



Exhibit B

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: December 6, 2023

Agenda Item No.

Agenda Title: Follow-up Discussion on Gravel Driveways in Residential Areas.

[] SPECIAL PRESENTATION/REPORTS [] CONSENT AGENDA
[] BOARD APPOINTMENT [X] OLD BUSINESS
[] ORDINANCE ON 1st READING
[] NEW BUSINESS
[] OTHER: _____

Bambi McKibbon-Turner

Approved by Town Manager _____

Date: _____

Digitally signed by Bambi McKibbon-Turner
DN: cn=Bambi McKibbon-Turner, o=Town of Lake Park,
ou=Assistant Town Manager/Human Resources Director,
email=btturner@lakeparkflorida.gov, c=US
Date: 2023.11.30 15:45:09 -05'00'

Nadia Di Tommaso / Community Development Director

Name/Title

Originating Department: Town Manager/Community Development	Costs: \$ N/A at this time. Funding Source: Acct. # [] Finance _____	Attachments:
Advertised: Date: _____ Paper: _____ [X] Not Required	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ OR Not applicable in this case <i>N/D</i> Please initial one.

Summary Explanation/Background:

At the July 5, 2023 meeting, the Town Commission discussed gravel driveways since several properties in Town with non-conforming gravel driveways were cited to bring their driveways into compliance with Town Code requirements. These properties have been granted extensions by Code Compliance on their pending code violations. Some of these property owners approached Commissioners with concerns. It was requested that Staff look into the possibility of allowing gravel driveways in single-family districts on a permanent basis to satisfy **permanent, long-term** driveway needs. The Town Planner researched the regulations in neighboring municipalities and provided the following:

Palm Beach Gardens – Gravel is not allowed on a permanent long-term basis as a primary material, but may be allowed on a temporary basis under certain special circumstances.

North Palm Beach – Gravel is generally not allowed as a primary material on a permanent long-term basis, but there is an opportunity to have the City's Engineer review an application on a case-by-case basis.

Riviera Beach – Gravel is not allowed as a primary material on a permanent long-term basis.

Juno Beach – Gravel is generally not allowed as a primary material on a permanent long-term basis, but there is an opportunity to have the City's Engineer review an application on a case-by-case basis.

Jupiter – Gravel is not allowed as a primary material on a permanent long-term basis.

Boca Raton – Gravel is not allowed as a primary material on a permanent long-term basis.

Delray Beach – Gravel is generally not allowed as a primary material on a permanent long-term basis, but there is an opportunity to have the City's Engineer review an application on a case-by-case basis.

In light of the fact that some of the municipal codes that were researched allow for some discretion by the municipality's Engineer, the Town reached out to our consulting Engineer, Adam Swaney with Engenuity. Mr. Swaney will also be present to answer any questions the Town Commission may have. Mr. Swaney provided the following determinations based on the Town's existing Code regulations:

(Existing) Town Code Section 78-142. Off-street parking and loading.

(c) Off-street parking.

(10) Construction and design of parking areas

f. **Paving standards.**

1. Reviewed and approved by community development department. The proposed grading and construction of the off-street parking facilities shall be approved by the community development director.

2. **Materials and methods.** Unless otherwise provided in this subsection (c)(10)f, all vehicular use areas and specialized vehicular use areas shall be improved either with:

i. **A minimum of six-inch shellrock or limerock base with a one-inch hotplant mix asphaltic concrete surface; or**

ii. **A base and surface material of equivalent durability. (added Staff emphasis: see below for Engineer's determination for applicability/enforcement purposes)**

3. **Maintenance of paved vehicular use areas.** All vehicular use areas or specialized vehicular use areas shall be maintained in good condition to prevent any hazards such as cracked asphalt or potholes.

Engineer Determination on “surface material of equivalent durability”:

Commercial:

- Load bearing paver brick with proper thicknesses of base and sand bed.
- Concrete of sufficient thickness with reinforcement steel or fiber.
- 1-1/2 Asphalt with minimum 8” thick rock base if driven over by delivery trucks and garbage trucks.
- 1-1/2” Asphalt with minimum 6” thick asphalt base.
- Turf block might be acceptable in limited areas such as overflow parking.

Residential:

Stay with concrete, asphalt or paver brick. No gravel (gravel is not of equivalent maintenance or durability).

- ➔ Crushed concrete serves the same purpose as rock base. Crushed concrete needs to be covered with asphalt, the thickness depends on the use.

Crushed concrete may also serve as a base for paver brick.

- ➔ Crushed asphalt cannot be contoured or graded as accurately as crushed concrete and is not recommended for any use requiring a nice finish.

In addition, in consultation with the Town Attorney, some additional concerns were raised. Gravel presents aesthetic concerns in a community. Gravel driveways and dirt roads may be appropriate for rural areas, but not for an “urbanized” area. Allowing gravel driveways can depress property values, and will likely cause prospective purchasers to consider other areas. This could then make it very difficult to enforce any kind of code standards regarding the maintenance of gravel driveways. In addition, allowing gravel driveways would be a regressive action to the Town’s desire to become a more attractive community and to attract millennials, families, and others to it.

Finally, the Town Attorney also provided some legal advice regarding the possibility of modifying our Town Ordinance to allow for gravel driveways instead of concrete, asphalt or paver brick, due to pending code compliance cases. This further included the following:

“Given that there have been citations, this process is really in the hands of the Code Magistrate. (This is sort of a “separation of powers” situation). If the Commission wants to forbear on the enforcement of the town code because of property owners who are not in compliance, then the Commission must direct the Town Manager to direct his staff **not to** enforce the code. If the Commission wants those property owners who are currently violating the code to be relieved of the obligation of complying with the code, it will then need to decide to change the code and allow gravel driveways. *Staff will then bring forward such an Ordinance.* Such an approach seems counterproductive to code enforcement in general because going forward whenever someone is cited, they will know that they simply need to ask a commissioner to sponsor a change to the code so that they can become compliant.

Recommended Motion: Discussion for possible direction on how to proceed. Staff, the Town’s consulting Engineer and Town Attorney recommend that the Code remain as-is and that gravel is not permitted as a permanent long-term driveway surface for residential areas.