



Town of Mint Hill

John M. McEwen Assembly Room
4430 Mint Hill Village Lane
Mint Hill, North Carolina 28227

Mint Hill Planning Board Agenda April 17th, 2017 at 6:30 p.m.

1. Call To Order
2. Roll Call and Invocation
3. Approve Minutes of March 20th, 2017 Regular Meeting
4. Additions or Deletions of Agenda Items
5. Reports of Committees, Members, and Staff
6. Old Business
7. New Business
 - A. Discussion and Recommendation on #ZC17-2, Filed by Gayle Smith, for Property Located at 1040 Brief Road, Tax Parcel Number 197-131-01, 197-271-09 and 197-271-16 for Conditional Zoning approval to allow a Bed and Breakfast.
 - B. Discussion and Recommendation on #ZC17-3, Filed by Keith Paris, for a Text Amendment to authorize golf cart use on public streets with a maximum speed limit of 25 miles per hour.
8. Other Business
9. Adjournment

Candice Everhart
Program Support Assistant

MINUTES OF THE MINT HILL PLANNING BOARD MEETING
March 20th, 2017

The Mint Hill Planning Board met in regular session on Monday, March 20th, 2017 at 6:30 p.m. in the John M. McEwen Assembly Room, Mint Hill Town Hall.

ATTENDANCE

Chairman: Tony Long
Members: Brad Simmons, Roy Fielding and Chip Todd
Absent: Scott Fandel, Roger Hendrix and Tom Gatz
Staff: Chris Breedlove
Clerk to the Board: Candice Everhart

CALL TO ORDER AND INVOCATION

Chairman Long called the meeting to order at 6:30 p.m., declared a quorum present and the meeting duly constituted to carry on business. Mr. Simmons gave the invocation.

ORDER OF BUSINESS

Approval of Minutes of February 20th, 2017 Regular Meeting: Upon the motion of Mr. Simmons, seconded by Mr. Fielding, the Board unanimously approved the minutes of the February 20th, 2017 Planning Board meeting.

Reports of Committees, Members and Staff: None.

Old Business: None.

New Business:

- A. **Discussion and Decision on #SC17-1, Filed by Timothy Beldner for Property Located at 9604 Surface Hill Road, Parcel Number 137-123-08 for Minor Subdivision Approval:** Mr. Breedlove stated, this is a minor Subdivision approval because of the easement lots. The Town's Ordinance caps it at three lots without road frontage and they have that. They all have the fifteen foot access that is required. The lots will be served with Charlotte Water and septic system.

Mr. Long asked the members if they had any questions and there were none.

Mr. Fielding made a favorable motion for approval of #SC17-1, Filed by Timothy Beldner for property located at 9604 Surface Hill Road, Parcel Number 137-123-08 for minor subdivision. Mr. Simmons seconded the motion and the Board unanimously agreed.

Other Business: None

Adjournment: Upon the motion of Mr. Simmons, seconded by Mr. Todd, and unanimously agreed upon, Chairman Long adjourned the meeting at 6:33 p.m.

Candice Everhart
Program Support Assistant



STAFF REPORT

| | |
|---------------------------|--|
| CASE: | ZC17-2 |
| EXISTING ZONING | R |
| PROPOSED ZONING | R (CD) |
| PROPERTY OWNER: | DANIEL HAYES |
| APPLICANT | GAYLE SMITH |
| LOCATION | 10450 BRIEF RD |
| TAX PARCEL NUMBERS | 197-131-01, 197-271-09 AND 197-271-16 |
| REQUEST: | BED AND BREAKFAST |
| RECOMMENDATION | FAVORABLE |

APPLICATION SUMMARY:

The applicant is requesting conditional zoning approval to allow a Bed and Breakfast on the subject property, which is actually three (3) separate tracts as shown in the attached maps.

7.2.10

Supplementary Use Regulations for Bed and Breakfasts/Inns.

- A. *Bed and breakfast establishments must meet all of the dimensional requirements in Section 6.1.1 (Dimensional Requirements) for the district in which they are located and have the required road frontage on an arterial street i.e., (major and minor thoroughfares) or a secondary street.*
- B. *The principal use of the structure is the single-family dwelling and the bed and breakfast is a secondary function within the principal house structure. No separate exterior doorways for individual guest rooms shall be permitted unless the separate doorway was part of the architecture of the house prior to the establishment of the bed and breakfast.*
- C. *Bed and breakfast establishments in any permitted district shall be the principal residence of the owner/manager of the establishment. Exterior alterations required by North Carolina Building Code, such as fire escapes, handicap ramps, doorways, etc., shall be in keeping with the exterior architectural character of the structure. Guest rooms will be located within the principal house structure and limited to one existing accessory structure without cooking facilities to be used as a guest room in residential districts. Additions to increase the number of available guestrooms may only be made to the principal house structure and must conform to Mint Hill setbacks.*
- D. *Bed and breakfast establishments may provide food service to guests lodging in the facility or during special events held on site. Individual guest rooms shall not be equipped with cooking facilities.*
- E. *Guests are limited to a length of stay no more than seven (7) consecutive days. The manager of any bed and breakfast establishment shall keep a current guest register including names, permanent addresses, dates of occupancy and motor vehicle license number of all guests.*
- F. *Screening and street trees shall be provided as required in Section 6.4.2 (Screening and Landscaping) of this Ordinance. Off-street parking and loading facilities shall provide landscaping and screening as per Article 6, Section 6.3 (Off-Street Parking and Loading) of this Ordinance.*
- G. *Driveway widths shall be in compliance with Section 6.2.2 of this Ordinance*

- H. Off-street parking and loading shall comply with all applicable requirements in Article 6, Section 6.3 (Off-Street Parking and Loading) of this Ordinance. The paving requirements may be waived in the R (Residential) District, in order to keep the residential character of the area.*
- I. Events shall be allowed if sufficient off-street or satellite parking is provided and documented. These special events must be held between the hours of 9:00 a.m. and 11:00 p.m.*
- J. Bed and breakfasts. Bed and breakfasts are limited to eight (8) guest rooms.*

Conditional District decisions shall be made in consideration of identified relevant adopted land use plan. Conditional District rezoning is a legislative procedure under which the Board of Commissioners has the authority to increase, tighten, add, vary, modify or waive specific conditions or standards. In approving a petition for the rezoning of property to a Conditional District the Board of Commissioners may request reasonable and appropriate conditions.

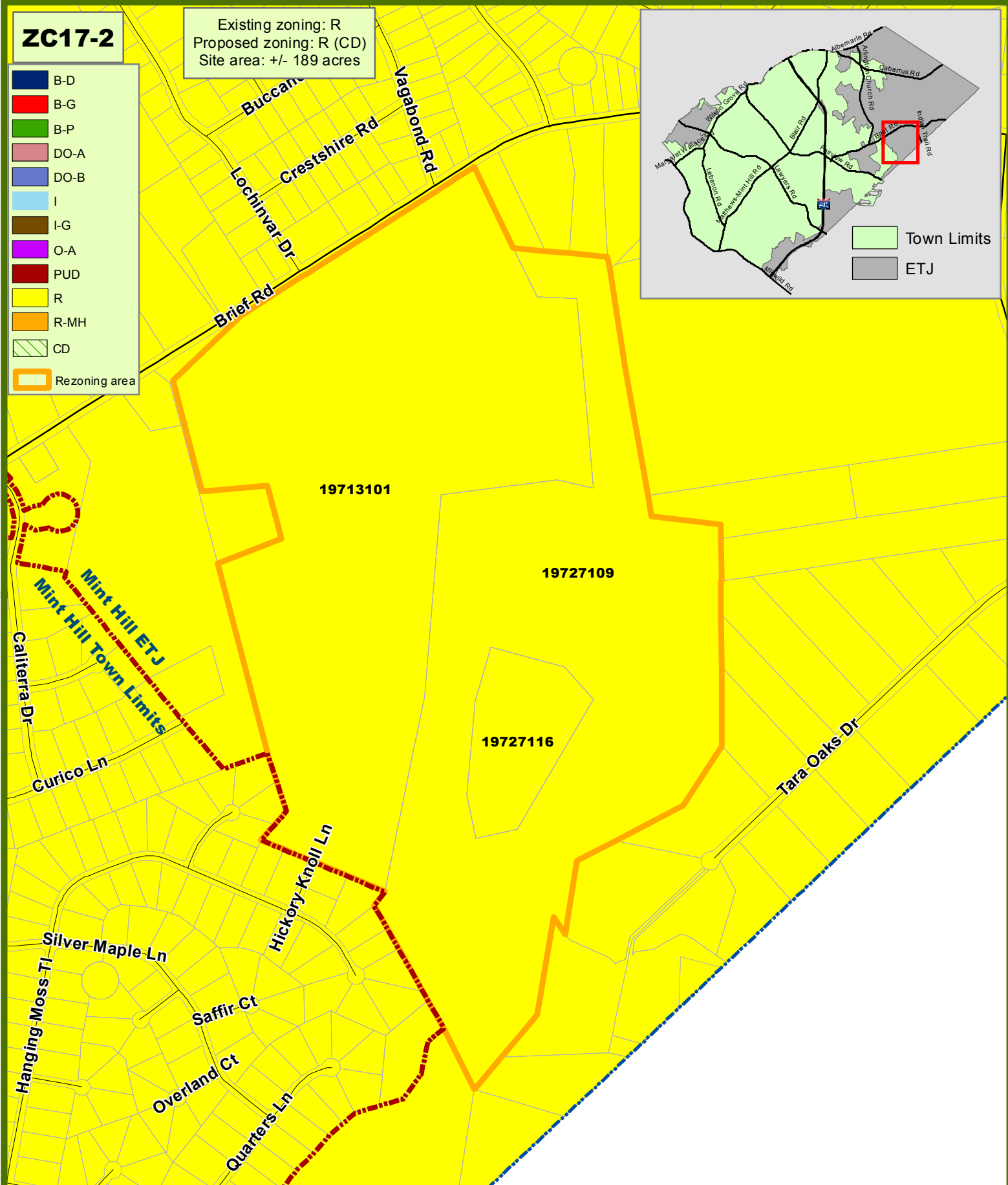
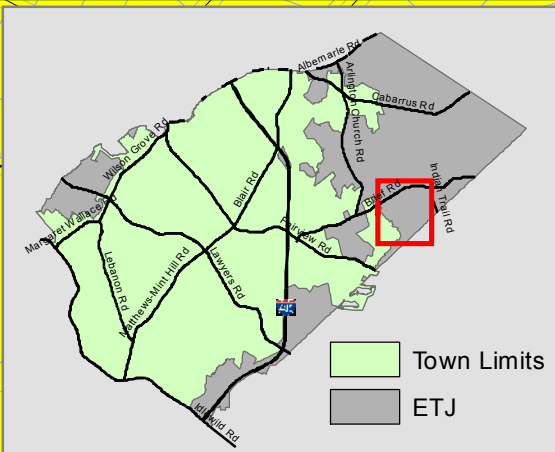
STAFF RECOMMENDATION:

Staff recommends approval

ZC17-2

- B-D
- B-G
- B-P
- DO-A
- DO-B
- I
- I-G
- O-A
- PUD
- R
- R-MH
- CD
- Rezoning area

Existing zoning: R
Proposed zoning: R (CD)
Site area: +/- 189 acres



0 750 1,500 Feet

Produced by the Mint Hill Planning Department
3/8/2017

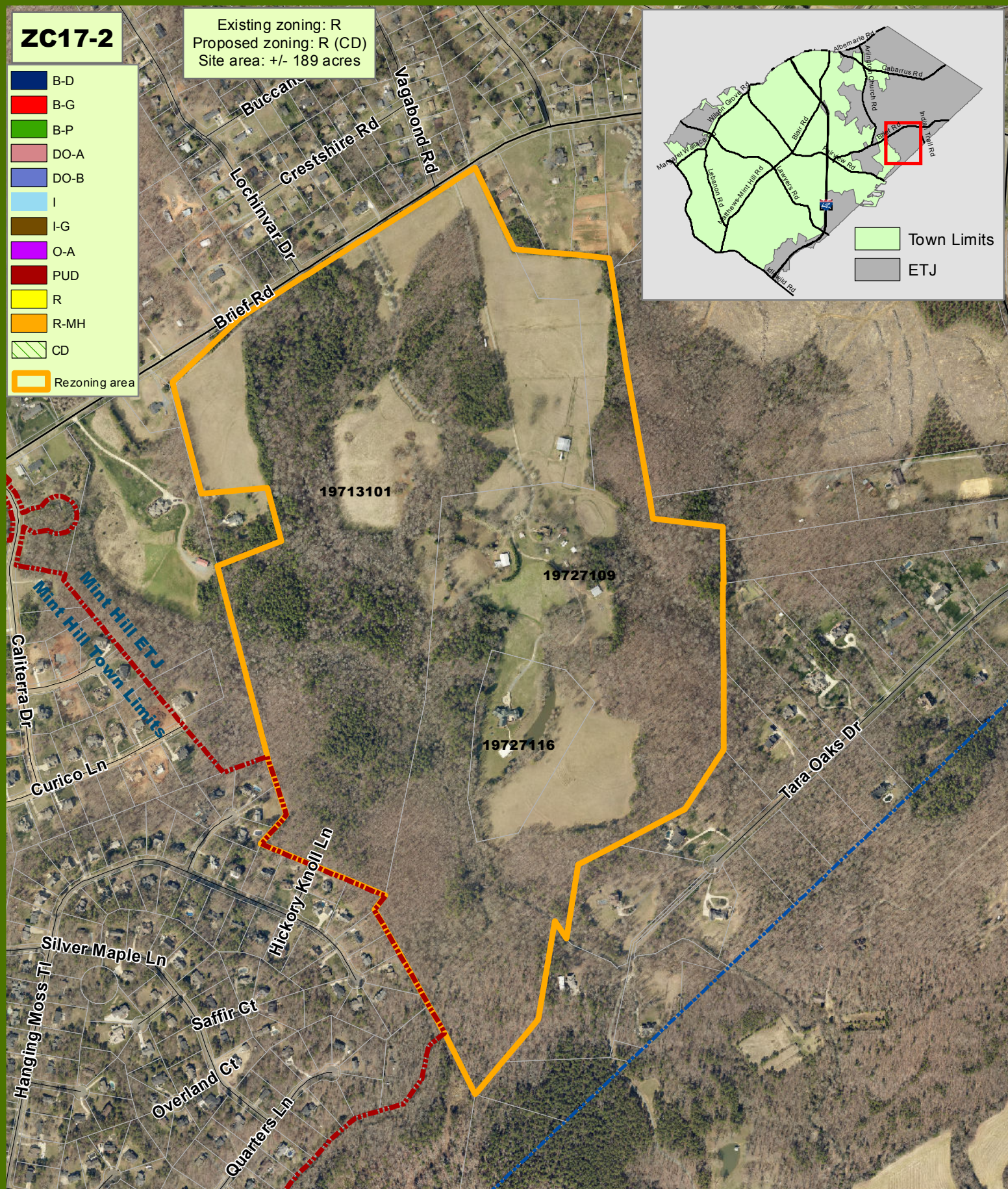
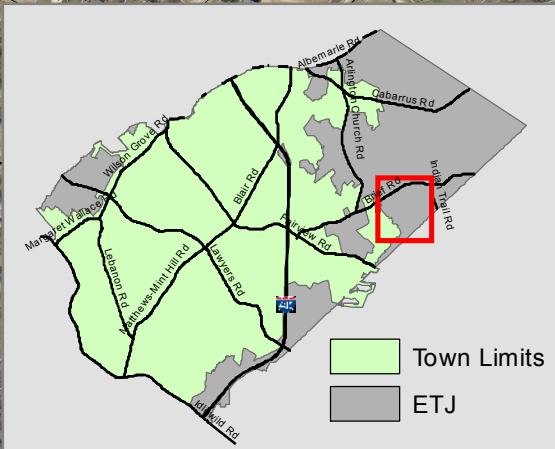


TOWN OF
MINT HILL

ZC17-2

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TOWN OF
 MINT HILL

Polaris 3G Map – Mecklenburg County, North Carolina

ZC17-2: Closeup

Date Printed: 3/8/2017 10:19:41 AM



0 0.0046 0.009 0.018 Miles



This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.



STAFF REPORT

| | |
|-----------|------------------------------|
| CASE: | ZC17-3 |
| APPLICANT | KEITH PARIS |
| REQUEST: | GOLF CART ORDINANCE PROPOSAL |

APPLICATION SUMMARY:

The text amendment proposal would authorize golf cart use on public streets with a maximum speed limit of 25 miles per hour. Refer to **Sec. 28-69. - Special speed restrictions** for the current list of public streets in Town where the speed limit is 25 miles per hour or less.

N.C. Statute

"§ 160A-300.6. Regulation of golf carts on streets, roads, and highways. (a) Notwithstanding the provisions of G.S. 20-50 and G.S. 20-54, a city may, by ordinance, regulate the operation of golf carts, as defined in G.S. 20-4.01(12a), on any public street, road, or highway where the speed limit is 35 miles per hour or less within its municipal limits or on any property owned or leased by the city. (b) By ordinance, a city may require the registration of golf carts, charge a fee for the registration, specify who is authorized to operate golf carts, and specify the required equipment, load limits, and the hours and methods of operation of golf carts. No person less than 16 years of age may operate a golf cart on a public street, road, or highway."

Mint Hill

Proud to call home

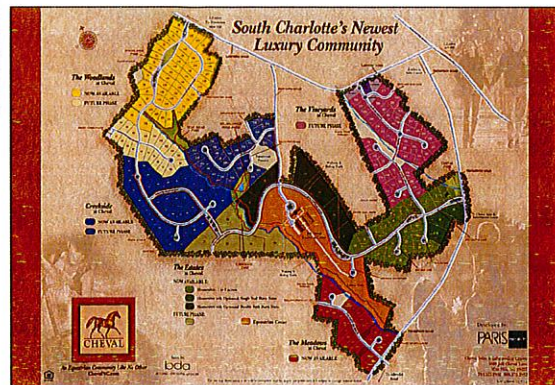


*"One of the most exceptional equestrian communities
in the United States" - Robb Report*



Mint Hill, a retiree and Baby Boomer destination, is perhaps Charlotte's most up-and-coming suburb. It is ranked sixth on *The Top Ten Places to Retire in North Carolina*, ninth on *The Ten Safest Places to Live in North Carolina*, and tenth on *The 50 Most Affordable Places to Live in North Carolina*.

The expansive 400-acre CHEVAL, South Mecklenburg County's newest luxury community, is proud to call Mint Hill *home*.



Mayor Guy Alongi is one of 80 people in town with a golf cart permit. Alongi says his family rides their golf cart around town five nights a week.

“It gives you an up close, personal feel of the neighborhood that you’re driving in.”

“You get to stop and see people. It gives you a different perspective of Du Quoin.”



Du Quoin is one of a growing number of municipalities in Illinois that are moving to allow golf carts on city roads where it is deemed safe. An idea that largely began in retirement golf communities, it has spread in popularity across the United States and has been legal in Illinois since 1998. That year, the General Assembly gave permission to municipalities to open up streets to golf carts by a vote of the council.

THE BENEFITS OF GOLF CARTS

OFF-ROAD & ON-ROAD

Cheval residents could use their golf carts to do lawn care, gardening, mulching, and landscaping. Cheval residents with larger estate lots could use them in association with their barns and pastures. Besides using them for off-road purposes, residents of Cheval could use their golf carts as enjoyable transportation to Cheval's parks, hiking trails, stables, and the Cheval Sales & Information Center.

INCREASES SOCIAL INTERACTION AND MAY PROMOTE CRIME WATCH EFFORTS

With speeds up to no more than 20mph, golf carts would provide residents enjoyable open-air rides through the neighborhoods of Cheval and would increase social interaction by easily allowing residents to meet up with neighborhood friends and to make new friends. Increased activity and social interaction may help promote crime watch efforts. In fact, golf carts are being used by citizen-assisted patrols to deter crime in Windmill Village, a gated community in Punta Gorda, Florida.

PROVIDES TRANSPORTATION FOR RESIDENTS WITH INJURIES OR DISABILITIES

Residents with injuries or disabilities, like cardio and lower extremity limitations or disabilities, could drive golf carts and enjoy having easy access to all of Cheval's amenities.

ENHANCES ENVIRONMENTALLY FRIENDLY EFFORTS AND SAVES ON GAS

Riding a golf cart, instead of driving a car, is more environmentally friendly and helps save money on gas. Specifically, eco-friendly, or electric golf carts, are a mode of transportation that reduces carbon footprints.

FOLLOWS A TREND SET BY OLDER AMERICANS IN ACTIVE ADULT COMMUNITIES

The Atlantic, based in Washington, D.C. and created as a literary and cultural commentary magazine, published an article on October 5, 2015 entitled, "Why Towns are Falling in Love With Golf Carts." This article explains how decades after golf carts have been used in airport terminals, theme parks, and on university campuses, they are gaining popularity as a mobility option in the United States. The article points out that it's older Americans who are on the cutting edge. Golf carts allow for individual expressions of identity and provide a central mode of transportation to active adult neighborhoods that have been developed with dedicated golf-cart infrastructure. In retirement communities, golf carts increase mobility for residents, linking homes, services, shops, and recreation.

The article also explains that golf carts are appealing to many other communities, like beach towns and other compact tourist enclaves. South of Atlanta, suburban Peachtree City now has 11,000 golf carts for 13,000 households. "It's almost our alternate transportation system here," says Betsy Tyler, the city clerk. Between 1995 and 2010, dozens of surrounding subdivisions authorized golf-cart use on city streets.

THE TRENDING USE OF GOLF CARTS

Morganton, North Carolina passed an ordinance legalizing road use by golf carts in 2009. The City of Lincolnton, North Carolina passed two ordinances, one in 1997 and another in 2010. In March of 2008, the City of Conover adopted an ordinance allowing the use of golf carts on designated city streets. Most recently, in September of 2016, the Newton City Council approved a new ordinance to allow registered golf carts on public roads.

Bowling Green, Kentucky, passed an ordinance legalizing road use by golf carts in 2011. Hunters Creek, Texas, legalized them late 2010, as did Erie, Colorado.

Elkhart County, Indiana, is considering a countywide ordinance for use of golf carts in subdivisions. Two of its cities, Bristol and Nappanee, already have golf cart ordinances. Bristol adopted its ordinance in 2009, and Nappanee adopted its ordinance in 2010.

Each golf cart will be required to have safety equipment, including seat belts, brakes, turn signals, and a rear view mirror.

Golf carts were made legal as far back as 2002 in Colonial Beach, Virginia. About 70 miles south of Washington along the Potomac River, Colonial Beach is a popular draw for weekend living. Former Mayor G.W. "Pete" Bone Jr. is one of more than 400 estimated golf cart owners in town.



Golf Cart Ordinance

Purpose: The purpose of this ordinance shall be to establish a Golf Cart Ordinance within the Town of Mint Hill to promote the health, safety and welfare of persons operating cart within the Town, and to protect the safety of their passengers and other users of streets.

Definition: A "golf cart" is defined as a vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and is not capable of exceeding 20 miles per hour

Golf carts are not designed or manufactured to be used on public streets. The Town of Mint Hill in no way advocates or endorses their operation on roads. The Town of Mint Hill by regulating such operation is merely trying to address obvious safety issues, and the adoption of this Ordinance is not to be relied upon as a determination that operation on streets is safe or advisable if done in accordance with this Ordinance.

The Town in no way shall be liable for accidents, injuries or death involving the operation of golf cart.

Any person who operates or rides upon a golf cart on a public street within the Town does so at his or her own risk and peril and assumes all liability resulting from the operation of the golf cart.

Rules and Regulations

1. No person who does not have a valid driver's license issued under or granted by the laws of North Carolina or some other state, may operate a golf cart on any public street within the Town. Golf cart operators must carry their driver's license on their person at all times while operating a golf cart.
2. Golf carts are permitted on public streets with a speed limit set at 25 miles per hour or less, except for the sole purpose of crossing such street either at a signalized intersection or at a perpendicular crossing at a through intersection:
3. Golf carts shall be equipped with two operating headlights, and two operating taillights on either side of the rear of the golf cart and must be in operation at all times the vehicle is in motion.
4. The operator of the golf cart shall comply with all traffic rules and regulations adopted by the State of North Carolina and the Town of Mint Hill which governs the operation of motor vehicles.
5. Golf carts shall not be operated at a speed greater

than 20 miles per hour.

6. At no time shall a golf cart be operated on a sidewalk
7. Golf carts must be operated at the right edge of the roadway and must yield to all vehicular and pedestrian traffic.
8. Golf carts which have been modified so that it no longer meets the definition of a golf cart, may not be operated on the public streets within the Town
9. Any person who operates a golf cart on public street must adhere to all applicable State and local laws, regulations and ordinances, including but not limited to those banning the possession and use of alcoholic beverages.
10. The seating capacity (normally no more than four passengers) shall not be exceeded nor shall the operator or any passenger be permitted to stand while the golf cart is in operation.
11. If a mechanical turn signal indicator is not installed, then hand signals are required for turns.
12. Each owner shall keep proof of ownership and liability insurance in the golf cart at all times while in operation on streets

Exception. The use of golf carts by Town personnel for official business

Violation. If any person shall violate this Article, he shall be guilty of a Class 3 Misdemeanor and shall be fined not more than \$100 or such other amount as shall be set forth in the Schedule of Fees and Charges adopted by the Board of Commissioners from time to time.