



CITY OF CHELSEA PLANNING COMMISSION

AGENDA

Tuesday, March 19, 2024, 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 February 21, 2024
4. Public Comment (non-agenda items)
 - a. 3 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 Amendment for Section 4.29 – Solar Energy Systems
 - b. Zoning Ordinance Amendment for Section 14.03 – Zoning Compliance Permit
 - c. Zoning Ordinance Amendment for Section 15.10 – Variances
6. Old Business
7. New Business
 - a. Zoning Ordinance Amendment for Section 4.29 – Solar Energy Systems
 - b. Zoning Ordinance Amendment for Section 14.03 – Zoning Compliance Permit
 - c. Zoning Ordinance Amendment for Section 15.10 – Variances
8. Discussion
 - a. Staff Report
 - i. Upcoming Agenda Items
 - ii. Local Updates
 - b. Commissioner Reports
9. Adjournment

Zoom Information

<https://us02web.zoom.us/j/86427391221?pwd=TjE5SWhjRHNveVl1cEhJSWttYTnvQT09>

Passcode: 167178

+1 312 626 6799 US (Chicago)

Item 3a
February 21, 2024
Meeting Minutes

PLANNING COMMISSION MINUTES
FEBRUARY 21, 2024
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), Heather Hunnell, Wade Lehmann, Laura Baker, Julianne Chard, Marcia White, Sarah Haselschwardt (Secretary)

Vacancy: One

Others Present: Steve VanBrussel, Anne Cox, Joe Maynard, Gerald Sosnowski, Michelle Marin (Carlisle Wortman), Paul Montagno (Carlisle Wortman), Tony Iannelli (City Council Liaison) and Rachel Kapolka (Assistant Clerk).

APPROVAL OF THE AGENDA

MOVED by White, SECONDED by Hunnell to approve the agenda for February 21, 2024. All Ayes.
Motion Carried.

APPROVAL OF THE MEETING MINUTES

MOVED by White, SECONDED by Hunnell to approve the meeting minutes for January 23, 2024.
All Ayes. Motion Carried.

PUBLIC COMMENT (non-agenda items only)

None

PUBLIC HEARING

None

OLD BUSINESS

None

NEW BUSINESS

1. Chelsea Hospital Inpatient Rehabilitation Renovation Site Plan Review
 - a. Michelle Marin – Staff Report
 - i. Located at 775 S Main Street

- ii. The project proposes renovations to (2) adjacent buildings, including interior reconfigurations and the construction of a new connector structure to combine the buildings.
- iii. Reviewed parking, floor plans and elevations, lighting, site access and circulation, dimensions and utilities.
- iv. Landscaping plan was not included. No significant site landscaping.
- b. Anne Cox – Chelsea Hospital
 - i. Entrance – badge access for staff
 - ii. No change to exterior lighting
 - iii. Connector helps with patient traffic for inpatient rehabilitation rooms to gyms

MOVED by Chard, SECONDED by White to approve the Chelsea Hospital Inpatient Rehabilitation Renovation site plan with the condition that the applicant address all outstanding items on the engineer's report dated 2-7-24 to be approved administratively. All Ayes. Motion Carried.

2. Heritage Farms Phase II Site Plan Review

- a. Paul Montagno – Staff Report
 - i. Applicant is requesting site plan approval for Phase 2 – 13.93 acres
 - ii. PUD was approved in 2021
 - iii. 231 total single family units developed in 6 phases
 - iv. Phase 2 = 47 units
 - v. Layout plan is consistent with 2021 PUD
 - vi. No natural features on this site – EGLE permit to be completed for phase 3
 - vii. Reviewed site access and circulation, grading and stormwater detention
 - viii. Photometric plan provided – 3 pole mounted lights proposed
 - ix. No color temp provided – recommend temp not exceed 3500 Kelvin
 - x. Landscaping plan provided – would like to see a maintenance plan for open space areas
 - xi. Parking – each home will have individual garages and driveways for parking
 - xii. 5 different housing options – reviewed floor plans and elevations
- b. David Straub – M/I Homes
 - i. Brief update on development – 47 more homes
 - ii. Close to finishing model home – phase 2
 - iii. Hoping to start next phase next spring
 - iv. Joe Maynard reviewed stormwater detention management – 100% of water going to pond will be infiltration just like phase 1.
 - v. Gerald Sosnowski – reviewed landscaping plan. Washtenaw County Resources requires native plugs planted every 2 feet. Maintain on an annual basis with controlled burns and/or mowing. Live plugs designed to function with utilities. Seed mix to provide flowers
 - vi. Commissioner Lehmann noted the tree protection plan is not reflected on the grading plan.

MOVED by Lehmann, SECONDED by Chard to approve the Heritage Farms Phase 2 site plan with the following conditions: the applicant finalize approval with the Washtenaw County Drain Office, the applicant address any outstanding landscaping items to include a clear and consistent detention basin seed mix across the landscape plan and the stormwater management plan, and the tree protection fencing for the 66" white oak be also shown on the grading plan. All Ayes. Motion Carried.

DISCUSSION

1. Staff Report – Michelle Marin
 - a. Upcoming Agenda items
 - i. Next work session – tree preservation changes
2. Committee Reports
 - a. Council Member Tony Iannelli announced the second reading was approved for food trucks.
 - b. ZBA – Commissioner Baker reported the ZBA approved a variance to allow for an increase in maximum height and screening requirements for Chelsea Hospital.

PUBLIC COMMENT (agenda items)

None

ADJOURNMENT

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

Meeting adjourned at 7:49 p.m.

Respectfully Submitted,

Rachel Kapolka (Assistant Clerk)

Item 7a
Zoning Ordinance Amendment:
Section 4.29 – Solar Energy Systems

Section 4.29 – Solar Energy Systems

1. Intent.

The City of Chelsea promotes the effective and efficient use of solar energy systems. To protect public health, safety, and welfare, it is in the interest of the City to regulate the siting, design, and installation of solar energy systems so that they are compatible with the subject and neighboring land uses.

2. Applicability.

This section applies to any solar energy system or facility with a nameplate capacity below 50 megawatts.

3. Definitions.

- (a) *Solar energy system*: A solar photovoltaic cell, panel, or array that converts solar energy to usable thermal, mechanical, chemical, or electrical energy.
- (b) *Ground-mounted solar energy system*: A freestanding solar energy system that is not attached to and is separate from any building on the same parcel on which the solar energy system is located.
- (c) *Building-mounted solar energy system*: A solar energy system that is attached to a building on a parcel as the principal method of physical support.

4. Permit required.

Building-mounted solar energy system installations require a zoning compliance permit, approved by the Community Development Department. Ground-mounted solar energy system installations require a site plan that may be approved administratively. All solar energy systems proposed as part of a site plan must be indicated on the site plan.

5. Exemptions.

The following instances are exempt from review by the Community Development Department.

- (a) The installation of a solar energy system to power a single device or specific piece of equipment such as a lawn ornament, lights, weather station, clock, well pump, or other similar device, provided that the solar energy system is no larger than six (6) square feet and the device itself is not subject to zoning compliance approval.
- (b) The repair or replacement of an existing approved solar system does not result in an expansion of the solar energy system coverage area.

6. Standards for solar energy systems.

The following requirements apply to all solar energy systems.

- (a) The exterior surfaces of solar energy systems shall be generally neutral in color and substantially non-reflective in light.
- (b) Solar energy systems shall be functional and in good repair.
- (c) Solar energy systems shall be installed, maintained, and used only in accordance with the manufacturer's directions, the International Fire Code, the Michigan Construction Code, the Michigan Electrical Code, and all other applicable building and construction codes. Upon request, a copy of such directions shall be submitted to the Building Official prior to installation. The Building Official may inspect the completed installation to verify compliance with the manufacturer's directions and all codes.

The following requirements apply to building-mounted solar energy systems.

- (a) Building-mounted solar energy systems are permitted as an accessory use in any zoning district and are subject to the regulations set forth in this Article.
- (b) Building-mounted solar energy systems shall be incidental and subordinate to a use on the same parcel.
- (c) Building-mounted solar energy systems that are mounted on the roof of a building shall not project more than five (5) feet above the highest point of the roof.
- (d) Building-mounted solar energy systems in the M-52 Corridor Protection and Promotion Overlay Zoning District shall not be visible from the street level.
- (e) Building-mounted solar energy systems that are mounted on a wall shall not project above the highest point of the roof.
- (f) Building-mounted solar energy systems shall not exceed the maximum building height requirements for the respective zoning district.
- (g) Building-mounted solar energy systems shall not project horizontally beyond the eaves of the roof.
- (h) Building-mounted solar energy systems shall not be mounted on a building wall that is parallel to an adjacent public right-of-way.
- (i) Building-mounted solar energy systems that are mounted on a building wall shall not project into the required setback of the respective zoning district.
- (j) Solar energy systems mounted on the roof of a building shall be only of such weight as can safely be supported by the roof and the weight of snow and/or ice that they collect. Proof thereof, in the form of certification by a professional engineer or other qualified person, shall be submitted to the Building Official prior to installation; such certification shall be subject to the Building Official's approval.
- (k) Building-mounted solar energy systems shall be permanently and safely attached to the building or structure. Proof of the safety and reliability of the means of such attachment shall be submitted to the Building Official prior to installation; such proof shall be subject to the Building Official's approval.

The following requirements apply to ground-mounted solar energy systems.

- (a) Ground-mounted solar energy systems are a permitted accessory use in the LI – Light Industrial, GI – General Industrial, O-1 Office, MI – Medial Institutional, and PF – Public Facilities zoning districts.
- (b) Ground-mounted solar energy systems shall be located in the rear yard or side yard, not within any required setbacks unless permitted by the Planning Commission as a deviation in its approval of the site plan and provided it does not project into more than one required setback area.
- (c) Ground-mounted solar energy systems shall not exceed forty (40) feet in height, measured from the ground at the base of the equipment.

- (d) The area of the ground-mounted solar energy system shall not exceed fifty (50%) percent of the square footage of the ground floor area of the primary building of the property unless it is sited over required parking in which case there is no maximum lot coverage for the ground-mounted solar energy system.
- (e) Ground-mounted solar energy systems shall not count towards the maximum square footage of accessory structures allowed on site or maximum impervious surface area limits if the ground under the solar energy system is pervious.
- (f) If the ground under the ground-mounted solar energy system is impervious, the total area of ground-mounted solar energy systems shall be included in the calculation of the maximum permitted lot coverage requirement for the parcel of land.

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~~(d) All solar energy systems shall comply with the City construction code, the electrical code, and other applicable building and construction codes.~~

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Item 7b

**Zoning Ordinance Amendment:
Section 14.03 – Zoning Compliance Permit**

- G. Any such change, variation, or alteration of the application and supporting documents shall require resubmission to the Planning and Zoning Administrator and the issuance of a new Zoning Compliance Permit.
- H. All fees required under this Ordinance must be paid in full prior to the issuance of the Zoning Compliance Permit, unless exception is made by the appropriate board authorized to waive or delay the payment of such fees.
- I. The applicant shall furnish to the Planning and Zoning Administrator, upon request, a title insurance policy or other acceptable evidence of ownership.
- J. A Zoning Compliance Permit shall be null and void unless the construction **authorized by such Permit has been commenced** ~~work, alteration, addition and/or use is completed or established~~ within **one year** ~~180 days~~ of the date of issuance of the Permit.
- K. The Planning and Zoning Administrator is authorized to prepare and make public application forms for a Zoning Compliance Permit. The Planning and Zoning Administrator is authorized attach conditions pertaining to the use, work, or occupancy of the land and premises to the Zoning Compliance Permit as authorized by this or other City Ordinances, or under any discretionary permit issued by any City decision-making body. Failure to comply with any such condition shall render the Zoning Compliance Permit null and void.

SECTION 14.04

Certificate of Occupancy

- A. No land or building shall be occupied or used in whole or part for any purpose until a Certificate of Occupancy has been issued by the Planning and Zoning Administrator. The Certificate of Occupancy shall state that the premises or building complies with all the provisions of this Ordinance.
- B. A Certificate of Occupancy shall be issued within 10 days after notification from the permit holder that the premises are ready for occupancy.
- C. The holder of a permit for construction, erection, alteration, repair, or moving of a building, structure, or part thereof, shall notify the Planning and Zoning Administrator immediately upon the completion of the work authorized by such permit for final inspection. The Planning and Zoning Administrator shall sign the Certificate of Occupancy within three (3) days of the application date if they find that the building or structure, the use of the building or land, and lot complies with the provisions of this Ordinance and with the approved site plan.
- D. If the Planning and Zoning Administrator refuses to issue a Certificate of Occupancy, they shall notify the applicant in writing of such refusal and the reasons thereof, within the three (3) day period.

SECTION 14.05

Public Notice Requirements

Item 7c
Zoning Ordinance Amendment:
Section 15.10 – Variances

no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

(2) **Board Determination.** In its review, the Zoning Board of Appeals shall determine that:

- a) The requirements of the Ordinance for a variance have been met by the applicant.
- b) The reasons set forth in the application justify the granting of the variance.
- c) The variance is the minimum variance that will make possible a reasonable use of the land, building, or structure.
- d) Granting of the variance will be in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

C. Conditions. In granting any variance, the Board may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violations of such conditions, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance.

D. Voiding of Variance. Each variance granted under the provisions of this ordinance shall become null and void unless:

- (1) The construction authorized by such variance has been commenced within **one year** ~~180 days~~ after the granting of such variance and pursued diligently to completion; or,
- (2) The occupancy of land or buildings authorized by such variance has taken place within **one year** ~~180 days~~ after the granting of such variance.

E. Re-application. No application for a variance which has been denied wholly or in part by the Zoning Board of Appeals shall be resubmitted for a period of **one year** ~~365 days~~ from such denial, except on grounds of new evidence or proof of changed conditions found by the Zoning Board of Appeals to be valid.

SECTION 15.11

Nonconforming Structures

A. Requirements. Where the Zoning Board of Appeals is required to determine whether a nonconforming structure may be enlarged, expanded, or extended, the following provisions shall apply:

- (1) The reasons for the nonconformity shall be limited to minimum lot area, lot width, required yards, off-street parking and loading requirements, and buffer requirements of the zoning district in which the nonconforming structure is located. A structure that is nonconforming because of lot coverage, floor area ratio, lot area per dwelling unit, or height limits shall not be expanded without removing the nonconformity.
- (2) The existing and proposed uses of such structures shall be permitted in the district in which located.