

**CITY OF LIGHTHOUSE POINT  
FLORIDA**

**ORDINANCE NO. 2017 – 0949**

**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 REVISIONS TO THE REQUIRED SETBACK FOR BOAT ELEVATORS, FLOATING VESSEL PLATFORMS, AND FLOATING BOATS LIFTS FROM THE CENTERLINE OF WATERWAYS OR CANALS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Administration, as well as the City's Marine Advisory Board, has evaluated the need for clarifying the City's zoning regulations as it relates to the location of boat elevators, floating vessel platforms, and floating boat lifts as the location of the equipment relates to the centerline of the adjacent canal or waterway; and,

**WHEREAS**, the City Commission finds that amending the specified minimum distance from the centerline of the adjacent canal or waterway for boat elevators, floating vessel platforms, and floating boat lifts so that the minimum distance is consistent with the regulations for pilings in waterways 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:

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

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In all waterfront residential lots boat davits, lifts, 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. For a waterway or canal that is 100 feet or more in width, boat elevators shall be placed at least 25 feet from the centerline of the waterway. For a waterway or canal that is less than 100 feet in width, boat elevators shall be placed at least 20 feet from the centerline of the canal or waterway. 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 F.S. § 403.813(1)(s). Floating vessel platforms and floating boat lifts shall comply with the residential side setback requirement. For a waterway or canal that is 100 feet or more in width, floating vessel platforms and floating boat lifts shall be placed at least 25 feet from the centerline of the waterway. For a waterway or canal that is less than 100 feet in width, floating vessel platforms and floating boat lifts shall be placed at least 20 feet from the centerline of the canal or waterway. No floating vessel platform or floating boat lift shall be placed within 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.

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**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 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 22<sup>nd</sup> DAY OF AUGUST, 2017.**

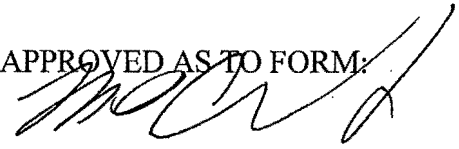
**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, ON THE SECOND AND FINAL READING, THIS 13th DAY OF September, 2017.**

BY:   
Jason D. Joffe, Commission Vice President

ATTEST:

  
Jennifer M. Oh, City Clerk

APPROVED AS TO FORM:

  
Office of the City Attorney



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

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