



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

**#12-2403**

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**TO:** Honorable Mayor & Members  
Fort Lauderdale City Commission

**FROM:** Lee Feldman, City Manager

**DATE:** November 20, 2012

**TITLE:** Ordinance – Amending Chapter 15, Business Tax Receipts and Miscellaneous Business Regulations of the Code of Ordinances and Sections 47-6, Business Zoning Districts; Section 47-18, Specific Use Requirements; and 47-20, Parking and Loading Requirements of the Unified Land Development Regulations (ULDR) to establish Adult Gaming Facilities as a conditional use approval within the City of Fort Lauderdale subject to specific criteria.

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**Recommendation**

It is recommended that the City Commission approve an ordinance on first reading amending Chapter 15, Business Tax Receipts and Miscellaneous Business Regulations of the Code of Ordinances Volume I and Sections 47-6, Business Zoning Districts; Section 47-18, Specific Use Requirements; and 47-20, Parking and Loading Requirements of the ULDR to establish Adult Gaming Facilities as a conditional use approval within the City of Fort Lauderdale subject to specific criteria.

**Background**

In the past several years applicants have been requesting to establish Adult Gaming Centers within the City of Fort Lauderdale. The activities that occur at these facilities are a sweepstakes that are governed by Florida State Statute [849.094] regulating game promotion in connection with the sale of consumer products or services. Under direction from the City Commission, and in an effort to better define and regulate this growing use within the City of Fort Lauderdale, staff has developed specific criteria regulating the use of these types of facilities where minimal regulations are currently in effect today.

On June 5, 2012, the City Commission was presented with a draft ordinance that would establish Adult Gaming Centers as a new regulated use in the City of Fort Lauderdale's Code of Ordinances and ULDR.

On October 17, 2012, the item was heard by the Planning and Zoning Board (PZB) under case 5T12 and was recommended for approval by a vote of 6-2. For more information please see the PZB draft minutes attached as Exhibit 1.

The proposed ordinance would define Adult Gaming Center, Owner or operator, Permittee, and Electronic Gaming Device as new terms in the ULDR.

Adult Gaming Centers will be allowed to operate from 9am to 11pm, seven (7) days a week for adults over the age of eighteen (18) with an attendant on duty at all times.

The interior of Adult Gaming Centers must be clearly visible with not window tinting of any sort and all activities must conform to state laws concerning gambling.

This newly defined use would be permitted as a conditional use approval in the Community Business (CB) District, Boulevard Business (B-1) District, General Business (B-2) District, and Heavy Commercial/Light Industrial (B-3) District.

Adult Gaming Centers would be required to separate a distance of 1,000 feet from other Adult Gaming Centers, 750 feet from establishments that permit consumption of alcohol to adult uses and 500 feet from schools, residences, houses of worship, libraries or daycare facilities.

The proposed parking requirements for Adult Gaming Centers are as follows:

<b><i>Use</i></b>	<b><i>Parking Space Requirement</i></b>
Adult Gaming Center, stand alone	1 space / 2 gaming devices
Adult Gaming Center, as part of a shopping center or shared parking	1 space / 2 gaming devices (no more than 10% of total parking spaces)

In addition to the above, Existing Adult Gaming Centers would be required to file a permit application under the provisions of this ordinance. These existing centers would be allowed to remain as legal non-conforming uses if they do not meet the location criteria stated above, however they would be required to comply with the specific signage requirements of these centers and all operational standards.

For more information please see the PZB staff report attached as Exhibit 2 and the draft ordinance attached as Exhibit 3.

### **Resource Impact**

There is no fiscal impact associated with this action.

**Attachment(s)**

Exhibit 1 – DRAFT 10/17/12 PZB Minutes

Exhibit 2 – PZB Staff Report

Exhibit 3 – DRAFT Ordinance

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Prepared By: Anthony G. Fajardo, Acting Zoning Administrator

Department Director: Greg Brewton, Sustainable Development