



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

#26-0111

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

FROM: Rickelle Williams, City Manager

DATE: January 20, 2026

TITLE: First Reading – Ordinance Amending City of Fort Lauderdale Code of Ordinances – Chapter 5, Article II – Licensed Establishments and Article III - Special Entertainment Overlay District, to Amend the Hours Prohibited for the Sales, Consumption, and Service of Alcoholic Beverages and to Prohibit Off-Premises Alcohol Consumption in Special Entertainment Overlay Districts – **(Commission Districts 2 and 4)**

Recommendation

Staff recommends the City Commission adopt an ordinance amending the City's Code of Ordinances – Chapter 5, Article II – Licensed Establishments and Article III, Special Entertainment Overlay District, to amend the hours prohibited for the sales, consumption, and service of alcoholic beverages and prohibit off-premises alcohol consumption in Special Entertainment Overlay Districts.

To the extent the City Commission desires not to impact all the Special Entertainment Overlay Districts, via the proposed ordinance amendment, other remedies should be explored including, but not limited to, Special Entertainment District decertification, and/or establishment of criteria and thresholds by which the City Manager may administratively revoke some or all privileges afforded to an SED, subject to review by the City Commission.

Background

Special Entertainment Overlay District Overview

Special entertainment overlay district regulations were established by the City in the 1990s to, in part, promote development, incentivize redevelopment, and encourage the location of entertainment, retail and restaurant uses within a limited defined area for more efficient and effective public safety enforcement. To be eligible for designation as a special entertainment district (SED), minimum criteria including:

- Located on a property identified as a Regional Activity Center;
- Consist of a minimum of two (2) acres of land;
- Contain property which is under common ownership, common control, or both, by a SED representative;

- Meet a minimum of fifty thousand (50,000) square feet of floor area that is under common ownership or common control;
- Include a mix of uses that includes restaurants, entertainment facilities, and retail;
- Establishments selling or servicing alcoholic beverages must be permitted and operating in compliance with laws governing the sale and consumption of alcoholic beverages; and
- Adequate security must be provided as approved by the City Manager based on the number and type of business establishments, size of the SED, square footage of the pedestrian walkway and the maximum capacity of the facilities within the district.
- Upon written notice to the City Manager, one (1) or more establishments may be designated by the SED representative to be able to sell alcohol until 4:00 am (this allows the City to have discretion on which establishments within an SED are permitted late night alcohol sales).

Five (5) SEDs were established based on the minimum criteria and continue to exist today which include the following areas that are shown on the Location Map provided as Exhibit 1.

- 111 Properties – Multiple establishments along Himmarshee Street (SW 2 Street) between SW 2 Avenue and SW 4 Avenue
- Beach Place – Hotel and entertainment complex at 17 S Fort Lauderdale Beach Boulevard
- Historic Brickell – Wharf and Society Las Olas
- McCrory Building – Multiple establishments bounded by W Las Olas Boulevard, SE 2 Street, S Andrews Avenue, and SW 1 Avenue
- Toomey – Multiple Establishments bounded by E Las Olas Boulevard, Poinsettia Street, S Atlantic Boulevard, and S State Road A1A

SEDs are afforded multiple incentives or benefits which are available if the SED chooses to take advantage of them. Incentives are:

- Ability to sell alcohol and consumption of alcohol until 4:00 am
- No distance separation requirement between establishments selling alcohol
- Outdoor sale of alcohol in addition to the sale of alcohol within permitted outdoor dining areas
- Open containers of alcohol within the boundary of the SED
- Increased decibel level and extended hours for noise

Himmarshee Village Special Entertainment District (111 Properties)

In October 2023, City staff began engaging stakeholders of the Himmarshee Village Entertainment District by having individual discussions with the District City Commissioner, business owners, residents, and community groups such as the Museum of Discovery and Science, the Broward Center for the Performing Arts, and the Downtown Development Authority. On November 13, 2023, the City of Fort Lauderdale formally kicked off the process with a public open house that eventually resulted in the Himmarshee Revitalization Plan. The open house attracted a diverse group of forty-seven (47)

stakeholders including business owners, representatives of community organizations, and residents. Through both efforts, City staff collected valuable information and input, evaluated existing conditions and regulations, and continued stakeholder engagement which led to the presentation of the Himmarshee Revitalization Plan (Exhibit 2) to the City Commission on March 5, 2024.

The Himmarshee Revitalization Plan outlines six (6) steps which are:

- Develop a comprehensive and data driven existing conditions analysis that assesses the regulatory framework, infrastructure, and land use context.
- Identify best practices or models for a special district governance or management structure.
- Develop streetscape design concept alternatives that incorporate enhanced design elements and provide expanded sidewalks to facilitate outdoor dining.
- Identify opportunities to enhance and revitalize Himmarshee Street and the Himmarshee (H-1) Village Historic District to allow compatible development.
- Conduct a market analysis to identify opportunities and understand the demand, feasibility, and potential for desired as well as expanded uses.
- Develop a public realm strategy that establishes common goals, priorities and provides guidance, and identifies resources to fund and manage public art installations, capital investments in Esplanade Park and the Riverwalk, and small-scale programming for public space activation.

City staff began working on the implementation of next steps outlined in the Himmarshee Revitalization Plan which included continued stakeholder engagement and analysis of potential solutions including amendments to the City's Code of Ordinances and the Unified Land Development Regulations (ULDR). Staff's comprehensive approach included multiple key areas such as, an architectural resource survey of the Himmarshee (H-1) Historic District, the funding and design of a tactical urbanism and streetscape beautification project, ULDR amendments for the Himmarshee Village (H-1) Historic District, and amendments to the SED ordinance. By considering the objectives of the Himmarshee Revitalization Plan holistically, staff has been able to consider the potential effect that one initiative's outcome may have on the other. An overview of the effort and a status of the initiatives was the subject of Letter to the Commission (LTC) No: 25-272 issued on December 24, 2025 (Exhibit 3).

At the June 30, 2025, City Commission Conference Meeting, City staff presented to the City Commission an overview of the SED ordinance along with a synopsis of the Himmarshee Village SED that included the history of the SED; police, fire and code enforcement data; stakeholder input on potential improvements to the Himmarshee Village SED; and City staff recommended code amendments (Exhibit 4). Staff's recommendations were to:

- Allow a group of property owners to form an SED without the need for common ownership but to require the formation of a committee to provide oversight;
- Provide more detail on the location of participating businesses and the geographic boundary of the SED;
- Encourage a mix of businesses that includes a certain amount of daytime operating

hours;

- Update security plan requirements for each business within an SED;
- Remove the ability to have off-premises alcohol consumption;
- Remove the ability to sell alcohol for sale at outside carts or kiosks; and
- Limit the hours of alcohol sales with last service at 3:00 am, to be consumed on premises by 3:30 am.

Based on staff's presentation, the City Commission directed staff to draft amendments that would enact management structure changes that allows for oversight of the SED by a committee as well as to remove the ability to consume alcohol off-premises or to sell alcohol at outside carts or kiosks. Staff initiated the amendment process by drafting a management structure to be shared with stakeholders to gain their input on the specific features of the program. This included eligibility, levels of oversight, assignment of responsibility for certain aspects of the district, and accountability measures related to participants performance. Staff's development process took approximately sixty (60) days, which was followed by multiple meetings with stakeholders. Stakeholders included the owners and operators of establishments within the Himmarshee Street area, nearby entities such as the Museum of Discovery and Science and the Broward Center for the Performing Arts, and members of the Downtown Development Authority. Following this robust engagement process, staff adapted the initial draft amendment to incorporate stakeholder feedback in preparation to seek City Commission approval for the new management structure and the repeal of the ability to have off-premises alcohol consumption and to sell alcohol at outside carts or kiosks.

An overview of the effort and a status of the initiatives was the subject of Letter to the Commission (LTC) No: 25-272 issued on December 24, 2025 (Exhibit 3).

On January 6, 2026, during the City Commission Conference meeting, the City Commission requested that staff accelerate the SED amendments to bring them forward for consideration at its next meeting on January 20, 2026. As part of this request, there was discussion by the City Commission regarding an amendment to align the hours that alcohol is permitted to be sold and consumed within the SEDs with what is permitted citywide.

Proposed Amendments to the SED

City staff has prepared an amendment to the Code of Ordinances to prohibit off-premises alcohol consumption, prohibit the outdoor sale of alcohol, and amend the hours related to the sale and consumption of alcohol.

This amendment will remove the ability to have off-premises alcohol consumption in the City's SEDs, including removing the ability to consume, hold, carry, or transport alcohol to any location within the district, as well as outdoor sales of alcohol at freestanding structures associated with outdoor bars or kiosks.

Alcohol Hours of Sale

The proposed amendment also changes the permitted hours for the sale, consumption, 01/20/2026 Page 4 of 6 CAM #26-0111

and service of alcoholic beverages within the districts to be consistent with the rest of the City. Per City Code, the existing prohibition between the hours of 4:00 am to 7:00 am every day of the week and Saturdays would be updated to now permit sales and service of alcoholic beverages Sunday through Thursday between the hours of 7:00 am and 2:00 am of the following day and consumption up to 2:30 am, and Friday and Saturday between the hours of 7:00 am and 3:00 am of the following day and consumption up to 3:30 am as is currently permitted in areas outside of the SEDs.

	Citywide	Existing Special Entertainment Districts	Proposed Special Entertainment Districts
Sunday – Thursday	7:00 am – 2:00 am (of the following day)	7:00 am – 4:00 am (of the following day)	7:00 am – 2:00 am (of the following day)
Friday – Saturday	7:00 am – 3:00 am (of the following day)	7:00 am – 4:00 am (of the following day)	7:00 am – 3:00 am (of the following day)

Applicability

As currently codified, the SEDs are all subject to the same requirements, obligations and regulations. If approved, the proposed ordinance amendments would be applied to all five (5) SEDs. If the City Commission desires not to impact all the Special Entertainment Overlay Districts uniformly, via the proposed ordinance amendment, other remedies should be explored including, but not limited to, Special Entertainment District decertification (as described below), and/or establishment, via ordinance, of criteria and thresholds by which the City Manager may administratively revoke some or all privileges afforded to a SED, subject to review by the City Commission.

SED Decertification

As noted in Section 5-57 of the City Code of Ordinances, upon finding a SED has not complied with the criteria or conditions in the Code of Ordinances for 180 days in a one (1)-year period, the City Commission may adopt an ordinance to decertify the district.

Implementation Timeline and Special Requests

Should the City Commission choose to adopt the revised hours of alcohol sale, as proposed, staff offers for consideration of the City Commission options to phase in the change as well as to allow for extended hours for alcohol sales on an ad hoc basis.

Options for deferred implementation of the new hours for the sale of alcohol:

- Near term – effective March 1, 2026
- Midterm – effective ninety (90) days after adoption (approximately May 1, 2026)
- Longterm – effective one hundred and eighty (180) days after adoption (approximately August 1, 2026)

Additionally, a process could be created to allow for an establishment within a SED to request approval to sell alcohol until 4:00 am. If directed, staff will develop a process for City Commission consideration as a next phase of this initiative that includes amendments to the SED governing body and management structure. A request for approval of extended hours may include consideration for certain holidays and an annual maximum number of ad hoc events. Additional consideration should be given to the potential request process

including whether approval is granted by the City Commission or City Manager, with a City Commission request for review (call-up).

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item supports a Fiscal Year (FY) 2026 Priority to Bolster Thriving Communities to reactivate and beautify the Himmarshee Entertainment District.

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

- The Public Places Area.

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

Attachments

Exhibit 1 – SED Location Map

Exhibit 2 – Himmarshee Revitalization Plan

Exhibit 3 – LTC No: 25-272

Exhibit 4 – June 30, 2025, Special Entertainment District Presentation

Exhibit 5 – Business Impact Estimate

Exhibit 6 – Ordinance

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