

Any signs placed at the entrances to the Development which state the name of the Development shall be permitted in accordance with the requirements of Chapter 1234 of the City of Ionia Zoning Ordinance, in accordance with requirements for signs in Residential Districts.

(m) Time Limitation on the Development

- (1) In accordance with Section 1266.08 of the City of Ionia Zoning Ordinance, construction of the AC Development PUD shall commence within one year of the approval by the City Council of the Plan and Zoning Ordinance creating the AC Development PUD District. All other provisions of this Section 1266.08 shall also apply to the Development.

1285.03 FINDINGS BY THE CITY COUNCIL.

The City Council hereby determines that the Plan, as regulated by this Ordinance, complies with the approval standards for a Planned Unit Development as contained in Section 1266.05 (h) of the City of Ionia Zoning Ordinance and promotes its intent and purposes. The City Council also hereby acknowledges that the Applicant has been informed that nearby existing land uses may generate noise which may be audible to the future residents of the Development.

1285.04 COMPLIANCE WITH OTHER APPLICABLE CITY ORDINANCES.

Except as expressly otherwise exempted by the AC Development PUD Ordinance, or the approved Final Development Plan of the Development, all uses, activities, buildings and structures for the development shall comply with all applicable requirements and standards of the City of Ionia Zoning Ordinance, as amended, as well as any and all other City of Ionia ordinances.

1285.05 ENFORCEMENT.

- (a) The City may enforce the provisions of this ordinance and applicable provisions of the City Zoning Ordinance, Building Code and other ordinances, laws and regulations to the extent and in any manner provided by law. Any violation of this ordinance amendment or the approved Final Development Plan of the AC Development Planned Unit Development shall constitute a violation of the City of Ionia Zoning Ordinance, as amended.
- (b) In the event that the Applicant shall fail to carry out any provision or requirement of this ordinance or other applicable law, ordinance or regulation, in addition to any other legal remedies, the City may, through its Zoning Administrator or other City agency, issue and post a stop work order at the site of any improper or non-complying part of the Development, directing that all further construction of such part of the Development be ceased forthwith, pending the compliance with any applicable provisions of this ordinance or of City ordinances, regulations, Ionia County regulations, or State of Michigan laws.
- (c) Upon the correction of any matters as to which the stop work order was issued, the City shall promptly rescind and remove the stop work order, whereupon the Applicant may again proceed with construction or other permissible activity as to the Development.

CITY OF IONIA

Dated: _____

BY: Ally H. Cook, City Clerk

Introduction and First Reading:
 Notice of Public Hearing:
 Public Hearing, Second Reading, Adoption:
 Effective Seven (7) Days After Publication: