

ORDINANCE NO. 22/4

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF GULF STREAM, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 66, ZONING; ARTICLE VIII, SUPPLEMENTARY DISTRICT REGULATIONS; DIVISION 2, ACCESSORY STRUCTURES AND RECREATIONAL FACILITIES; SECTION 66-369, DOCKS; AND CHAPTER 70, GULF STREAM DESIGN MANUAL; ARTICLE V, AREAWIDE STANDARDS; DIVISION 4, GENERAL OUTDOOR LIGHTING STANDARDS; SECTION 70-169, STANDARDS; TO UPDATE THE TOWN CODE TO REFER TO THE MEASUREMENT OF BRIGHTNESS USING LUMENS INSTEAD OF THE OUTDATED STANDARD OF WATTS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Town Commission of the Town of Gulf Stream previously enacted reasonable regulations of lights by limiting the wattage of lights used in Town, and included different wattage limitations depending on the bulb type, such as differentiating between florescent, halogen or quartz; and

WHEREAS, lumens measure how much light is being emitted from a light bulb, without the need to differentiate bulb type; and

WHEREAS, the Town Commission finds that adjusting lighting regulations from the outdated standard of watt to a measurement of light using the lumen will benefit the health, safety, and welfare of the Town.

BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF GULF STREAM, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS

Section 1. The Code of Ordinances of the Town of Gulf Stream is hereby amended at Chapter 66, Zoning; Article VIII, Supplementary District Regulations; Division 2, Accessory Structures and Recreational Facilities; Section 66-369, Docks; to read as follows:

Sec. 66-369. - Docks.

In the single-family residential district, one dock per lot of record shall be permitted in accordance with the following:

- (1) *Site plan review required.* All new docks and significant alterations to existing docks shall require site plan review and approval.
- (2) *Permitted as accessory use.* Docks shall be permitted only as an accessory use to single-family dwellings for the exclusive use of the dwelling's occupants (residents and nonresident members of the occupant's family and resident guests at the dwelling). Docks shall not be permitted on vacant lots unless the vacant lot

is adjacent to a developed lot under the same ownership and a unity of title has been recorded.

- (3) *Prohibited uses.* Dockage of commercial vessels or rental of dock space exclusive of the dwelling and property shall be prohibited.
- (4) *Docking parallel to seawall only.* Docking of vessels shall be permitted in a manner so that the vessel is docked parallel to the seawall. Docking in any other manner is prohibited.
- (5) *Ancillary structures permitted.* Ancillary structures including handrails, steps, swim ladders and up to a maximum of four dolphins, a boat lift as described in paragraph (6) below, two water hookups, two electrical outlets in excess of 115 volts, two lights, and one dock box shall be permitted in accordance with the provisions of this chapter. Boathouses, fixed covers, fixed benches, fixed fish cleaning apparatus, fixed maintenance apparatus, fuel pumps, sewage pump-outs, flagpoles and diving platforms/boards shall be prohibited.
- (6) *Location and dimensions.*

* * *

- g. Light fixtures shall be installed in a manner that provides safe pedestrian circulation using low voltage lighting with a maximum ~~fifty watts~~ 600 lumens mounted no higher than three feet above the dock at a minimum spacing of ten feet on center. Lights are to be step, path or marine type fixtures. Fixtures must project downward at a minimum 45-degree angle from the horizontal plan tangent to the top of the light source fixture and allow no light spillage onto adjacent properties. No fixture shall be mounted to the seawall.

* * *

Section 2. The Code of Ordinances of the Town of Gulf Stream is hereby amended at Chapter 70, Gulf Stream Design Manual; Article V, Areawide Standards; Division 4, General Outdoor Lighting Standards; Section 70-169, Standards; to read as follows:

Sec. 70-169. - Standards.

- (a) *Preferred.*

Bronze, copper, or fiberglass material for in-ground applications

Fiberglass or aluminum lamp posts with fixtures not exceeding eight inches height

Fluorescent luminaries not exceeding ~~100-watts~~ 1600 lumens

Ground directed lighting for steps, paths, and docks ~~between 20—50 watts~~ no greater than 600 lumens

Incandescent luminaries not exceeding ~~100-watts~~ 1600 lumens

Lens diffuser to reduce brightness and evenly distribute light

Low voltage lighting

Luminary "shields" or louvers to control and direct illumination

Motion sensor detector for security and safety

Phosphorous coated luminaries used in fixtures with clear glass

Photo-eye sensor

Post luminaries with ~~30 to 75-watt~~ 300 to 1100 lumen incandescent or florescent luminaries

UL rated and waterproof fixtures

(b) *Prohibited.*

Cast iron hardware/fixtures (deterioration)

Flood lights on front or side of residence (except security lights w/motion sensor)

Multi-socket spot lights

Wall pack (except back)

Colored lights and lenses (except yellow insect lights, holiday or temporary plug-in lights)

Exposed luminaries

~~Any light exceeding 1600 lumens~~

~~Halogen and quartz over 75 watt~~

High pressure sodium and low pressure sodium luminaries *

~~Incandescent and florescent luminaries exceeding 100 watts~~

~~Metal halide and mercury vapor over 75 watt~~

Post luminaries over ~~75 watts~~ 1100 lumens

* Low sodium luminaries may be used along beach front to protect sea turtles during nesting.

* * *

Section 3. All other provisions of Section 66-369 not amended in Section 1 above shall remain intact.

Section 4. All other provisions of Section 70-169 not amended in Section 2 above shall remain intact.

Section 5. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Gulf Stream, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 6. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Gulf Stream.

Section 7. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

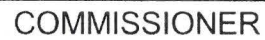
PASSED AND ADOPTED in a regular, adjourned session on the first reading this 10th day of March 2022, and for a second and final reading on this 8th day of April 2022.


MAYOR

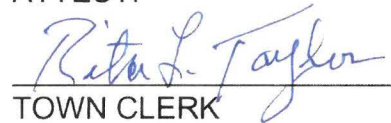

VICE MAYOR


COMMISSIONER


COMMISSIONER


COMMISSIONER

ATTEST:


TOWN CLERK