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COUNTY DEPARTMENT AGENDA REQUEST

Department/Division: Planning & Zoning/Community Dev.

Department Head: Peter A. Frisina

Presenter, if needed: P. Frisina/Phil Mallon/Bryan Woodie

Preferred Meeting Date: Wednesday, July 2, 2008

Wording for the Agenda:

Discussion of recommendations for golf cart usage on County streets as presented by Planning & Zoning, Public Works, and the Sheriff's Office.

Background/History/Details:

This issue was discussed at the B.O.C. Retreat in November, 2007. Staff has received inquiries about approving County streets which are not located in a platted/recorded subdivision for golf cart usage. To date, all streets authorized for golf cart use have been within a platted/recorded subdivision with the exception of Quarters Road within the boundaries of Highgrove S/D and a portion of Huiet Drive within the boundaries of WaterLace S/D. Staff has been researching this issue and is now ready to present their findings, including an addition to the Fayette County Code, Chapter 10. Motor Vehicles and Traffic, Article III. Motorized Carts.

What action are you seeking from the Board of Commissioners?

Discussion and direction from the Board.

If this item requires funding, please describe:

N/A

Has this issue come before the Commissioners in the past? Yes

If so, when? November, 2007 (BOC Retreat)

Do you need audio-visual for the presentation? No

Back-up Material Submitted? Yes

STAFF USE ONLY

Approved by Finance? Yes

Reviewed by Legal? Yes

Approved by Purchasing? Yes

Approved by Administrative Staff? Yes

Staff Notes

Administrator's Approval Yes

Confirmed Meeting Date Wednesday, July 2, 2008

- ○ Recognition/ Presentation
- ○ Public Hearing
- ◉ Old Business
- ○ New Business
- ○ Consent
- ○ Report
- ○ Other

Fayette County
GEORGIA

Where Quality Is A Lifestyle

To: Board of Commissioners

From: Pete Frisina, Phil Mallon, Bryan Woodie

Date: June 17, 2008

Subject: Demand for Golf Cart Usage in Unincorporated Fayette County.

The demand for golf cart usage in unincorporated Fayette County is growing among the public. Since Peachtree City was developed on the concept of golf cart accessibility, there has been a demand demonstrated for subdivisions in close proximity to Peachtree City wanting access into Peachtree City via a golf cart. Woodcreek and Jefferson Creek Subdivisions access Peachtree City through the Preserves Subdivision (Peachtree City) located on Redwine Road. Timber Lake Subdivision has accesses to Peachtree City through their recreation area. High Grove Subdivision also accesses Peachtree City through Timber Lake Subdivision with a path along Redwine Road connecting High Grove to Timber Lake.

The County allows golf cart use on roads that have been authorized by the Board of Commissioners. This regulation (Ordinance 95-10) was adopted on April 27, 1995. The majority of roads authorized for golf cart use are interior subdivision streets. The only exceptions have been portions of existing County Roads that are fully within the boundaries of a subdivision. These roads include Quarters Road within the boundaries of Highgrove Subdivision and Huiet Drive within the boundaries of Waterlace Subdivision.

We are now getting inquiries for golf cart use on roads which are not within a subdivision. For example, residents of The Landings Subdivision are requesting that a portion of Sumner Road be approved for golf cart use. Sumner Road runs from unincorporated Fayette County into Peachtree City. It is legal to use a golf cart on the Peachtree City portion of Sumner Road. Peachtree City allows golf carts on streets with a speed limit of 35 miles per hour or less unless there is a designated golf cart path in close proximity that can be used instead of a road. According to Mr. [illegible] of The Landings, arrangements were made for residents of the subdivision in 2001 to access Sumner Road through two lots in the subdivision and the Coweta-Fayette EMC property located at the intersection of SR 54 and Sumner Road. In the summer of 2006, the County placed signs at the entrance of subdivisions approved for golf cart use stating that golf carts were not allowed beyond that point. The residents of The Landings Subdivision stopped accessing Sumner Road with golf carts at that time.

Staff (Planning and Zoning, Public Works, and Sheriff's Office) has researched the issue of allowing golf cart use on streets outside of a subdivision and, of course, the major issue is safety. Although the use of a multi-use path is always preferred and should be provided wherever feasible, staff believes the risk associated with golf carts on public roads can be minimized if the following minimum conditions are met:

- Golf cart usage should be limited to Local streets, as indicated on the Fayette County Thoroughfare Plan;
- The posted speed limit should be 35 mph or less;
- The 85th percentile speed should not exceed the posted speed limit by more than 16 mph, as determined by studies performed by the Sheriff's Office;
- The minimum grade of the road should not exceed seven percent; and,
- The minimum sight distance at any location along the road should meet or exceed 200 feet.

In addition to verifying these conditions are met, Staff would also consider any other existing conditions particular to the street in the recommendation. Following a request by property owners, Staff would prepare a report and recommendation to the Board of Commissioners.

The suggested change to the Fayette County Code is as follows:

Fayette County Code
Chapter 10, Article III, Section 10 (Motorized Carts)

Sec. 10-48. Street Authorization

(a) The Board of Commissioners may authorize public streets for the use of motorized carts. Citizens may request the authorization of public streets in the unincorporated County. The request for the authorization of certain public streets, especially those public streets outside of the boundaries of a final platted subdivision, shall consider issues including, but not limited to, the street classification, posted speed limit, speed characteristics of the street as determined by studies performed by the Sheriff's Office, minimum grade of the road, minimum visibility distance, or any other existing conditions particular to the street. The Board of Commissioners can consider measures on the street including the reduction of the posted speed limit, additional signage/markings, and traffic calming devices to improve safety.

In the situation where conditions change over time on a street authorized for golf cart use making it too dangerous, the County would be faced with two options. The first option would be to remove the street form the authorized list discontinuing golf cart use. The second option would be to reduce the posted speed limited and/or implement additional signage/ markings and traffic calming devices to improve safety.

STATE OF GEORGIA

COUNTY OF FAYETTE

ORDINANCE
NO. 95-10

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR FAYETTE COUNTY; TO PROVIDE FOR AUTHORIZATION FOR MOTORIZED CARTS TO BE OPERATED UPON RECREATION PATHS AND AUTHORIZED STREETS; TO PROVIDE FOR FINDINGS; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR MINIMUM OPERATING REGULATIONS; TO PROVIDE FOR PROHIBITED USES; TO PROVIDE FOR PENALTIES; TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY AND IT IS HEREBY ENACTED PURSUANT TO THE AUTHORITY OF THE SAME THAT CHAPTER 10 OF THE FAYETTE COUNTY CODE BE AMENDED BY ADDING A NEW ARTICLE TO BE KNOWN AS ARTICLE III WHICH SHALL GOVERN THE USE OF MOTORIZED CARTS ON RECREATION PATHS AND AUTHORIZED STREETS AND TO READ AS FOLLOWS:

ARTICLE III. MOTORIZED CARTS.

Section 10-41. Findings; definition.

(a) The Board of Commissioners finds that certain public streets located within the unincorporated County are designed and constructed so as to safely permit the use thereof by regular vehicular traffic and also the driving thereon of motorized carts. The Board of Commissioners further finds that recreation

paths are designed and constructed so as to safely permit travel thereon by motorized carts.

(b) "Authorized streets" means all such streets which have been authorized for motorized cart travel and are on file with the Planning and Zoning Department. The list of authorized streets is subject to amendment from time to time by the Board of Commissioners.

(c) "County" means Fayette County, Georgia.

(d) "Motorized cart" means all electric and gasoline-powered pleasure carts which are commonly called golf carts. Within this article, the terms "motorized cart", "golf cart", and "cart" shall have the same meanings; these are the only carts authorized for use under under this article.

Section 10-42. Operation of gasoline-powered carts.

(a) Every cart shall at all times be equipped with an exhaust system in good working order and in constant operation, meeting the following specifications:

(1) The exhaust system shall include the piping leading from the flange of the exhaust manifold to, and including, the muffler(s) and exhaust pipe(s).

(2) The exhaust system and its elements shall be securely fastened.

(3) The engine of every cart shall be so equipped, adjusted and tuned, as to prevent the escape of excessive smoke or fumes.

(b) It shall be unlawful for the owner of any cart to operate, or permit the operation of, such cart on which any device controlling or abating atmospheric emissions, which is placed on a cart by the manufacturer, has been altered, rendered unserviceable, or removed.

Section 10-43. Operating regulations.

(a) Any person who possesses a valid motor vehicle driver's license and is at least sixteen (16) years of age may operate a motorized cart on the recreation paths and authorized streets.

(b) Any person who possesses a valid motor vehicle learner's permit and is at least fifteen (15) years of age may operate a motorized cart on the recreation paths and authorized streets, so long as such person is accompanied in the front seat by a person who possesses a valid motor vehicle driver's license and is at least eighteen (18) years of age.

(c) No person less than fifteen (15) years of age shall be permitted to operate a motorized cart on the recreation paths and authorized streets under any circumstances.

(d) All operators of motorized carts shall abide by all traffic regulations applicable to vehicular traffic when using the recreation paths and authorized streets. Recreation paths must be used in preference to parallel authorized streets.

(e) Motorized carts shall not be operated on sidewalks at any time.

(f) Motorized carts may be operated over authorized streets or paths only during daylight hours, unless such motorized carts are equipped with functional headlights and taillights.

(g) It shall be unlawful for the owner of any motorized cart to operate, or permit the operation of, such cart over the recreation paths or authorized streets in violation of this article.

Section 10-44. Recreation path users-prohibited uses. Recreation paths shall not be used by:

(a) Automobiles and trucks (except authorized maintenance vehicles);

(b) Motorcycles;

(c) Street and trail motorized bikes or vehicles, including, but not limited to, all-terrain vehicles, commonly known as ATVs;

(d) Minibikes and mopeds;

(e) Horses; and

(f) Go-carts.

Section 10-45. Hazardous activities and special rules. No individual or group shall engage in hazardous activities on the recreation paths or authorized streets. Such hazardous activities include, but are not limited to, the following:

(a) Racing of any kind, except for special events approved by the County;

(b) Blocking of public access, except for special events approved by the County;

(c) Pedestrians, skaters, and permitted vehicles shall not loiter or park on recreation path bridges or in underpasses;

(d) Pedestrians should be given due consideration and reasonable right-of-way by other users of the recreation paths to ensure safe passage;

(e) An audible warning shall be given by operators of motorized carts and other users of the recreation paths, such as bicyclists and skaters, when approaching pedestrians from the rear;

(f) All laws and ordinances relative to alcohol and the use thereof, including open container laws, apply to the recreation paths.

Section 10-46. Liability.

Each person using the recreation paths is liable for his or her own actions.

Section 10-47. Penalties.

Any person who violates the terms of this article shall be punished as provided in Section 1-8 of the Fayette County Code.

SO ENACTED this 27th day of April, 1995.

BOARD OF COMMISSIONERS OF
FAYETTE COUNTY

By: _____
RICK PRICE, Chairman

ATTEST:

Linda Rizzotto
LINDA RIZZOTTO, Deputy Clerk

STREETS AUTHORIZED FOR MOTORIZED CART USE – PAGE 1 OF 4		
SUBDIVISION	**STREETS**	**DATE APPROVED**
Jefferson Woods	Glenwood Chase	05/17/95
	Glenfare Trace	
	Jefferson Woods Drive	
	Mockingbird Trail	
	Monarch Drive	
	West Creek Court	
Woodcreek	Cadencia Court	05/17/95
	Cheshire Chase	
	Oak Shadow	
	Streamview Circle	
	Strickland Court	
	Stonehaven Drive	
	Wellborn Chase	
	Weston Way	
	Woodcreek Lane	
New Haven	Newhaven Drive	08/04/04
	Conservatory Point	
	Southgate Drive	
Timberlake – The Shores	Iverness Shores Drive	08/04/04
	Tall Timbers Court	
	Briarmeadow Court	
	Woodberry Place	
Timberlake – Wood's Edge	Brown's Crossing Drive	08/04/04
	Woodmere Lane	
	Spring Mist Drive	
Timberlake – Creekview	Woodleigh Drive	08/04/04
	Longmead Drive	
	Stonebriar Lane	
The Chimneys	Lodge Trail	08/04/04
	Hearthstone Lane	
	Covey Crossing	
	Grouse Point	
MillPond Manor	Manor Drive	08/04/04
	Gristmill Drive	
	Driftwood Trail	
	Millstone Drive	
	Edinburgh Court	
	Watergate Cove	
Annelise Park	Annelise Park Drive	12/15/05
	Kirby Lane	
	Vinings Walk	

STREETS AUTHORIZED FOR MOTORIZED CART USE – PAGE 2 OF 4		
SUBDIVISION	**STREETS**	**DATE APPROVED**
Horsemen's Run	Horsemens Run	03/01/06
	Housman Drive	
	Denton Circle	
	Compton Drive	
	Hancock Court	
	Summerfield Place	
	Reynolds Place	
	Osborne Court	
	Addison Drive	
	Fitzgerald Lane	
Platinum Ridge	Diamond Pointe	07/13/06
	Platinum Ridge Point	
Autumn Lake Estates	Village Lake Court	07/13/06
	Autumn Lake Court	
Oakley Estates	Riveroak Drive	07/13/06
Vickery Lane	Vickery Lane	08/10/06
	Kyle Court	
	Waters Way	
	Tranquil Court	
Highgrove	Ashborough Park	09/06/06
	Burbury Close	
	Brisbane Court	
	Colony Point	
	Cottonmill Court	
	Coventry Court	
	Dresden Place	
	Glen Grove	
	Highgrove Drive	
	Meeting House Road	
	Old Ivy	
	Old Valley Point	
	Pleasant Hill	
	St. Charles Place	
	Suffolk Place	
	Tarragon Drive	
	Trotters Ridge	
	Whitegate Drive	
	Paved portion of Quarters Road from the intersection of Redwine Road to the west corner of Lots 63C and 70C	

STREETS AUTHORIZED FOR MOTORIZED CART USE – PAGE 3 OF 4		
SUBDIVISION	**STREETS**	**DATE APPROVED**
Brechin Park	Brechin Drive	09/28/06
	Bontura Drive	
	Bramlet Court	
	Fenhurst Point	
	Densmorr Ridge	
The Landings/Fayette Village, Unit One	Twin Branch Walk	10/26/06
	Old Mill Crossing	
	Old Mill Point	
	Old Plantation Way	
	Old Magnolia Lane	
	Golden Glen Way	
	Oak Ridge Drive	
	Cedar Lane	
	Aspen Way	
Rebecca Lakes	Youngs Circle	11/01/06
	McElwaney Way	
	Rebecca Court	
	Whippoorwill Way	
	Moonview Place	
	Jaysee Court	
WaterLace	Silver Lake Way	12/14/06
	Bluewater Point	
	Row boat Court	
	Discovery Lake Drive	
	Crescent Creek Court	
	Marsh Landing	
	Reflections Point	
	Summer Lake Court	
	Lapis Lake Point	
	Dockside Drive	
	Covebreeze Court	
	Topsail Court	
	Watercolor Drive	
	Quiet View Court	
	Windsail Way	
	Freshwater Court	
	WaterLace Way	
	Mistwater Close	
	Cattail Court	
	Flyfisher Lane	
	Blue Point Drive	

STREETS AUTHORIZED FOR MOTORIZED CART USE – PAGE 4 OF 4		
SUBDIVISION	**STREETS**	**DATE APPROVED**
	Canoe Cove	
	Little Cove Court	
	Butterfly Pointe	
	Huiet Drive (within the subdivision – Lot 192 and Lot 316 south side and Lot 319 west side)	
Mountbrook	Nesmith Court	04/26/07
	Sheridan Court	
	Wilcox Court	
	Mountain's Edge	
	Swain's Drive	
Updated 04/27/07		