

Vice Chair Coleman recommended the applicant/applicant’s representative, Ms. Dolan, and Assistant City Attorney Saunders work together on a definition of ASC for their code.

MOTION by Derek Lewis and seconded by Richard Klosiewicz to recommend approval of the Text Amendment, as amended to add a definition and hours of operation. to the City Commission for their consideration. All voted in favor. The motion was approved.

(1:01:30)

4. LN-573

EVALUATION AND APPRAISAL REPORT RELATED COMPREHENSIVE PLAN TEXT AMENDMENT

Request:	Evaluation and Appraisal Report (EAR) Based Comprehensive Plan Text Amendment
P&Z#	24-92000003
Owner:	N/A
Project Location:	N/A
Folio Number:	N/A
Land Use Designation:	N/A
Zoning District:	N/A
Commission District:	N/A
Agent:	Jean Dolan
Project Planner:	Jean Dolan

Ms. Jean Dolan, Project Planner, introduced herself to the Board and stated Chapter 163.3191 Florida Statutes and Rule 73C-49 require the City to provide an Evaluation and Appraisal Report (EAR) letter to the State every 7-years to identify any changes to State legislation in that period that would cause the City to amend the adopted Comprehensive Plan. She summarized the following: The City of Pompano Beach Comprehensive Plan adopted in 2020 has a 2040 planning horizon. The 16 years left in that horizon is longer than the required minimum of 10-years per the above requirements. The population projections for the 2020 Comprehensive Plan were done by the Bureau of Economic and Business Research (BEBR) which is the agency the State relies on for all population projections for revenue sharing and growth purposes. The current population estimates are running approximately 5 percent behind the projections used in the 2020 Comprehensive Plan update. The population projection for 2023, for example, was 119,993 and the actual 2023 BEBR estimate for State revenue sharing purposes was 113,757. The impact analysis in the Comprehensive Plan, therefore, does not need to be recalculated for any planning horizon. In light of these facts, the required EAR letter was provided to the State per the schedule in Rule 73C-49 on January 3, 2024, the first business day after the statutory deadline of January 1, 2024, and was acknowledged by Florida Commerce, Bureau of Community Planning and Growth, on February 20, 2024. The City has one year from the January 3, 2024 date to transmit to the State the amendments identified in the EAR letter. The Data and Analysis for the 2020 update to the Comprehensive Plan was based on the 20-year planning horizon and the BEBR population projection for that horizon (2040) for all the public facility impact calculations. It was found that the City could serve the projected population through 2040, therefore, none of the calculations were necessary for the more near term horizon. Very few amendments, therefore, are necessary in the adopted elements of the Comprehensive Plan to address this change in the length of the near-term planning horizon. The planning horizons were only referenced twice in the Goals, Objectives and Policies of the adopted 2020 Comprehensive Plan. These occurred in the introduction to the Transportation Element and in Policy 07A.02.02 in the Potable Water Subelement. Both of these sections have been modified to be consistent with the revision to 163.3177(5)(a).

Staff is requesting the Board recommend approval of the EAR-based amendments and offer the following alternative motions.

Alternative Motion I:

The Board recommends approval of the EAR-based amendments to the Goals, Objectives and Policies of the adopted 2020 Comprehensive Plan to comply with Section 163.3191 F.S. and the 2023 revision to 163.3177(5).

Alternative Motion II:

The Board recommends the item be tabled to allow further analysis of any issues raised by the Board, Staff, Applicant or the general public.

Staff recommends Alternative Motion I.

Vice Chair Coleman asked the Board if there were any questions for staff. There were none.

Vice Chair Coleman opened the public hearing. No one came forth to speak. Vice Chair Coleman closed the public hearing.

MOTION by Tundra King and seconded by Richard Klosiewicz to recommend approval of the Evaluation and Appraisal Report (EAR) Based Comprehensive Plan Text Amendment, as amended, to the City Commission for their consideration. All voted in favor. The motion was approved.

5. [LN-585](#)

TEXT AMENDMENT - SECTION 155.4501. SEPARATION REQUIREMENTS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS

Request:	Text Amendment - Section 155.4501. Separation Requirements for Alcoholic Beverage Establishments
P&Z#	N/A
Owner:	N/A
Project Location:	N/A
Folio Number:	N/A
Land Use Designation:	N/A
Zoning District:	N/A
Commission District:	N/A
Agent:	N/A
Project Planner:	Max Wemyss

Mr. Max Wemyss, Project Planner, introduced himself to the Board and noted this is a staff-initiated text amendment. He noted Section 155.4501 of the Zoning Code provides the separation requirements for alcoholic beverage establishments. Prior to obtaining an Alcohol Beverage License from the State, applicants must obtain approval from the City for satisfaction of the separation requirements from certain existing uses. Many types of businesses or licenses are exempt from the separation requirement. This exemption is consistent with the State’s Classification of a 4COP/Specialty (SFS) License. Florida alcohol beverage laws generally allow restaurants meeting certain criteria to qualify for 4COP-SFS liquor licenses, which allow for the sale of beer, wine, and spirits (hard liquor) for on-premise consumption. Whereas a restaurant in Pompano used to have to be at least 2,500 square feet and capable of serving 150 at one time, restaurants can now qualify for full liquor licenses if they have only 2,000 square feet and 120 seats.

To be consistent with our approach and separation rationale as established, Staff is recommending amending the separation requirement to match the State classification criteria.

For general information, the new qualification requirements for a type 4COP-SFS liquor license are that an applicant must:

- Have a minimum of 2,000 square feet of service area;
- Be equipped to serve meals to 120 people at one time;