



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#23-1074

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

FROM: Greg Chavarria, City Manager

DATE: November 7, 2023

TITLE: First Reading – Ordinance Amending the City of Fort Lauderdale Chapter 8, Article III, Titled “Public Beaches,” by Creating a New Code Section 8-55.4, Titled “Sale, Service, and Consumption of Food and Alcoholic Beverages”- **(Commission District 2)**

Recommendation

Staff recommends the City Commission approve an ordinance creating a new Section 8-55.4 authorizing upland hotel owners and operators directly across from the beach to sell, serve and deliver alcoholic beverages and food on or within specified public beach areas to customers renting a beach chair from a city-approved beach concessionaire. This proposed ordinance is intended to provide for the sale and consumption of food and alcohol on the public beach directly in front of the hotels facing A1A by replacing the existing permit program which automatically repealed on November 1, 2023, with a permanent program that will encourage and promote Fort Lauderdale Beach as a world-class destination. Section 8-55.4 will have the same requirements as previously provided, except that it is proposing the removal of language that provides for an automatic repeal of Section 8-55.4, unless City Commission extends the program before 365 days from adoption.

Background

On July 5, 2022, the City Commission provided direction to staff to amend the Code of Ordinances to allow upland hotels to serve food and beverages (including alcohol) to customers sitting on City-concessionaire chairs directly across the street from their property. Customers may be hotel guests or members of the public, provided they are renting a beach chair from a City-approved Beach Concessionaire.

In 2015, the City Commission adopted an ordinance establishing a program to allow vendors to obtain a permit to sell food and non-alcoholic beverages on the beach. There was little to no participation in the program, effectively leaving no food and beverage service on the beach.

On October 18, 2022, the City Commission voted to approve the ordinance on first reading with an amendment to make the program a one-year pilot. The amendment proposed to

repeal the ordinance in one year from adoption unless the City Commission votes to maintain it. The amendment will also designate operating hours and beach chair locations to run congruently with the City's beach equipment concessionaire's contract. During the pilot year, staff was directed to work with stakeholders about fair access to the program for other establishments including beach side restaurants and near-beach hotels. Additionally, staff will continue stakeholder outreach with the Central Beach Civic Association and other interested parties. On November 1, 2022, the City Commission voted to approve the ordinance on second reading.

The program that existed November 1, 2022 – November 1, 2023, as managed by the Parks and Recreation Department, appears to have met the high standards of service requested by hotel guests and the public. With City Commission approval, eight upland property hotels have obtained licenses from the City to use the public beach directly in front of their property to sell and serve their food and beverages (including alcohol) to customers sitting on the City- concessionaire provided chairs (this includes guests of the hotel and non-hotel guests). Since the program's inception, hotels north of Sunrise Boulevard that are situated on the beach have expressed interest in participating in the program. Staff is exploring how participation can be made available and will bring forward an amendment if a solution is identified. Additionally, staff will reengage with the Central Beach Alliance and other interested parties to determine if there is an opportunity to increase participation in the program.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a *FY2024 Commission Priority*, advancing the Economic Development initiative.

This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:

- The Business Development Focus Area
- Goal 5: Build an attractive global and local economic community marketplace

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

Attachment

Exhibit 1 - Ordinance

Prepared by: Christopher Cooper, AICP, Director, Development Services Department

Department Director: Christopher Cooper, AICP, Development Services Department