



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

#26-0286

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

FROM: Rickelle Williams, City Manager

DATE: April 7, 2026

TITLE: Presentation – Special Entertainment Overlay District Ordinance
Amendments – Development Services Department – (**Commission
Districts 2 and 4**)

City staff will present proposed ordinance amendments to the City's Code of Ordinances – Chapter 5, Alcoholic Beverages. Proposed amendments are to Article II, Licensed Establishments, to establish a permit for extended hours for properties located within a Special Entertainment District (SED), and to Article III, Special Entertainment Overlay District (SED) to revise the purpose and intent, ratify the boundaries of existing SEDs, and provide a process for the suspension and revocation of a SED. The SED Ordinance Amendments presentation is provided as Exhibit 1.

Background

SED regulations were established by the City of Fort Lauderdale in the 1990s, to encourage 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 SED an area must meet minimum criteria including:

- Located on a property identified as a Regional Activity Center;
- Consists of a minimum of two (2) acres of land;
- Contain property which is under common ownership, common control, or both;
- 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 include restaurants, entertainment facilities, and retail;
- Establishments selling or serving 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.

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 SED Location Maps provided as Exhibit 2.

- 111 Properties – Multiple establishments along and near 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

At the June 30, 2025, City Commission conference meeting, City staff presented 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 staff recommended code amendments. The June 30, 2025, Special Entertainment District Presentation is provided as Exhibit 3. Staff's recommendations were to:

- Allow a group of property owners to form an SED without the need for common ownership but require the formation of a committee to provide unified oversight;
- Provide more detail on the location of participating businesses and the geographic boundary of the SED;
- Encourage a mix of businesses that include a certain amount of daytime operating hours;
- Update security plan requirements for each business located 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 allow 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 participant 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, the repeal of the ability to have off-premises alcohol consumption, and to sell alcohol at outside carts or kiosks.

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. There was also 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.

An amendment to the Code of Ordinances to prohibit off-premises alcohol consumption and to prohibit the outdoor sale of alcohol was approved on second reading by the City Commission on February 3, 2026.

Proposed Amendments to the SED

City staff has prepared additional amendments to the Code of Ordinances, Chapter 5, Alcoholic Beverages to address several of the remaining items that were recommended at the June 30, 2025, City Commission Conference Meeting.

Based on feedback received during discussions with property owners and businesses within existing SEDs, a distinction within the ordinance was made for certain provisions between the areas that are owned by a single property owner versus those that are owned by multiple property owners. The proposed ordinance amendments will be applied to all five (5) SEDs. These amendments include the following changes:

Article III, Special Entertainment Overlay District (SED):

- Repeal Existing Ordinance to move away from a district-based accountability model.

Article II, Licensed Establishments:

- Create establishment-based accountability model via a permit application process.
- Set geographic boundaries of the existing Special Entertainment Districts (SEDs).
- Requirements for safety, security, and maintenance.
- Retain existing incentives (extended hours, no distance separation requirement, increased decibel levels, and extended hours for noise).
- Process for suspension and revocation of permits.

It has also been contemplated that these new measures, specifically to set up a permit application process, be put in place with an effective date of 180 days following the adoption of this ordinance for businesses to obtain their permits and be in compliance with this new regulation.

It is anticipated that these modifications will provide additional structure that will result in adherence to the requirements by businesses located within a SED, as well as the ability to enforce code regulations within all SEDs.

Public Outreach

In advance of this presentation, staff met with several groups of representatives that have an interest in SEDs including property owners, business owners, non-profit organizations, and other stakeholders to discuss the proposed amendments. During these informative meetings staff were able to further gather perspectives on the persistent challenges with SEDs and to understand stakeholder expectations on proposed regulatory changes. Overall sentiment was that change was needed, however there was a clear distinction between the Himmarshee area SED and the other remaining four (4) SEDs that include Historic Brickell, McCrory Buildings, Toomey, and Beach Place. Several participants suggested that new regulations should be applied on a district-by-district basis, rather than uniformly, to avoid penalizing SEDs that are compliant.

It was noted that the original intent of forming the SEDs, to provide economic revitalization, has largely succeeded, but due to persistent non-compliance and insufficient enforcement efforts it has not been as effective for the Himmarshee area. Across all meetings, the dominant theme was clear that while recent policy changes have provided some improvements, there remain some enforcement issues that persist.

Conversations focused on longstanding issues in the Himmarshee area and frustrations about the lack of accountability among certain establishments. Participants emphasized that, unlike other SEDs, the Himmarshee area SED continues to face significant behavioral and operational challenges. Since the recent elimination of open containers and the increase in police presence, conditions in the surface parking lots have noticeably improved, however, garages remain a source of ongoing concern. Concerns from several cultural and institutional stakeholders, as well as property owners, centered on safety, district reputation, and the operational impacts on venues such as the Broward Center and diminishment of the surrounding cultural assets.

A shared interest emerged from all of these meetings around exploring stronger tools for the Himmarshee area including providing clearly structured penalties, enacting and enforcing restrictions for underage patrons, and ensuring that security planning is based on total occupancy. Stakeholders expressed a strong desire for clearer accountability mechanisms, stronger penalties, district specific regulatory tools, and a renewed focus on safety, both perceived and actual. Many were supportive of a more comprehensive restructuring of SEDs, including the possibility of probation or revocation, while also emphasizing the need to ensure that compliant operators and other SEDs are not unnecessarily burdened while addressing those that are non-compliant. These discussions were used in evaluating the proposed revisions to the SED regulations that could enhance enforcement efforts.

A public meeting was held on March 30, 2026, to provide a presentation to the broader group of stakeholders that participate within a SED. It was clear from feedback received that stricter enforcement mechanisms are needed that could be applied through the establishment permit, with the potential for including fines, to ensure that businesses that were not in compliance with the regulations would be penalized. A continued conversation around the importance of safety, security, and maintenance were also discussed.

It is anticipated that the amendments outlined above as well as those adopted to prohibit off-premises alcohol consumption and to prohibit the outdoor sale of alcohol will have a significant positive impact.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a Fiscal Year (FY) 2026 Priority, advancing the Bolster Thriving Communities 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 Community.

Attachments

Exhibit 1 – April 7, 2026, SED Ordinance Amendments Presentation

Exhibit 2 – SED Location Maps

Exhibit 3 – June 30, 2025, Special Entertainment District Presentation

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