

ORDINANCE 0-25-06

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, PERTAINING TO CHAPTER 26, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES; AMENDING SECTION 6, USE OF AND/OR CONSTRUCTION OF RESIDENTIAL DRIVEWAY APRONS WITHIN TOWN RIGHTS-OF-WAY; REQUIRING THE USE OF CERTAIN CURBING STANDARDS OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE HAMILTON; DECLARING THIS ORDINANCE IS INTENDED TO SECURE AND PROMOTE THE PUBLIC HEALTH, SAFETY, WELFARE AND QUALITY OF LIFE OF THE PUBLIC; INCLUDING A STANDARD PROHIBITING PAVERS WITHIN THE TOWNS RIGHT-OF-WAY; PROVIDING FOR A WAIVER PROCESS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Whereas, Section 163.3167(c) Florida Statutes, empowers the Town to adopt land development regulations to guide the growth and development of the Town, and to amend such regulations from time to time; and

Whereas, the Town Council of the Town of Lake Hamilton has determined it necessary and desirable to revise and amend the regulations encompassed by the Land Development Code of the Town relating to streets, sidewalks, and other public spaces; and

Whereas, pursuant to Section 166.041(c)2 Florida Statutes, the Town Council has held two public hearings to amend the Land Development Code of the Town of Lake Hamilton; and

Whereas, the public hearings were advertised and held with due public notice to obtain public comment; and having considered all written and oral comments received during the public hearings the Town Council finds that the changes are necessary and appropriate to the needs of the Town

**NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN
OF LAKE HAMILTON, FLORIDA, AS FOLLOWS:**

1. Chapter 26, Streets, Sidewalks, and other Public Spaces is hereby amended and shall read as shown in Exhibit "A" attached hereto and made a part hereof.
2. All ordinances in conflict herewith are repealed to the extent necessary to give this ordinance full force and effect.
3. Should any section, paragraph, clause, sentence, item, word or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part hereof, not so declared to be invalid.
4. It is the intent of the Town Council that the provisions of Exhibit "A" to this Ordinance shall become codified and made a part of the Code of Ordinances of the Town of Lake Hamilton, Florida, and the sections cited in this Ordinance and set forth in Exhibit "A" hereto may be renumbered, reformatted or re-lettered to accomplish such intention.
5. This Ordinance shall take effect immediately upon its adoption by the Town of Lake Hamilton, Florida.

INTRODUCED AND PASSED on first reading at the regular meeting of the Town Council of Lake Hamilton, Florida, held this ____ day of _____ 2025.

PASSED AND ADOPTED on second reading at the Regular meeting of the Town Council of Lake Hamilton, Florida, held this ____ day of _____ 2025.

TOWN OF LAKE HAMILTON, FLORIDA

Phyllis Hall, Mayor

Attest with Seal:

Jacqueline Borja, Town Clerk

Approved as to Form:

Anthony Sabatini, Town Attorney

Record of Vote	Yes	No
Hall	_____	_____
Roberson	_____	_____
Mathis	_____	_____
Slavin	_____	_____
Demanche	_____	_____

ORDINANCE 0-25-06
Exhibit "A"

Chapter 26, Streets, Sidewalks, and other Public Spaces.

Sec. 26-1. Curb cuts.

(A) Regulations. In order to promote the safety of motorists and pedestrians, and to minimize traffic congestion and conflict by reducing the potential points of contact, the following regulations shall apply:

(1) Residential driveways intended for vehicular use to and/or from a public street shall not exceed 24 feet in width, nor be less than ten feet, at the right-of-way line, or 3 feet from any side property line, except as may otherwise be provided. An accessory parking pad max width is 10 feet.

(a) Surface Materials: New residential driveways and parking areas shall be constructed of asphalt, ornamental pavers, or concrete and shall be maintained as a durable, dust free surface at all times. Driveway aprons constructed within the Town's Right of Way shall be constructed of concrete. Ornamental pavers are prohibited. If an existing driveway apron needs to be replaced, it will be replaced with concrete, at the discretion of the Town's Public Works Director.

(2) The maximum number of curb cuts on to private property permitted onto any publicly or privately maintained street shall be:

Lot Width of Abutting Street	Number of Cuts
Less than 60 feet	1
60 feet to 150 feet	2
Over 150 feet	2, plus 1 for each additional 60 feet

(3) No curb cut or driveway apron shall be permitted nearer than 30 feet to any intersecting street curb or the proposed location of an intersecting street curb.

(4) There shall be a minimum of 20 feet between any two curb cuts on the same street and the same property. There shall be a minimum of ten feet between curb cuts at the property line on adjoining properties in commercial districts.

(B) Permit. No curb cut shall be made, nor any driveway apron placed until a permit has been applied for and issued by the Building Department. An applicant shall submit with his application any and all necessary drawings and descriptive material showing not less than the location, width, number, shape, thickness, material, and elevations of grade at the property line and at each end of the curb cut or apron, in sufficient detail and accuracy that the building inspector may determine that these and any other legal requirements of the town are, or are not, met. No curb cut or apron shall be permitted which will permit surface

drainage to run from a public right-of-way onto private property unless a public utility or drainage easement exists or is provided.

(C) New residential subdivisions (excluding townhomes) require Type "F" curb. (as detailed in FDOT Design Standards) The Public Works Director, at their discretion, may allow alternative designs based on sound engineering principles and as may be necessary to protect the public health, safety, and welfare.