



TO: Honorable Mayor & Members
Fort Lauderdale City Commission

FROM: Lee Feldman, City Manager

DATE: June 4, 2013

TITLE: Ordinance – Amending Section 47-19.3, Boat Slips, docks, boat davits, hoists and similar mooring structures and 47-39.A.1.b.(12), Docks and moorings, of the Unified Land Development Regulations (ULDR)

Recommendation

It is recommended that the City Commission adopt an ordinance on second reading amending Section 47-19.3, Boat Slips, docks, boat davits, hoists and similar mooring structures and similar mooring structures and 47-39.A.1.b.(12), Docks and moorings, of the Unified Land Development Regulations (ULDR) to allow property located in the annexed area of Riverland Road of the City of Fort Lauderdale to apply for a waiver of limitations of the distance requirements for mooring structures (boat slips, docks, boat davits, hoists and other similar mooring structures not including mooring & dolphin piles) and mooring and dolphin piles to extend further into the waterway subject to City Commission review and approval.

Background

Current City of Fort Lauderdale Unified Land Development Regulations (ULDR) provides for a process by which the City Commission may approve a request for a waiver of limitations allowing mooring structures and mooring or dolphin piles to extend into the waterway a distance greater than is permitted by the ULDR. However, in the annexed area of Riverland Road, the ULDR includes language that is specific to this geographic location and that does not permit the City Commission to approve such a waiver request.

If an applicant wishes to move forward with such a request, an application to the Board of Adjustment (BOA) is presently the only alternative. The exclusion of this allowance appears to be an oversight as there appears to be no reason for not permitting a waiver of limitations application to be applied for in these specific annexed areas.

The current language states that mooring structures and mooring or dolphin piles may extend into the waterway subject to the following standards:

	Mooring Structures	Mooring & Dolphin Piles
City Areas (Excluding Annexed Areas)	25-feet or 25% of the waterway width (whichever is less)	25-feet or 30% of the waterway width (whichever is less)
Annexed Areas	5-feet	25-feet or 33% of the waterway width (whichever is less)

The ULDR allows the City Commission to waive the distance requirements, but to a distance no greater than 30% of the width of the waterway.

To address this issue staff is proposing an amendment to the ULDR that would allow a waiver of limitations to be applied for in the annexed area as can be applied for in all other areas of the City subject to the existing limitations.

On April 17, 2013, the PZB recommended approval of the proposed amendment to the City Commission by a vote of 9-0. Please see the PZB minutes attached as Exhibit 1 and the PZB staff report attached as Exhibit 2 for more information.

On May 21, 2013 the City Commission approved the ordinance on first reading to allow property located in the annexed area of Riverland Road of the City of Fort Lauderdale to apply for a waiver of limitations of the distance requirements for mooring structures (boat slips, docks, boat davits, hoists and other similar mooring structures not including mooring & dolphin piles) and mooring and dolphin piles to extend further into the waterway subject to City Commission review and approval.

To review the draft ordinance, please see Exhibit 3.

Resource Impact

There is no fiscal impact associated with this action.

Attachment(s)

Exhibit 1 – 04/17/13 PZB Minutes

Exhibit 2 – PZB Staff Report

Exhibit 3 – DRAFT Ordinance

Prepared By: Anthony Greg Fajardo, Zoning Administrator

Department Director: Greg Brewton, Sustainable Development