



## **CHELSEA PLANNING COMMISSION WORK SESSION Agenda**

December 6, 2022

7:00 PM

311 S. Main St. (Council Chambers)

*Commissioners must attend in person, a zoom option is available for members of the public.*

### **Agenda:**

1. Public Comment
2. Proposed Zoning Ordinance Amendments
  - a. Section 4.18.A: Outdoor Recreation Area Requirements for State Licensed Day Care Centers
  - b. Section 7.02: Landscaping Applicability
  - c. Section 7.14: Landscaping Waivers
  - d. Section 14.03.A: Zoning Compliance Permit
  - e. Solar Energy
  - f. Mobile Food Vendors (Food Trucks)
  - g. Special Events

Persons requiring reasonable accommodations due to disabilities in order that the meeting is accessible to them are requested to notify the Chelsea Planning Commission of such disability no later than five business days prior to the date of the meeting.

Sarah Haselshwardt, Secretary

**Zoom Information:**

Topic: Planning Commission – December 6 2022

When: Dec 6, 2022 07:00 PM Eastern Time (US and Canada)

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/88327145506?pwd=MIN3ekEzR2lmZGlnOUlVNS9zVTFBU>  
T09

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669 444 9171 or +1 669 900 9128 or +1 689 278 1000 or +1 719 359 4580 or +1 253  
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**Planning Commission Work Session  
December 6, 2022**

**Proposed Zoning Text Amendments  
Draft Mark-Up Version**

**ARTICLE 4. STANDARDS FOR SPECIFIC USES  
Section 4.18 State Licensed Day Care Centers**

**C. Outdoor Recreation Area.** For Child Day Care Centers, a minimum of ~~75150~~ square feet of outdoor recreation area shall be provided and maintained per child at the licensed capacity of the child care center, provided that the overall area shall not be less than ~~1,2005,000~~ square feet. The outdoor recreation area shall be suitably fenced, secured, and screened from abutting residential uses with a decorative opaque fence with a minimum height of four (4) feet. Outside activities shall take place at least 25 feet from any residential district or use.

*(Reasoning: Mich. Admin. Code R. 400.8170 states that "A center operating with children in attendance for 3 or more continuous hours a day shall have an outdoor play area that has at least 1,200 square feet. More than 1,200 square feet of outdoor play area may be required when the minimum amount is not adequate for the number of children for which the center is licensed. Also, looking at other states... Oregon requires 75 square feet per child, and Ohio requires 60 square feet per child.)*

**ARTICLE 7. LANDSCAPING.**

*(Recommendation to table discussion on text amendments to next work session, and devote entire next work session to Landscaping.)*

**ARTICLE 14. ADMINISTRATION AND ENFORCEMENT  
Section 14.03 Zoning Compliance Permit**

A. No use, exterior construction, exterior work, excavation, movement of earth, or any activity associated with a permanent improvement or change of use, land or building, exterior alteration, addition, demolition, or similar activity, other than preliminary testing, boring, soil samples, surveying and investigative work or activity shall be commenced, performed, or done without the issuance of a Zoning Compliance Permit.

B. No permit shall be issued by any City, County, or State official or agency for any use, building, exterior construction, exterior work, exterior alteration, addition, or improvement to land, as above described, until a Zoning Compliance Permit has been issued by the Planning and Zoning Administrator as required by this Ordinance. The issuance of any other approval or certification of a Site Plan, variance, Special Use Permit, Planned Unit Development, or other discretionary permit by any board or body under this Ordinance, shall not supersede or lessen compliance with this Article of the Ordinance and that any use, development, construction, improvement, or work allowed under such discretionary permit, shall in all cases be further conditioned on compliance with this Article and shall not be allowed until the issuance of the Zoning Compliance Permit in accordance with this Article.

**Section TBD: Solar**

*(Please review the sample ordinance from the City of Novi and provide feedback on whether this is the direction the Planning Commission would like to go. If so, I can draft an ordinance using similar language to bring to a future work session for further discussion.)*

**Section TBD: Food Trucks (Mobile Vending Units)**

*(Please review the sample ordinance that I authored when I worked for the City of Inkster and provide feedback on whether this is the direction the Planning Commission would like to go. If so, I can draft an ordinance using similar language to bring to a future work session for further discussion.)*

**ARTICLE 4. STANDARDS FOR SPECIFIC USES**  
**Section 14.23 Temporary Uses and Special Events**

**B. Special Events.** ~~Special Events shall comply with all applicable standards in Article VI: Special Events of the General Code of Ordinances. Festivals, farmers markets, or other special events may be permitted in any district, upon approval by the City Council based upon the finding that the location of such an activity will not adversely affect adjoining properties, or adversely affect public health, safety, morals, and the general welfare.~~

~~(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.~~

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**ARTICLE 6. GENERAL PROVISIONS**  
**Section 6.11 Performance Standards**

**A. Noise.** Noise from uses shall comply with all applicable standards in Article II: Noise of the General Code of Ordinances.

Use of Property Receiving the Sound	Permitted Decibel Levels	
	7:00 a.m. – 10:00 p.m.	10:00 p.m. – 7:00 a.m.
Residential Uses (within 50 feet of the subject property*)	61	55
Commercial Uses (within 50 feet of the subject property*)	71	61

~~\*Measured at the property line of use receiving the sound within the specified distance.~~

**Planning Commission Work Session  
December 6, 2022**

**Proposed Zoning Text Amendments  
Draft Clean Version**

**ARTICLE 4. STANDARDS FOR SPECIFIC USES  
Section 4.18 State Licensed Day Care Centers**

**C. Outdoor Recreation Area.** For Child Day Care Centers, a minimum of 75 square feet of outdoor recreation area shall be provided and maintained per child at the licensed capacity of the child care center, provided that the overall area shall not be less than 1,200 square feet. The outdoor recreation area shall be suitably fenced, secured, and screened from abutting residential uses with a decorative opaque fence with a minimum height of four (4) feet. Outside activities shall take place at least 25 feet from any residential district or use.

*(Reasoning: Mich. Admin. Code R. 400.8170 states that "A center operating with children in attendance for 3 or more continuous hours a day shall have an outdoor play area that has at least 1,200 square feet. More than 1,200 square feet of outdoor play area may be required when the minimum amount is not adequate for the number of children for which the center is licensed. Also, looking at other states... Oregon requires 75 square feet per child, and Ohio requires 60 square feet per child.)*

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**ARTICLE 14. ADMINISTRATION AND ENFORCEMENT  
Section 14.03 Zoning Compliance Permit**

A. No use, exterior construction, exterior work, excavation, movement of earth, or any activity associated with a permanent improvement or change of use, land or building, exterior alteration, addition, demolition, or similar activity, other than preliminary testing, boring, soil samples, surveying and investigative work or activity shall be commenced, performed, or done without the issuance of a Zoning Compliance Permit.

B. No permit shall be issued by any City, County, or State official or agency for any use, building, exterior construction, exterior work, exterior alteration, addition, or improvement to land, as above described, until a Zoning Compliance Permit has been issued by the Planning and Zoning Administrator as required by this Ordinance. The issuance of any other approval or certification of a Site Plan, variance, Special Use Permit, Planned Unit Development, or other discretionary permit by any board or body under this Ordinance, shall not supersede or lessen compliance with this Article of the Ordinance and that any use, development, construction, improvement, or work allowed under such discretionary permit, shall in all cases be further conditioned on compliance with this Article and shall not be allowed until the issuance of the Zoning Compliance Permit in accordance with this Article.

**Section TBD: Solar**

*(Please review the sample ordinance from the City of Novi and provide feedback on whether this is the direction the Planning Commission would like to go. If so, I can draft an ordinance using similar language to bring to a future work session for further discussion.)*

**Section TBD: Food Trucks (Mobile Vending Units)**

*(Please review the sample ordinance that I authored when I worked for the City of Inkster and provide feedback on whether this is the direction the Planning Commission would like to go. If so, I can draft an ordinance using similar language to bring to a future work session for further discussion.)*

**ARTICLE 4. STANDARDS FOR SPECIFIC USES****Section 14.23 Temporary Uses and Special Events**

**B. Special Events.** Special Events shall comply with all applicable standards in Article VI: Special Events of the General Code of Ordinances.

**ARTICLE 6. GENERAL PROVISIONS****Section 6.11 Performance Standards**

**A. Noise.** Noise from uses shall comply with all applicable standards in Article II: Noise of the General Code of Ordinances.

- A. License.** The applicant must submit a copy of the State license for the facility.
- B. Location.** A Day Care Center shall not be located within 1,500 feet of another licensed adult foster care home, substance abuse treatment center, and any facility that houses an inmate population.
- C. Outdoor Recreation Area.** For Child Day Care Centers, a minimum of 150 square feet of outdoor recreation area shall be provided and maintained per child at the licensed capacity of the child care center, provided that the overall area shall not be less than 5,000 square feet. The outdoor recreation area shall be suitably fenced, secured, and screened from abutting residential uses with a decorative opaque fence with a minimum height of four (4) feet. Outside activities shall take place at least 25 feet from any residential district or use.
- D. Pick-up and Drop-off.** Adequate areas shall be provided for employee parking and pick-up and drop-off of children or adults in a manner that minimizes pedestrian-vehicle conflicts and disruption of traffic flow on the public streets.

#### SECTION 4.19

### State Licensed Day Care Homes

- A. License.** The applicant must submit a copy of the State license for the facility.
- B. Location.** A group day care home or family day care home shall not be located within 1,500 feet of another licensed group day care or family day care home, adult foster care home, substance abuse treatment center and any facility that houses an inmate population.
- C. Outdoor Recreation Area.** For Day Care Homes for children, an outdoor recreation area shall be provided and maintained. The outdoor recreation area shall be suitably fenced, secured, and screened from abutting residential uses with a decorative opaque fence with a minimum height of four (4) feet.

#### SECTION 4.20

### State Licensed Residential Facility

The following standards shall apply to all residential facilities licensed by the State of Michigan, including: Family Foster Care Homes, Group Foster Care Homes, and Adult Foster Care Facilities.

- A. License.** The applicant must submit a copy of the State license for the facility.
- B. Licensee as Permanent Resident.** The licensee shall be a member of the household.
- C. Location.** State Licensed Residential Facilities shall not be located closer than 1,500 feet from any other State Licensed Residential Facility.
- D. Lot and Yard Requirements.**

# ARTICLE 7. LANDSCAPING

## SECTION 7.01

### Purpose and Intent

Landscaping, greenbelts, and screening are necessary for the protection and enhancement of the environment and for the continued vitality of all land uses in the City. The purposes and intent of this Section are as follows:

- A.** To aid in stabilizing the environment's ecological balance by contributing to the process of air purification, carbon dioxide storage, oxygen regeneration, groundwater recharge and stormwater runoff mitigation, while at the same time aiding in noise, glare and heat abatements.
- B.** To encourage the preservation of existing trees and vegetation.
- C.** To assist in providing adequate light and air.
- D.** To provide visual buffering and enhance the beautification of the City.
- E.** To preserve, protect and restore the unique identity and environment of Chelsea and preserve the economic base attracted to the City by such factors.
- F.** To conserve energy and to protect the public health, safety and general welfare.
- G.** To provide habitat for living things.

## SECTION 7.02

### Applicability

- A.** Except as otherwise specified in the general requirements for each zoning district or for the specific use, all landscaping shall conform to the standards of this Article.
- B.** The requirements set forth in this Article shall apply to all uses, lots, site and parcels for which Site Plan Review is required and which are developed or expanded following the Effective Date of this Ordinance. No site plan shall be approved unless that site plan includes the required landscape plan and shows landscaping consistent with the provisions of this Article.



- C. In cases where the use of an existing building or parking lot changes or an existing building or parking lot is altered or re-occupied, all of the standards of this Article shall be met.
- D. The requirements of this Section are minimum requirements, and nothing in this Article shall preclude a developer and the City from agreeing to more extensive landscaping.
- E. Existing landscaping that meets the requirements of this Article may be used to comply with the landscaping standards.
- F. Where landscaping is required, a Zoning Compliance Permit shall not be issued until the required landscape plan is submitted and approved and a Certificate of Occupancy shall not be issued unless provisions set forth in this Article have been met.

### SECTION 7.03

## Landscape Plan

- A. Landscape Plan Requirements.** A separate, detailed landscape plan shall be submitted as part of a Site Plan Review. The landscape plan shall contain the following.
- (1) *Topography.* Existing and proposed topography, by contours, correlated with a grading plan.
  - (2) *Existing Trees.* Location, species, size, and condition of existing trees (six (6) inches diameter breast height (DBH) and larger), indicating which are to be preserved, transplanted, or removed. Delineation of tree fencing or other required protection from construction activities should be identified on the plans.
  - (3) *Landscaping.* Scaled layout of proposed plant materials, indicating the species and quantity within each plant grouping. Landscaping should be shown as applicable for: general site landscaping, frontage areas, parking lots, required buffers/screening, stormwater basins, and screening for outdoor storage, refuse, and utility areas.
  - (4) *Proposed Plant List.* A plant list of proposed materials, showing: sizes, quantity, botanical and common names, spacing, and root type (bare or balled and burlapped).
  - (5) *Proposed Site Improvements.* Scaled layout of all proposed improvements as shown on the site plan, including structures, driveways, and parking and loading areas.
  - (6) *Proposed Landscape Improvements.* Plans, sections, elevations and details of all landscape site improvements, such as: grading, landscaped berms, water features, pavements, structures, and furnishings.
  - (7) *Installation.* Planting details notating installation requirements, materials to be used, critical dimensions and any special requirements to ensure proper installation and establishment of proposed plant materials. Technical specifications indicating general requirements, warranties, submittals, materials, and installation requirements for all items of work shown on the drawing.

## SECTION 7.14

## Waivers

Recognizing that a wide variety of land uses and the relationships between them can exist, and that varying circumstances can mitigate the need for landscaping, the Planning Commission may allow the following waivers from the provisions of this Article.

- A. Permitted or Prohibited Species.** The Planning Commission may permit any of the prohibited species or allow for other species not listed in the permitted species list. No waiver shall be granted to permit invasive species.
- B. Screening.** The Planning Commission may permit an alternate screening plan, upon finding that the alternative screening will ensure compatibility with surrounding and nearby land uses because of one or both of the following:
  - (1) The site has natural existing vegetation and/or topography, natural bodies of water or wetland areas or other existing conditions which offer sufficient screening. The Planning Commission shall require the preservation of these natural features as a condition of site plan approval in such circumstances.
  - (2) The arrangement, design and orientation of buildings on the site maximize privacy and isolate adjacent and nearby land uses from any potential negative impacts of the project.

# ARTICLE 14.

## ADMINISTRATION AND ENFORCEMENT

### SECTION 14.01

#### Office of Planning and Zoning Administrator

The office of Planning and Zoning Administrator is hereby created.

### SECTION 14.02

#### Duties of Planning and Zoning Administrator

- A. The Planning and Zoning Administrator shall administer this Ordinance.
- B. The Planning and Zoning Administrator or their appointed designee may enforce this Ordinance make such orders and decisions as may be necessary to carry out the intent thereof.
- C. The Planning and Zoning Administrator shall maintain records of all certificates and permits issued under this Ordinance and the records shall be open for public inspection.
- D. The Planning and Zoning Administrator shall have all the powers, duties, and responsibilities assigned to that office elsewhere in this Ordinance.

### SECTION 14.03

#### Zoning Compliance Permit

- A. No use, construction, work, excavation, movement of earth, or any activity associated with a permanent improvement or change of use, land or building, alteration, addition, demolition, or similar activity, other than preliminary testing, boring, soil samples, surveying and investigative work or activity shall be commenced, performed, or done without the issuance of a Zoning Compliance Permit.

- B.** No permit shall be issued by any City, County, or State official or agency for any use, building, construction, work, alteration, addition, or improvement to land, as above described, until a Zoning Compliance Permit has been issued by the Planning and Zoning Administrator as required by this Ordinance. The issuance of any other approval or certification of a Site Plan, variance, Special Use Permit, Planned Unit Development, or other discretionary permit by any board or body under this Ordinance, shall not supersede or lessen compliance with this Article of the Ordinance and that any use, development, construction, improvement, or work allowed under such discretionary permit, shall in all cases be further conditioned on compliance with this Article and shall not be allowed until the issuance of the Zoning Compliance Permit in accordance with this Article.
- C.** An application for a Zoning Compliance Permit shall be accompanied by a Site Plan, where required under the provisions of this Ordinance, or a Sketch Plan that provides the following information:
- (1) *Application and Fee.* A signed and completed Zoning Compliance Application and fee in accordance with [Section 14.06](#). The application shall be signed by the owner of the land, or the owner's duly authorized agent.
  - (2) *Applicant and Owner Information.* Property owner's name and address; applicant's name, address, and interest in property; and owner's signed consent if applicant is not the owner.
  - (3) *Lot Information.* Location, shape, and dimensions of the lot.
  - (4) *Legal Description.* Legal description, tax parcel number, and address of the lot.
  - (5) *Existing and Proposed Structures.* Location, outline, and dimensions of all existing and proposed structures and the location and extent of all uses not involving structures.
  - (6) *Existing and Proposed Uses.* A clear description of existing and intended uses of all structures.
  - (7) Additional information as required by the Planning and Zoning Administrator for purposes of determining compliance with this Ordinance.
- D.** A Zoning Compliance Permit shall be signed and issued by the Planning and Zoning Administrator. The application and all supporting documentation shall be considered a part of the Permit.
- E.** A Temporary Zoning Compliance Permit may be issued for any temporary use or structure that is not erected or operated permanently, as described in this Ordinance. Only one (1) Temporary Zoning Compliance Permit may be issued per property within a calendar year and permits may not be renewed or extended within 365 days of issuance. The duration of the Temporary Zoning Compliance Permit shall be determined based on the type of use or structure.
- F.** Any alteration, false statement, change or other variation between the application and its supporting documents, and the use, construction, work, development, alteration, addition, or improvement authorized by the permit, shall render the permit null and void.

# 2e: Sample Ord.

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 09- 18 – 23x

**AN ORDINANCE TO AMEND ORDINANCE NO. 97-18, AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE, ARTICLE 25, GENERAL PROVISIONS. SECTION 2520, EXTERIOR BUILDING WALL FAÇADE MATERIALS AND SECTION 2503, ACCESSORY USES; IN ORDER TO PROVIDE STANDARDS FOR THE USE OF SOLAR PANELS.**

## **THE CITY OF NOVI ORDAINS:**

**Part I.** That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, Article 25, General Provisions, Section 2520, Exterior Building Wall Façade Materials and Section 2503, Accessory Uses are hereby amended to read as follows:

### **Article 25, General Provisions**

#### **Sec. 2520. Exterior Building Wall Façade Materials.**

1. – 13. [unchanged]

14. *Sustainability in design.* Promoting sustainability in design is encouraged at the applicant's discretion and façade materials that meet the intent of the LEED (Leadership in Energy and Environmental Design) standards may be utilized. The proposed façade composition must still meet the aesthetic standards set forth by this ordinance and undefined materials will be considered on a case by case basis. Solar structures shall be a permitted use in all districts and not subject to the requirements of Section 2520.

#### **Sec. 2503. Accessory Uses.**

1. [unchanged]

2. *Accessory Structures.*

A. – F. [unchanged.]

G. Freestanding solar panels shall be considered an accessory building and shall be subject to the requirements for such, together with all other applicable building codes and ordinances. Structurally attached solar panels shall be a permitted accessory use in all districts and subject to administrative review and approval.

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Structurally attached solar panels shall not be subject to the provisions of Section 2503.2.A and shall not be included in the height requirements listed in Section 2400. Structurally attached solar panels installed on a building with a sloped roof shall not project vertically above the peak of the roof. Structurally attached solar panels installed on a building with a flat roof shall not project vertically more than 5 feet above the roof.

## **PART II.**

**Severability.** Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

## **PART III.**

**Savings Clause.** The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

## **PART IV.**

**Repealer.** All other Ordinance or parts of Ordinance in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

## **PART V.**

**Effective Date: Publication.** Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 A.M. to 5:00 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2009.

\_\_\_\_\_  
DAVID LANDRY, MAYOR



## 2f: Sample Ord. (Intster)

### **§ 155.149A STANDARDS FOR ALL MOBILE FOOD VENDING UNITS.**

(A) Mobile food vendors shall only operate between the hours of 8:00 a.m. and 10:00 p.m. unless a waiver for extended hours of operation is approved by the Chief of Police.

(B) Vendors shall provide appropriate waste receptacles at the site of the unit and remove all litter, debris and other wastes attributable to the vendor and/or customers on a daily basis.

(C) No food shall be sold, prepared or displayed outside of the food truck or mobile food vending unit while on location.

(D) Vendors shall not use any flashing, blinking or strobe lights or similar effects to draw attention to the food truck or mobile food vending unit; all exterior lights over 60 watts shall contain opaque hood shields to direct the illumination downward.

(E) A mobile food vendor may have one portable sign that is no more than six square feet in area or a sandwich board sign with two faces that are no more than six square feet in area. The portable sign must be located within five feet of the unit. Under no circumstances shall such sign be placed upon the sidewalk or impede pedestrian and/or vehicle traffic and/or safety.

(F) Mobile food vendors shall not use 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 city street, alley, or sidewalk except in a safe manner.

(G) A mobile food vendor must be set-up and must vend in an outdoor location.

(Ord. 872, passed 11-15-18)

### **§ 155.149B STANDARDS FOR ALL MOBILE FOOD COURTS/PARKS.**

(A) All individual vendors must comply with § 155.149A, "Standards for All Mobile Food Vending Units."

(B) Tables, chairs, and canopies or enclosed seating areas for mobile food court customers are permitted.

(C) Mobile food courts/parks must provide at least one handicap accessible bathroom facility with one hand-washing station for every five mobile food vendors.

(D) There must be access to potable water and sewage disposal facilities on-site.

(E) Applicants must submit a layout of the mobile vendor units.

(Ord. 872, passed 11-15-18)

- (1) *Minimum Lot Size.* State Licensed Residential Facilities shall be located on a lot that is not less than one-half (.5) acre and has not less than 500 square feet of lot area per person, including patients, employees and other residents.
- (2) *Setback from Residential Use.* State Licensed Residential Facilities shall be located at least 25 feet from any residential use.

#### SECTION 4.21

### Storage of Materials

The location or storage of abandoned, discarded, unused, unusable, or inoperative vehicles, appliances, furniture, equipment, or materials shall be regulated as follows:

- A. On any lot in any residential or commercial district, the owner or tenant shall locate and store such materials within a completely enclosed building.
- B. On any lot in any industrial district, the owner or tenant shall locate and store such materials within a completely enclosed building or within an area surrounded by a solid, unpierced fence or wall at least six (6) feet in height and not less in height than the materials located or stored therein. Storage of materials shall not be closer to the lot lines than the minimum yard requirements for buildings permitted in said districts.
- C. Nothing in this ordinance shall permit the storage or parking of any vehicles or non-permanent structure within the required front yard of any lot within a residential district, except that the parking of a passenger vehicle on a driveway located on private property shall not be prohibited.

#### 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.** Festivals, farmers markets, or other special events may be permitted in any district, upon approval by the City Council based upon the finding that the location of such an activity will not adversely affect adjoining properties, or adversely affect public health, safety, morals, and the general welfare.

- (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.
- 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 6.11

## Performance Standards

No lot, building, or structure in any district shall be used in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable elements or conditions so as to adversely affect the surrounding area or adjoining premises. Uses in all districts, where permitted, shall comply with the following performance requirements.

- A. Noise.** Noise from uses shall comply with all applicable standards in Article II: Noise of the General Code of Ordinances.

Use of Property Receiving the Sound	Permitted Decibel Levels	
	7:00 a.m. - 10:00 p.m.	10:00 p.m. - 7:00 a.m.
Residential Uses (within 50 feet of the subject property*)	61	55
Commercial Uses (within 50 feet of the subject property*)	71	61
*Measured at the property line of use receiving the sound within the specified distance.		

- B. Vibration.** No vibration shall be permitted which is discernable on any adjoining lot or property.
- C. Smoke.** Smoke shall not be emitted with density greater than No. 1 on the Ringleman Chart as issued by the U.S. Bureau of Mines except for blow-off periods of ten minutes duration of one per hour when a density of not more than No. 2 is permitted.
- D. Odor.** No malodorous gas or matter shall be permitted which is offensive or produces a public nuisance or hazard on any adjoining lot or property.
- E. Air Pollution.** No pollution of air by fly-ash, dust, vapors, or other substances shall be permitted which is harmful to health, animals, vegetation, or other property, or which can cause excessive soiling.
- F. Glare.** No direct or reflected glare shall be permitted which is visible from any property or from any Public Street, road, or highway.
- G. Erosion.** No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties, lakes, ponds, river, or streams.
- H. Gases.** Emission or release of corrosive or toxic gases, shall be prohibited.
- I. Glare and Radioactive Materials.** Glare from any process or operation shall be shielded to be invisible beyond the property lines of the premises on which the process is performed. Radiation, including radioactive materials and electro-magnetic radiation such as that emitted by the x-ray process or diathermy, shall not be emitted to exceed quantities established as safe by the U.S. Bureau of Standards when measured at the property line.

# Chelsea Municode

## 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 event 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 event. 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

# Chapter 100

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) Copies of any authorized permits required by any other governmental agency, by state law or local ordinance.
  - (9) Such other information as the city may deem reasonably necessary.
- (e) *Expiration.* The application period will begin January 1 for the entire year. The applicant will submit proposed date(s) and the expiration date of their permit shall be on the conclusion of the event date(s) and/or the rain date.
- (f) *Payment of costs.* The city council shall adopt a policy which sets forth whether or not the special event must pay for city services and to what extent such city services must be paid by the person or entity responsible for the special event. Such policy shall have the full force and effect of the ordinance, and any violation of the policy shall be deemed to be a violation of this article.
- (g) *Penalties.* A violation of this article or a violation of the conditions imposed in any permit granted by authority of this article shall be a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than \$1,000.00 and not less than \$100.00.

(h) *Effective date.* This article shall become effective 20 days after its adoption and shall be published within ten days of its adoption by publication of a brief notice in a newspaper circulated within the City of Chelsea.

(Ord. No. 173, 5-8-2012; Ord. No. [174](#), §§ 1, 2, 3-16-2015



[Home](#) > [Clerk](#) > [Licenses, Permits & Applications](#) > [Special Event Permit](#)

## City Clerk Office Special Event Permit

The City has an ordinance in place 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 so 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.

The City seeks to provide this option 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.

If you have an interest in hosting such an event, please complete the following form and return it to the City Clerk.

[Special Event Permit Application](#)

**Chelsea City Offices:** 305 S. Main St., Suite 100, Chelsea, MI 48118 | 734-475-1771 | Monday-Friday 8:00 a.m. - 4:00 p.m., Monday to 6:00 p.m.

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City of Chelsea  
305 S. Main Street  
Suite 100  
Chelsea, MI 48118



Phone: 734-475-1771

Fax: 734-475-1811

Permit # \_\_\_\_\_

## Special Event Permit

To be filled out by Applicant

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Address: \_\_\_\_\_ City/State \_\_\_\_\_

Chairperson/Sponsor of Event: \_\_\_\_\_ Phone #: \_\_\_\_\_

Purpose of Event:

Location to use: \_\_\_\_\_

Date(s): \_\_\_\_\_ to \_\_\_\_\_

Hours: \_\_\_\_\_ ☐ a.m. ☐ p.m. to \_\_\_\_\_ ☐ a.m. ☐ p.m.

Signature

Date

### Attach Layout or Sketch

Return form to: Chelsea City Offices, 305 S Main St, Suite 100, Chelsea, MI 48118 or fax to 734-475-1811

Office Use Only

### Items that may be needed

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 for public liability and property damage associated with use.

Copies of any authorized permits required by any other governmental agency, by state law or local ordinance may also be needed. If required contact chairperson and attach documents.

Comments: \_\_\_\_\_

City Manager Approval Date

### Resolution to Allow Special Event Permit

At a regular meeting of the City of Chelsea, Washtenaw County, Michigan, held at the Chelsea City Council Chambers of said City on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at 7:00 p.m. the following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_ to

☐ Approve ☐ Deny Special Event Permit # \_\_\_\_\_ Yeas \_\_\_\_\_ Nays \_\_\_\_\_

NOW THEREFORE, BE IT RESOLVED BY THE Chelsea City Council, Washtenaw County, Michigan that the City approves the Special Event Permit # \_\_\_\_\_.

Laura Kaiser, City Clerk

Ordinance No. 173 (5/8/12)

Approval