



## CITY OF CHELSEA PLANNING COMMISSION

### AGENDA

Tuesday, December 19, 2023 at 7:00 PM

Chelsea City Council Chambers

311 S. Main Street

*Remote option available for members of the public. Commissioners must attend in person.*

1. Call to Order
2. Approval of the Agenda
3. Approval of the Minutes
  - a. Approval of the meeting minutes for August 15, 2023
4. Public Comment (non-agenda items)
  - a. 5 minutes per speaker
  - b. Speakers are not permitted to grant their reserved time to an alternate speaker
  - c. Accommodations may be made for persons needing assistance while addressing the Planning Commission
5. Public Hearing
  - a. Zoning Ordinance Text Amendment for Section 4.28 – Mobile Food Vending
6. Old Business
7. New Business
  - a. Zoning Ordinance Text Amendment for Section 4.28 – Mobile Food Vending
  - b. 2024 Planning Commission Calendar
8. Discussion
  - a. Staff Report
    - i. Upcoming Agenda Items
    - ii. Local Updates
  - b. Commissioner Reports
9. Public Comment (agenda items)
10. Adjournment

#### **Zoom Information**

Topic: Planning Commission - Tuesday, December 19, 2023 at 7:00 p.m.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85307135504?pwd=OTNDRFdRZnhrSWVjS2lmTkVXam1Udz09>

Passcode: 267267

+1 312 626 6799 US (Chicago)

Webinar ID: 853 0713 5504

Passcode: 267267

**Item 3a**  
**August 15, 2023**  
**Meeting Minutes**

**PLANNING COMMISSION MINUTES**  
**AUGUST 15, 2023**  
**CHELSEA MUNICIPAL BUILDING COUNCIL CHAMBERS**  
**311 S. MAIN STREET, CHELSEA, MI**

**CALL TO ORDER**

Chair Robinson called the meeting to order at 7:00 pm.

Present: Claire Robinson (Chair), Vincent Elie (Vice Chair), Sarah Haselschwardt (Secretary), Heather Hunnell, Marcia White, Wade Lehmann, Laura Baker, Jamie Lane

Absent: Julianne Chard

Others Present: Paul Montagno (Carlisle Wortman), Michelle Marin (Carlisle Wortman) Jeff Hardcastle (Huron Waterloo Pathways Initiative), Jess Spike (Construction Design Services), Kate Mehuron (City Council Liaison) and Rachel Kapolka (Assistant Clerk).

**APPROVAL OF THE AGENDA**

MOVED by Elie, SECONDED by White to approve the agenda for August 15, 2023. All Ayes. Motion Carried.

**APPROVAL OF THE MEETING MINUTES**

MOVED by White, SECONDED by Lane to approve the meeting minutes for May 16, 2023. All Ayes. Motion Carried.

**PUBLIC COMMENT (non-agenda items only)**

None

**PUBLIC HEARING**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

- a. Timbertown Park Improvements (APN 06-06-12-130-024) – Preliminary and Final Site Plans
  - a. Staff Report – Paul Montagno
    - i. Improvements on a 1.15 acre portion of Timbertown Park located on the south side of Sibley Road.
    - ii. Public/Private partnership between City of Chelsea, Washtenaw County Parks, and Huron Waterloo Pathways Initiative. This plan has been endorsed by the Parks Commission.
    - iii. Project is a (4) phased project and includes pickleball courts, upgraded utilities (new water lines for the water fountains and water pump for the community garden), new lighting for the site and new hook ups for the pads that will host food trucks. Parking lot and stormwater improvements are also proposed along with the restructure of the existing playground. Phase 1 to begin this fall with the construction of pickleball courts and upgraded utilities.
  - b. Jeff Hardcastle – HWPI
    - i. Play structure – visioning/fundraising this winter.
    - ii. 2 phased improvement plan
    - iii. Built in 1996/1997 – updates are needed
    - iv. Gestamp has been a key partner – will use Gestamp parking lot for overflow parking.

There was discussion on tree displacement on the pathway for Gestamp. Chair Robinson noted previous discussions regarding Gestamp's trees and landscaping.

MOVED by White, SECONDED by Lane to approve the site plan that appears to be in compliance with the requirements in the zoning ordinance. This is a public project and we understand that it will be administratively overseen by city staff so we recommend site plan approval contingent on the following conditions: the applicant work with city staff on final utility details; provide a lighting plan to indicate the height of pole lights, shielding, and illumination at the property lines to ensure zoning ordinance compliance; enter into a development agreement that identifies specific phasing and who will be responsible for the development of each element on the plan and updating landscaping requirements. All Ayes. Motion Carried.

- b. Chelsea Water Treatment Building Vehicle Storage, 6133 Werkner Road (06-06-01-310-005) – Preliminary and Final Site Plans
  - a. Staff Report – Paul Montagno
    - i. Proposed 3,200 square foot single story building on a 24 acre property.
    - ii. No new lighting or additional stormwater facilities
    - iii. No new parking or landscaping
    - iv. Proposed building will be used for storage
    - v. No new landscaping proposed

Commissioners reviewed the table for landscaping calculations in the staff report. Chair Robinson noted that several text amendments for landscaping were submitted pertaining to municipal buildings.

Commissioner Haselschwardt expressed concerns regarding the lack of details of the final site plan.

MOVED by Lane, SECONDED by White to approve the final site plan contingent on the applicant working with the city engineer to determine stormwater capacity, the applicant to provide building height to verify

compliance with all dimensional requirements, and to maintain compliance with the current landscape ordinance. 5 Ayes. 3 Nays. Motion Carried.

- c. Chelsea Light and Power Transformer Storage, 660 E Industrial Drive (06-06-12-249-024) – Preliminary and Final Site Plans
  - a. Staff Report – Paul Montagno
    - i. 3,750 square foot addition to an existing single story garage
    - ii. No existing landscaping on the property
    - iii. No new lighting or stormwater requirements
    - iv. No new parking proposed
    - v. Storage for transformers/equipment
  - b. Jess Spike – Construction Design Services
    - i. Transformers currently sit outside and need to be stored when not in use

Mr. Montagno reviewed setbacks on the site plan.

Commissioner Hunnell noted that this project is to protect multi-million dollar city assets.

MOVED by White, SECONDED by Lane to approve site plan approval contingent on the applicant to provide information to verify compliance with all dimensional requirements and the Planning Commission waives the landscape requirements based on Section 7.14. 5 Ayes. 3 Nays. Motion Carried.

## **DISCUSSION**

1. Staff Report – Paul Montagno introduction
  - a. Upcoming Agenda items
    - i. Text amendments for next working session
    - ii. Work session topics – landscaping, food trucks, solar
  - b. Local Updates – City Manager, Marty Colburn - introduction
2. Committee Reports – None

## **PUBLIC COMMENT (agenda items)**

Jess Spike (Sylvan Township resident and builder) thanked the Planning Commission and expressed appreciation for the discussion. He noted the staff turnover and some conflicting information received regarding city projects.

## **ADJOURNMENT**

MOVED by White, SECONDED by Haselschwardt to adjourn the meeting. All Ayes. Motion Carried.

Draft Minutes

August 15, 2023

Meeting adjourned at 8:05 p.m.

Respectfully Submitted,

Rachel Kapolka (Assistant Clerk)

**Item 7a**  
**Zoning Ordinance Text Amendment**  
**Section 4.28: Mobile Food Vending**



**Carlisle | Wortman**  
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

**MEMORANDUM**

**TO:** City of Chelsea Planning Commission  
**FROM:** Paul Montagno, AICP  
Michelle Marin, AICP Candidate  
**DATE:** December 14, 2023  
**RE:** Proposed Zoning Ordinance Text Amendment: Section 4.28 Mobile Food Vending

The proposed text amendment in the December 19, 2023 Planning Commission meeting packet is the result of the September, October, and November Planning Commission work sessions and staff research. The inclusion of this special use provision is a result of community interest and support for regulations permitting food truck operators in the City of Chelsea. The proposed zoning ordinance text amendment offers the following details for the Mobile Food Vending Standards for Specific Uses:

- |                                  |                 |
|----------------------------------|-----------------|
| A. Intent                        | G. Application  |
| B. Definitions                   | H. Fees         |
| C. License requirements          | I. Requirements |
| D. Permit requirements           | J. Impoundment  |
| E. Duration; non-transferability | K. Violations   |
| F. Exemptions                    | L. Revocation   |

**Recommendation**

We recommend that the Planning Commission recommend City Council approval of the proposed text amendment that includes the addition of Section 4.28 – Mobile Food Vending to the City of Chelsea Zoning Ordinance.

Article 4 Standards for Specific Uses Text Amendment: *Move to (recommend approval/ recommend approval with modifications/recommend denial/ table) to City Council of the proposed Mobile Food Vending text amendment to Article 4 of the City of Chelsea Zoning Ordinance.*

Respectfully submitted,

CARLISLE/WORTMAN ASSOC., INC  
Paul Montagno, AICP  
Principal

CARLISLE/WORTMAN ASSOC., INC.  
Michelle Marin  
Community Planner



## **SECTION 4.28**

### **Mobile Food Vending**

#### **A. Intent.**

In the interest of encouraging mobile food vendors who add to the vibrancy and desirability of the City of Chelsea, while providing a framework under which such businesses operate, this ordinance is established.

#### **B. Definitions.**

- (1) *Mobile food vending* shall mean vending, serving, or offering for sale food and/or beverages from a mobile food vending unit that meets the definition of a food service establishment under Public Act 92 of 2000, which may include the ancillary sales of branded items consistent with the food, such as a tee shirt that bears the name of the organization engaged in mobile food vending.
- (2) *Mobile food vending unit* shall mean any motorized or non-motorized vehicle, trailer, or other device designed to be portable and not permanently attached to the ground from which food is vended, served, or offered for sale.
- (3) *Mobile food court* shall mean a permanent land use subject to site plan approval where two or more mobile food vendors congregate to vend, serve, or offer for sale food and/or beverages to the public.
- (4) *Vendor* shall mean any individual engaged in mobile food vending business; if more than one individual is operating a single stand, cart, or other means of conveyance, then vendor shall mean all individuals operating such single stand, cart, or other means of conveyance.
- (5) *Operate* shall mean all activities associated with the conduct of business, including set up and take down and/or actual hours where the mobile food vending unit is open for business.

#### **C. License required.**

All vendors engaged in mobile food vending in the City of Chelsea are required to obtain a license from the City Clerk prior to applying for a permit from the Planning and Zoning Administrator.

#### **D. Permit required.**

All mobile food vendors operating in a residential, commercial, industrial, mixed-use, medical, recreation-conservation, public institution, or office district must be issued a mobile food vending permit from the Planning and Zoning Administrator. The Planning and Zoning Administrator shall prescribe the form for such permits and application for such permits. All permits shall be prominently displayed on the mobile food vending unit. No vending through a mobile food vending unit of food and/or other human consumables shall be permitted unless it meets the definition of mobile food vending as defined by this ordinance. A permit obtained under this chapter shall not relieve any vendor of the responsibility for obtaining any other permit, or authorization required by any other ordinance, statute, or administrative rule.

Food vending permit applications shall include a plot plan, indicating the location of the mobile

food vending unit on the premises, and permission from the property owner where the operation is to occur.

**E. Duration; non-transferability.**

Permits may be issued by the Planning and Zoning Administrator for a calendar year from the date of issuance. Any permit issued under this chapter is non-transferable.

**F. Exemptions.**

Mobile food vendors participating as invited vendors to a City-authorized street fair, public festival, public event, block party, or farmers’ market are not required to obtain an individual mobile food vending permit for the duration of the event; vendors are required to obtain a mobile food vendors license from the City Clerk. The organizers of any such event are required to include all requested details of the mobile food vendors in the event permit application, including a plot plan indicating the location of the mobile food vending units within the event area. Mobile food vendors who stop to vend food for fifteen (15) minutes or less are exempt from the mobile food vendor permit; a license from the City Clerk is still required.

**G. Application.**

Every vendor desiring to engage in mobile food vending shall make a written application to the Planning and Zoning Administrator for a permit under this chapter. The applicant shall truthfully provide all information necessary to determine compliance with the requirements in section X.8. or any other request by the Planning and Zoning Administrator deemed necessary to evaluate the application and be accompanied by a fee established by resolution of the City Council. Additionally, the applicant shall provide all documentation, such as insurance or health department approvals, as required by the City.

**H. Fees.**

An application for a permit under this chapter shall be accompanied by a \$200 fee in the amount established by resolution of the City Council. There shall be no proration of fees. Fees are non-refundable once a permit has been issued by the City. No one shall hire or subcontract such vendors to evade the provisions of this article.

**I. Requirements.**

Any vendor engaging in mobile food vending shall comply with the following requirements:

**Location**

- (1) A mobile food vending unit may only operate on private property except as authorized in subsection 6. Vendors may only operate on private property with written permission from the property owner.
- (2) A mobile food vending unit shall not be located within five (5) feet of a side or rear property line.
- (3) A mobile food vending unit shall not be located within a drive aisle.
- (4) A mobile food vending unit shall not obstruct any clear vision triangle area, as

described in Section 6.05.

- (5) A mobile food vending unit or any part of its operation shall not occupy parking spaces required to comply with the minimum parking standards for a use.
- (6) No mobile food vending unit shall be parked within twenty (20) feet of a crosswalk or intersection.
- (7) The location of a mobile food vending unit or any part of its operation, including tables and chairs, shall not interfere with or obstruct the free passage of pedestrians or vehicles.
- (8) If a mobile food vending unit is parked next to a sidewalk or pedestrian pathway, a minimum width of five (5) feet for pedestrian access must be maintained along the sidewalk or pedestrian pathway. The vendor must ensure that any customer queue does not obstruct the five-foot-wide pedestrian access.

### **Duration/Time**

- (9) A mobile food vending unit may operate between the hours of 7:00 a.m. and 10 p.m. in any non-residential district and between the hours of 9:00 a.m. and 9 p.m. in any residential district.

### **Operations**

- (10) A mobile food vendor may provide appropriate waste receptacles at the site of the unit and shall remove all litter, debris, and other waste attributable to the vendor daily. Section 14-76 of the General Code of Ordinances will apply.
- (11) A mobile food vendor shall not utilize any electricity or power without the prior written authorization of the power customer; no power cable or similar device shall be extended at or across any street, alley, or sidewalk except with the use of a cord protector in a safe manner.
- (12) A mobile food vending unit shall not use any flashing or blinking lights or strobe lights; all exterior lights over 60 watts shall contain opaque, hood shields to direct the illumination downward.
- (13) A mobile food vending unit shall not use loud music, amplification devices, "crying out," or any other audible methods to gain attention that cause a disruption or safety hazard as determined by the City.
- (14) A mobile food vendor may have one portable sign that is six (6) square feet, with no dimension greater than three (3) feet and no height (with legs) greater than three feet, located within five feet of the unit; and under no circumstances shall such sign be placed upon the sidewalk or impede pedestrian and/or vehicle safety.
- (15) A mobile food vending unit shall comply with the city's Noise Ordinance, Sign Ordinance, and all other City ordinances.
- (16) A mobile food vending unit shall Comply with all applicable federal, state, and county regulations.
- (17) A mobile food vending unit shall not represent the granting of a permit under this

article as an endorsement by the City.

### **Additional Requirements for Mobile Food Courts**

- (18) Hosts of mobile food courts must provide at least one accessible bathroom facility with one hand-washing station for every five mobile food vendors.
- (19) Tables, chairs, canopies, and/or enclosed seating areas for mobile food court customers are permitted.
- (20) There must be access to potable water and sewage disposal facilities on-site.
- (21) To establish a mobile food court, Preliminary and Final Site Plans shall be submitted, reviewed, and approved or denied in accordance with Article 12.

#### **J. Impoundment.**

Any equipment associated with food vending that is not in compliance with this article and left on public property may be impounded at the owner's expense.

#### **K. Violations.**

A mobile food vendor permit issued on the basis of the applications approved by the Planning and Zoning Administrator shall authorize only the use, design, and construction set forth in such approved plans and applications, and no other use, design, or construction. Use, design, or construction different than that authorized is a violation of this Ordinance and punishable as provided in Section 14.09.

#### **L. Revocation.**

The Planning and Zoning Administrator may issue a written notice to any mobile food vendor permit-holder who ceases to meet any requirement of this chapter or who violates any other federal, state, or local regulation, makes a false statement on their application, or conducts activity in a manner that is adverse to the protection of the public health, safety, and welfare. The written notice shall indicate that the vendor has thirty days to correct any such violation. After such time, if the requirement is not yet met, the Planning and Zoning Administrator shall revoke the mobile food vendor permit. Immediately upon such revocation, the Planning and Zoning Administrator shall provide written notice to the permit holder by certified mail to their place of business or residence as indicated on the application. Immediately upon such revocation, the permit shall become null and void.

## SECTION 4.22

# Temporary Shelters

One (1) tent, or similar temporary shelter used for the purpose of storing cars, boats, or similar vehicles or conveyances shall be permitted on a lot in the R-1 and R-2 Districts in the rear yard only and shall meet the setback regulations for detached accessory structures. Said shelters shall be permitted for a period not to exceed 180 days and shall require a Temporary Zoning Compliance Permit.

## SECTION 4.23

# Temporary Uses and Special Events

- A. Temporary Uses.** Temporary uses, including seasonal sales, outdoor dining, outdoor displays and sales, and semi-permanent structures may be permitted in any district, upon approval of the Planning and Zoning Administrator.
- (1) Temporary uses shall submit hours of operation and all required information in [Section 14.03](#) for review and approval.
  - (2) Temporary uses shall comply with all applicable ordinance standards and outside agency requirements.
  - (3) Temporary uses shall require a Temporary Zoning Compliance Permit prior to operation.
- B. Special Events.** Special Events shall comply with all applicable standards in Article VI: Special Events of the General Code of Ordinances.
- (1) Such special events shall submit hours of operation and all required information in [Section 14.03](#) for approval.
  - (2) Special events shall comply with all applicable ordinance standards and outside agency requirements.

## SECTION 4.24

# Semi-Permanent Structures

Semi-permanent structures for special events, outdoor dining or drink service, and outdoor displays are permitted as an accessory structure incidental and subordinate to a primary permitted use in the DT, T-1, and T-2 mixed-use districts. In addition to any applicable use regulations, such structures shall comply with the following standards:

- A. Structures may include, but are not limited to, the following: tents, decorative sheds, pods, pergolas, decks, and decorative carts. Mobile food vendors do not qualify as semi-permanent structures and are subject to the requirements set forth in Section 4.28.
- B. Such structures must be located on the same parcel as the primary permitted use or within 25 feet of the primary structure. If the structure will occupy the public right-of-way, a Temporary Outdoor Seating Permit shall be obtained.
- C. The maximum permitted height of structures shall be 25 feet.
- D. Structures shall be made of high-quality, durable, and weather-resistant materials such as: wood, metal, canvas, nylon, vinyl, plexiglass, or glass. The style and colors of the structure should be compatible with the primary structure as determined by the Planning and Zoning Administrator.
- E. Structures shall be securely anchored in one location for the duration of the use.
- F. A minimum of five (5) feet of clearance for pedestrians shall be maintained around the structure.
- G. If the structure will be used for outdoor food and/or drink service, operations shall comply with all standards for Outdoor Dining in [Section 4.14](#).
- H. All semi-permanent structures must receive a Zoning Compliance Permit for operation.

## SECTION 4.25

### Vehicle Sales

Cars, trucks, boats, all-terrain vehicles (ATVs), personal water crafts (PWCs), and similar vehicles or conveyances may be sold only on a lot of a dealer licensed in the State of Michigan for such sales, or on a lot owned by the registered owner of the above items to be sold, provided such sale shall be made by the registered owner or by a member of the immediate family of the registered owner.

## SECTION 4.26

### Vehicle Wash

- A. Fuel dispensing shall not be permitted with vehicle wash operations in the T-1 District.
- B. All services, except vacuuming, shall be provided within the vehicle wash building. Vacuuming service may be located in the front or side yards, and shall be screened from view from abutting streets.
- C. Vehicles shall not be stored on the site overnight.

## ARTICLE VI. - SPECIAL EVENTS

### Sec. 26-116. - Use of public property for special events.

(a) *Intent.* The city would like to provide the local community an opportunity to hold private events on public property by regulating the use of public parking lots, streets, right-of-way, and parks in order that they may be reasonably accessed and enjoyed by the general public, and not be usurped by commercial or special interest groups to the exclusion of the public, while preserving the health, safety and welfare of the public, remaining fully consistent with the Michigan Constitution, Michigan law, City of Chelsea Charter, and other city ordinances, so as to assure the enjoyment of the public at large, all without undue financial costs to the City of Chelsea or its residents.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*City-sponsored event* means an event sponsored in whole or in part by the city, conducted by or with a non-profit organization and for which the city pays for all or a portion of the event.

*Non-profit* means an organization or entity that is exempt from the payment of tax pursuant to section 501(c)(3) of the Internal Revenue Code.

*Person* means an individual, corporation, partnership, association and any other recognized legal entity that resides in the City of Chelsea or is affiliated with entities in the local community.

*Special event* means a non-city sponsored event, including but not limited to an athletic event, festival, show, celebration, performance, display, seasonal event, gathering, video or film production, but excluding residential block parties or other street right-of-way closures already covered by city police policies for such events. Also, temporary daytime use of picnic tables and park gazebo (for events with less than 50 people) shall be exempt from this article.

(c) *Permitted districts.* Private use on public parking lots, streets, right-of-way, and parks shall be permitted in all zoning districts including those adjacent to residential districts.

(d) *Approval required.* In order to properly provide for traffic and crowd control, street and property maintenance, ensure the protection of the public health, safety and welfare, it shall be unlawful to participate in any special event upon any city street, park or public property of the city unless such activity has applied for a special events permit and is granted approval by resolution of the city council. Use of Dana Fields for organized baseball or softball teams shall be scheduled by Chelsea Community Education. The application for a permit to conduct a

special event shall be made to the city clerk, in writing, by person or persons in charge of or responsible therefor. Such application shall set forth the following information:

- (1) The name, address and telephone number of the person requesting the permit.
- (2) The name and address of the organization or group sponsoring the special event.
- (3) The name, address and telephone number of the person who will act as chairman of the special event and be responsible for the conduct thereof.
- (4) The purpose of the event and estimated number of persons to attend.
- (5) The date the event is to be conducted and the hours it will commence and terminate each day.
- (6) The layout or sketch showing the limits of the area to be used.
- (7) If determined necessary by the city manager, the filing of a certificate of insurance coverage insuring the city as an additional insured party in the amount of at least \$1,000,000.00 for public liability and property damage associated with the use.
- (8) If hosting mobil food vendors, each vendor shall be individually registered with the Planning and Zoning Administrator and shall provide all relevant business and health department licenses as required by the state, county, or other governmental agency
- (98) Copies of any authorized permits required by any other governmental agency, by state law or local ordinance.
- (109) Such other information as the city may deem reasonably necessary.



**Item 7b**  
**2024 Planning Commission Meeting Calendar**



## City of Chelsea Planning Commission 2024 Calendar

### Work Sessions

January 9\*\*  
February 6  
March 5  
April 2  
May 7  
June 4  
July 2  
August 6  
September 3  
October 1  
November 5  
December 3

### Regular Meetings

January 23\*\*  
February 20  
March 19  
April 16  
May 21  
June 18  
July 16  
August 20  
September 17  
October 15  
November 19  
December 17

\*\* moved due to holiday