

**CITY OF LIGHTHOUSE POINT  
FLORIDA**

**ORDINANCE NO. 2016 – 0942**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, AMENDING CHAPTER 42, “LAND DEVELOPMENT CODE”, ARTICLE IV, “ZONING”, DIVISION 5, “SUPPLEMENTAL REGULATIONS AND REQUIREMENTS FOR SPECIFIC USES”, SECTION 42-378, ENTITLED “BOAT DAVITS, LIFTS, ELEVATORS, AND RAMPS”, OF THE CITY OF LIGHTHOUSE POINT CODE OF ORDINANCES TO PROVIDE FOR THE ENFORCEMENT OF SETBACK REQUIREMENTS, PREVENTION OF NAVIGATION HAZARDS, AND TO PROHIBIT CERTAIN STRUCTURES ON FLOATING VESSEL PLATFORMS AND FLOATING BOAT LIFTS, BOAT DAVITS, LIFTS, AND ELEVATORS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 403.813, Florida Statutes, permits the City to ensure compliance with City’s zoning regulations that are no more stringent than the State’s general permit requirements for floating vessel platforms and floating boat lifts; and,

**WHEREAS**, the City Administration, as well as the City’s Marine Advisory Board, has evaluated the need for enforcing the City’s zoning regulations as it relates to floating vessel platforms, and floating boat lifts, and finds that the proliferation of floating vessel platforms, and floating boat lifts, pose a navigational hazard and create visual blight; and,

**WHEREAS**, the City Commission finds that by requiring floating vessel platforms and floating boat lifts to comply with the City’s setback requirements, prohibiting awnings, bimini tops, dodgers or other similar structures on boat davits, lifts, elevators, ramps, floating vessel platforms, and floating boat lifts will benefit the health, safety and welfare of the citizens and residents of the City of Lighthouse Point.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, THAT:**

**Section 1.** The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and incorporated herein by this reference.

**Section 2.** Chapter 42 of the City of Lighthouse Point Code of Ordinances entitled “Land Development Code,” Article IV, “Zoning,” Division 5, “Supplemental Regulations and Requirements for Specific Uses,” Section 42-378, entitled “Boat davits, lifts, elevators, and ramps” is hereby amended to read as follows:

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Sec. 42-378. - Boat davits, lifts, elevators, ~~and~~ ramps: floating vessel platforms and floating boat lifts.

In all waterfront residential lots boat davits, lifts, ~~and~~ elevators, floating vessel platforms, and floating boat lifts shall not be constructed on nor supported by the seawall cap and:

- (1) Boat lifts installed on all canals and waterways of the city which are supported from the landward side of the lift and boat davits shall maintain the residential structure side yard setback from the side property lot line. No boat shall be docked or placed on a lift in such position that it extends beyond the side yard lot line.
- (2) Boat elevators installed in all canals and waterways of the city shall set back a minimum of 25 feet from the side yard lot line. It shall be unlawful to place a boat elevator within 25 feet of the centerline of such waterway or canal nor more than 25 feet from the lot line.
- (3) Boat ramps are not permitted in any residential zone of the city.
- (4) Floating vessel platforms and floating boat lifts shall have the same meaning as set forth in §403.813(1)(s), Florida Statutes. Floating vessel platforms and floating boat lifts shall comply with the residential side setback requirement. No floating vessel platform or floating boat lift shall be placed within twenty five (25) feet of the centerline of a waterway or canal, or from the lot line.
- (5) Awnings, roofs, bimini tops, or other similar structures are not permitted on boat davits, lifts, elevators, floating vessel platforms, and floating boat lifts.

**Section 3. Conflict.** All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

**Section 4. Severability.** If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

**Section 5. Codification.** It is the intention of the City Commission of the City of Lighthouse Point that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lighthouse Point, Florida, that the Sections of this ordinance may be

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renumbered, re-lettered, and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

**Section 6. Effective Date.** This Ordinance shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, ON THE FIRST READING, THIS 23<sup>rd</sup> DAY OF AUGUST, 2016.**

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, ON THE SECOND AND FINAL READING, THIS 12<sup>th</sup> DAY OF SEPTEMBER, 2016.**

BY: \_\_\_\_\_  
Kyle Van Buskirk, Commission President

ATTEST:

\_\_\_\_\_  
Jennifer M. Oh, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Office of the City Attorney

	Yes	No	Absent
Commission President Kyle Van Buskirk	_____	_____	_____
Commissioner Vice President Sandy Johnson	_____	_____	_____
Commissioner Jason D. Joffe	_____	_____	_____
Commissioner Michael S. Long	_____	_____	_____
Commissioner Earl Maucker	_____	_____	_____

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