
Sec. 94-313. - Docks.

- a. Properties possessing contiguous or non-contiguous riparian rights are permitted to construct a dock, provided each of the standards required by this section are met. In the event a property owner cannot meet each of the required standards found in subsections (3) and (4) below, the applicant may submit an application for a Class A special use permit, for review by the city commission. Docks associated with a commercial marina shall be regulated by the provisions of subsection 94-273(d)(44.1) of this chapter.
 1. *Applicable locations.* Docks may be permitted in all zoning districts within the city limits.
 2. *Additional application requirements.* Upon submittal of an application for a building permit, two copies of each of the following documents shall be provided with the application. In addition, docks necessitating a Class A special use permit shall provide such additional documents or materials in such quantities required by the city's development application.
 - a. Proof that the applicant is the owner of the property and the holder of the riparian rights;
 - b. Construction plans prepared by and under the seal of a Florida registered professional engineer, architect or landscape architect;
 - c. A site plan drawn to scale sufficient to represent all elements of the proposed dock and of the riparian property from which the dock will project, and of the adjacent properties on both sides thereof;
 - d. A cross section showing all elements of the proposed dock, the bottom of the waterway, as well as the mean high waterline and mean low waterline.
 - e. Valid written approval of the proposed dock by the Florida Department of Environmental Protection (DEP), the U.S. Army Corps of Engineers (the Corps) and/or the South Florida Water Management District (SFWMD) is required unless prohibited by general law. Such written approvals shall contain the date on which the proposed dock was approved.
 3. *Standards applicable to all docks.*
 - a. *Governmental requirements.* Docks shall comply with all applicable federal, state, and local requirements.
 - b. *Environment.* Marine grasses, ethnic communities, aquatic preserves, manatee sanctuaries, and important estuarine or ecological features shall not be affected significantly by the proposed dock construction. Docks shall not constrict water circulation in Lake Worth.
 - c. *No hazard or intrusion.* Dock location or design shall not create a hazard to navigation, shall not impede the flow of water; shall not damage or endanger environmentally sensitive areas; and may not contribute to pollution. Construction of the proposed dock shall not intrude upon the riparian rights of others, including rights vested to the public.
 - d. *Noncommercial use.* Docks shall not be used for any commercial purpose. A commercial purpose includes but is not limited to providing access to any commercial enterprise, docking a boat for a fee, fishing ventures for a fee, marine salvage ventures, teaching or training of any marine-related activity such as boating, fishing or diving, and the sale of marine-related products, such as gasoline and oil, boat equipment, fishing equipment, and diving equipment.
 - e. *Impact on neighbors.* Construction of the proposed dock shall not intrude upon the riparian rights of adjacent properties.
 - f. *Number of docks.* A maximum of one dock is permitted per lot. However, if two or more adjacent single family residential lots with existing docks are combined, a maximum of two docks may be preserved. Said adjacent single family residential lots must each contain a minimum of 75 feet in width.
 - g. *Mooring slips.* The maximum number of mooring slips shall be limited to the following, and must comply with the length, width, location, setback and all other requirements of this section:

MAXIMUM # OF MOORING SLIPS				
SINGLE FAMILY (SF) ZONING DISTRICTS	MULTIFAMILY (MF) ZONING DISTRICTS	ALL OTHER ZONING DISTRICTS (I.E. COMMERCIAL DISTRICTS, MIXED USE DISTRICTS, PLANNED DEVELOPMENTS, ETC.)		
		USE OF THE PROPERTY		
		ENTIRELY RESIDENTIAL	ENTIRELY COMMERCIAL	MIXED-USE
2 (1)	1 slip per 4 dwelling units for the first 60 units (or fraction thereof), and 1 additional slip for each 25 dwelling units more than 60 (or fraction thereof)	1 slip per 4 dwelling units for the first 60 units (or fraction thereof), and 1 additional slip for each 25 dwelling units more than 60 (or fraction thereof)	2	1 slip for non- residential, and 1 slip per 4 dwelling units for the first 60 units (or fraction thereof), and 1 additional slip for each 25 dwelling units more than 60 (or fraction thereof)
NOTES:				
1. A homeowner's association located in a single family residential zoning district possessing riparian rights prior to January 1, 1987, with a dock not exceeding 100 feet in length, may have two mooring slips for each lot contiguous to the riparian property.				

- i. All mooring slips shall be provided with appropriate connections for potable water and electrical service.
- ii. Docks containing four or more mooring slips shall provide sanitary sewer pump out facilities on the following basis: one sanitary sewer pump out receptacle for every eight mooring slips or fraction thereof, or appropriate connections to each mooring slip.
- h. *Location and setbacks.* Docks, "tees," dolphins, pilings, boatlifts, and other mooring-related facilities shall be constructed within the middle one-third of the lot on which a dock is constructed, as extended into the waterway. No watercraft shall be docked or anchored in a position, or be of such length, that causes it to extend beyond the side setback lines required for principal structures on such property, as extended into the waterway.
- i. *Length.* Dock length shall be measured from the mean high waterline, or the bulkhead, to the furthestmost point of the dock, finger pier, or terminal platform (excluding dolphins, pilings, and other mooring related facilities).
 - i. Maximum dock length shall not exceed the minimum dock length approved by the Department of Environmental Protection (DEP), the Army Corps of Engineers (the Corps) and/or the South Florida Water Management District (SFWMD), based on the minimum water depth necessary to moor the vessels at low tide and minimum length to clear existing sea grass beds, up to a maximum of 100 feet.
 - ii. Docks located along the northern bank of the West Palm Beach Canal, east of Dixie Highway, shall not exceed 40 feet in length.
 - iii. The city commission may, by approval of a Class A special use permit, authorize a length greater than that permitted by subsections (i.) and (ii). above to reasonably accommodate the allowed number of boat slips, avoid damage to the marine environment, avoid extensive dredging of the lake bottom, or permit full use and enjoyment of the dock.

- j. *Width.* The maximum width of a dock shall not exceed ten feet. Finger piers and terminal platforms which are generally perpendicular to the dock and parallel to the seawall, bulkhead, or riparian property line may be greater than ten feet in width (measured parallel to dock) provided that they remain within the middle one-third of the property and do not exceed ten feet in length (measured perpendicular to dock).
 - k. *Height.* With the exception of security fences, boat lifts, and mooring devices, no buildings or structures shall be constructed on the proposed dock and no portion of a dock shall extend above the top surface of the bulkhead to which it is affixed, if any. Dolphins may extend to a reasonable height to provide safe mooring of a boat.
 - l. *Ladder.* At least one ladder shall be provided for each dock, extending from the dock surface to two feet below the mean low waterline.
 - m. *Signs.* No dock shall contain an advertising sign.
 - n. *Gas.* No gasoline storage is allowed on docks.
 - o. *Street address.* All docks shall have water-resistant reflective numerals corresponding to the street address of the upland property and shall be visible from the waterway.
 - p. *Lighting.* Artificial lighting may be installed on a dock for security or safety but shall not light surrounding properties. Blinking or intermittent lights are prohibited.
 - q. *Boat lifts.* Boat lifts shall be designed by a registered professional engineer. All boat lifts shall be designed in accordance with current electrical codes and in compliance with all manufacturers' specifications.
 - r. *Dolphins.* All dolphins shall have a reflectorized band of at least five inches in width located approximately 24 inches from the top of dolphin. Reflector tape shall be formulated for marine use and be of an iridescent silver color.
4. *Additional standards for docks located on properties possessing noncontiguous riparian rights.*
- a. *Fences.* A security fence may be constructed on a dock to consist of rails and stiles which do not exceed one and one-quarter inches in cross sections and which are placed no closer than three inches and no further than four inches on center. Security fences may be constructed of aluminum, wrought iron, steel, or other similar metal. Chain link fencing shall be prohibited.
 - b. *Steps.* As necessary, steps may be constructed on the upland side of the seawall in order to provide access over the seawall to the dock. Such steps shall:
 - i. Be constructed in accordance with the minimum requirements of the Florida Building Code; and
 - ii. Shall be constructed of concrete or stone; and
 - iii. Shall not contain a handrail unless otherwise required by the Florida Building Code.

(Ord. No. 4492-13, § 2, 1-21-2014; Ord. No. 4511-14, § 1, 4-28-2014; Ord. No. 4609-15, § 3, 1-19-2016; Ord. No. 4660-16, § 9, 12-5-2016; Ord. No. 4862-19, § 3, 08-26-2019; Ord. No. 4935-21, § 3, 03-22-2021)

Editor's note— See editor's note for § 94-310.