



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#24-0595

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Susan Grant, Acting City Manager

DATE: July 2, 2024

TITLE: Second Reading – Ordinance Amending the City of Fort Lauderdale
Chapter 8-144 Section 17, “Private Use of Public Property Abutting
Waterways” by Repealing Subsection (17) Thereof - **(Commission
Districts 1, 2, 3 and 4)**

Recommendation

Staff recommends the City Commission adopt an ordinance on second reading amending City Code Section 8-144(17), to repeal the limitations of its existing text. If approved, a re-numbering of the existing text of Code from Section 8-144(18) to (17) is required.

Background

City Code Section 8-143, entitled “Rights of City on Property Abutting Waterways” declares that whenever a public street is laid out or existing in the City abutting or touching a waterway open to the public, the City, as trustee for the public has and owns the riparian rights at such place and has the authority to regulate the construction of docks, public landings, piers or wharves at such public place.

Pursuant to City Code Section 8-143, on October 2, 2019, the City of Fort Lauderdale City Commission adopted Ordinance No. C-19-22 on second reading, which Ordinance revised City Code Section 8-144 entitled “Private Use of Public Property Abutting Waterways.”

Subsection 17 of City Ordinance No. C-19-22, established that where (a) a parcel abutting a street under City Code Section 8-143 and where (b) the parcel also had waterfrontage on the same parcel independent of City Code Section 8-143, that such parcels would no longer be eligible for dock permits under City Code Section 8-144 (17) after July 1, 2025 or after such date that the City raises the seawall with municipal funds, whichever is first.

Prior to the adoption of City Ordinance No. C-19-22, the ability for parcels described in (a) and (b) above to acquire dock permits under the pre-existing City Code Section 8-144 had no limitations regarding the acquisition of dock permits (i) after July 1, 2025, or (ii) such date as the City raises the public seawall with municipal funds, whichever is first.

At the March 5, 2024, Commission Meeting, the City Commission discussed the implications of Code Section 8-144(17), and the merits of repealing its associated restrictive language. Staff was directed to present an amendment repealing 8-144(17).

Suggested Revisions to Chapter 8, Section (17) are attached as Exhibit 2.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a 2024 Commission Priority, advancing the Public Places initiative.

This item supports the *Press Play Fort Lauderdale 2029* Strategic Plan, specifically advancing:

- The Public Places Focus Area
- Goal 5: Build a beautiful and welcoming community.

This item advances the *Fast Forward Fort Lauderdale 2035* Vision Plan: We Are Here

This item supports the Advance Fort Lauderdale 2040 Comprehensive Plan specifically advancing:

- The Public Places Focus Area
- The Parks, Recreation & Open Space Element

Attachment

Exhibit 1 – Ordinance

Prepared by: Andrew Cuba, Marina and Parks Manager

Director: Carl Williams, Parks and Recreation Department