



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#25-0167

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

FROM: Susan Grant, Acting City Manager

DATE: February 18, 2025

TITLE: First Reading – Ordinance Amending the City of Fort Lauderdale Code of Ordinances Section 5-28, Location of Establishments Permitting Partial Nudity, and Nudity and Section 5-28.1, Nudity Sexual Conduct Prohibited, to Update Requirements for Alcohol Consumption for Hotel Use – Case No. UDP-T25003 - (**Commission Districts 1, 2, 3 and 4**)

Recommendation

Staff recommends the City Commission consider an ordinance amending the City's Code of Ordinances Section 5-28 Location of Establishments Permitting Partial Nudity and Section 5-28.1. – Nudity, sexual conduct prohibited, to exempt clothing optional hotels for certain requirements.

Background

The Code of Ordinance contains regulations for alcoholic beverage establishments permitting partial nudity that address the location of such establishments and conduct within those establishments. The original purpose of adopting these regulations was to control the effects of these types of businesses have on adjacent properties, prevent unlawful and unhealthy sexual activities, address legitimate health concerns regarding sexually transmitted diseases, and prevent sexual contact between patrons and employees. The regulations are effective but also impacted other establishments that permit nudity in a non-sexual context.

Nudists and naturists practice non-sexual social nudity in places provided for or set apart for such purposes. The existing code language prevents facilitates that cater to nudists and naturist clients from serving those clients alcoholic beverages. The proposed amendment would not require an alcoholic beverage establishment that is an accessory or ancillary use to a clothing optional hotel, a hotel as defined in the UDLR that contains 200 or more sleeping rooms and permits partial nudity on premises within access-controlled areas, to be subject to the limitations of distance separation and certain conduct restrictions provided the establishment meets the following criteria:

- The entire property of the hotel is fully enclosed and gated to the extent permissible by and in compliance with the City Fort Lauderdale, Florida, Unified Land Development Regulations; and

- Access to the hotel is only granted to patrons and guests of the hotel whose reservation and age are verified by security; and
- The hotel contains an on-site food establishment for guests; and
- Hotel staff are fully clothed at all times; and
- Adults 21 years and older are the only patrons and guests permitted on the premises of the hotel; and
- Partial nudity is only permitted at the pool areas that are fully enclosed and has controlled access; and
- Any alcohol sold may only be sold or served from a fully enclosed bar area located in the pool area; and
- No person outside the hotel facility will be able to observe any nudity or partial nudity of any hotel patron or guest; and
- The hotel must require each hotel guest or patron to sign a waiver acknowledging that they have been advised that the hotel allows nudity at its pools. Such waiver is a prerequisite for entry and any patron or guest that refuses to sign the waiver shall immediately be informed that they are not permitted on the hotel property. All waivers must be presented to the patron or guest in an area where there is no nudity and where nudity cannot be viewed.

The proposed ordinance is attached as Exhibit 1.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

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

- The Business Growth and Support Area.
- Goal 6: Build a diverse and attractive economy.

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

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

- The Business Development Area
- Economic Development Element
- Goal 2: Enhance the economic competitiveness of Fort Lauderdale through policies that encourage retention and recruitment of business and industry which provide living-wage employment and increased training and competitiveness of the local workforce.

Attachments

Exhibit 1 – Ordinance

Exhibit 2 – Business Impact Estimate

Prepared by: Karlanne Devonish, AICP, Principal Urban Planner, Development Services Department

Acting Department Director: Alfred G. Battle Jr., Development Services Department