



LDCT-2025-29

Alcohol Separation Requirements & Hours

Agenda Item 10

DRC Recommendation:

Approval

Request:

Text amendment to Chapter 2, Section 224, Alcohol Sales, to amend separation distance measurements from property/lease line to shortest legal pedestrian route; to reduce distance separations from religious institutions and schools for 1COP, 2COP, 4COP, and 3PS licenses; and to allow liquor package sales on Sundays and adjust COP Sunday hours.

Section 224 Alcohol Sales (Revised 08/13/18; Ord. 18-49; 04/17/18; Ord. 18-023; 12/20/11; Ord. 11-042; 3/25/03 - Ord. 3-26; 7/25/01 - Ord. 01-57)

Distance Separation

Amend Table 4.3 to **reduce distances from religious institutions and school** separation for the following:

- Beer and wine consumption on the premises from 1,000 feet to 500 feet (*1COP & 2COP*).
- Beer, wine, and liquor consumption on the premises from 2,500 feet to 1,000 feet (*4COP*).
- Liquor package sales from 2,500 feet to 750 feet (*3PS*).

Method of Measurement

- Change measurement option by **shortest route of pedestrian travel** instead of via property lines.

Hours of Operation

- **Extending the hours** in which **beer, wine, and liquor consumption on premises** can be sold on **Sundays** by one hour. From 11:00 A.M. to 12:00 A.M. Monday (*1COP, 2COP, 4COP*).
- **Permitting hours for liquor in closed containers** (package) on **Sundays** from 12:00 P.M. to 12:00 A.M. Monday (*3PS*).

County Distance Requirements	Jurisdiction (Code citation)	Religious & School Separation Distance		
		Beer & Wine Consumption	Liquor Consumption	Liquor Package
	Alachua County Sec. 63.01 thru 63.24	No restrictions	No restrictions	No restrictions
	Brevard County Sec. 62-1906 Sec. 6-1 to 6-4	300’	300’	No restrictions
	Duval County Sec. 154.100 thru 402 Sec. 656.800 thru 809	1,500’	1,500’	500’
	Hardee County Sec. 2.28.00	500’	500’	500’
	Highlands County Sec. 3-1 thru 3-5 Sec. 12.08.101	1,500’ (School) 500’ (Church)	1,500’ (School) 500’ (Church)	1,500’ (School) 500’ (Church)
	Hillsborough County Sec. 6.11.11	500’	500’	500’
	Lake County Sec 3-1 thru 3-7	No restrictions	No restrictions	No restrictions
	Manatee County Sec. 2-3-1 thru 2-3-9 Sec.531.4	No restrictions	No restrictions	No restrictions
	Orange County Sec. 38-1414 thru 1415 Sec. 4-1 thru 4-5	1,000’	1,000 (Church) 500’ (School)	1,000’
	Osceola County Sec. 3-1 thru 3-5	No restrictions	No restrictions	No restrictions
	Pasco County Sec. 6-26 to 6-30 Sec. 503.3, 525.2, 526.2, & 527.3	1,000’	1,000’	1,000’
	Polk	1,000’	2,500’	2,500’
	Seminole County Sec. 15.41 Sec. 30.6.6	1,000’	1,000’	1,000’
	Volusia County Sec. 6-1 thru 6-2	No restrictions	No restrictions	No restrictions

City
Distance
Requirements

Jurisdiction (Code citation)	Religious & School Separation Distance		
	Beer & Wine Consumption	Liquor Consumption	Liquor Package
Auburndale Sec. 4-1 thru 4-5	750'	750'	500'
Bartow Sec. 6-1 thru 6-9	500'(School) 300'(Church)	500'(School) 300' (Church)	200'
Davenport Sec. 3-1 thru 3-9	1,000'	1,000'	500'
Dundee Sec. 6-1 thru 6-6	500' (School) No restrictions (Church)	500' (School) No restrictions (Church)	500' (School) No restrictions (Church)
Eagle Lake Sec. 3-1 thru 3-3	500'	500'	300'
Haines City Sec. 4-1 thru 4-10	No restrictions	600'	No restrictions
Lake Alfred Sec. 6-1 thru 6-7	No restrictions	No restrictions	No restrictions
Lake Hamilton Sec. 4-1 thru 4-4	750' (School) 500' (Church)	750' (School) 500' (Church)	750' (School) 500'(Church)
Lake Wales Sec. 5-1 thru 5-6 Sec. 23-342	No restrictions	500'	500'
Lakeland Sec. 5-4 Sec. 6-5	1,000 (School) 500' (Church)	1,000 (School) 500' (Church)	1,000 (School) 500'(Church)
Mulberry Sec. 4-1 thru 4-7	300'	300'	300'
Polk City Sec. 6-1 thru 6-106	300'	750'	750'
Winter Haven Sec. 3-1 thru 3-2 Sec. 21-96	400'	400'	400'

Distance Separation Summary

- Since 2012, **all variances** to reduce separation requirements **have been approved** by the Land Use Hearing Officer or Board of Adjustment:
 - Average reduction in **1, 2, & 4 COP** distance separation: **424 feet.** (5 approved, 0 denied)
 - Average reduction in **3PS** distance separation: **568 feet.** (11 approved, 0 denied)
- Beer and wine consumption on the premises from 1,000 feet to 500 feet (1COP & 2COP).*
- Beer, wine, and liquor consumption on the premises from 2,500 feet to 1,000 feet (4COP).*
- Liquor package sales from 2,500 feet to 750 feet (3PS).*

License	No restrictions	1 ≥ 499	500 ≥ 999	1000 ≥ 1999	2000'+
1 & 2 COP (Beer & Wine)	Dundee (<i>Church</i>) Haines City Lake Alfred	Bartow (<i>Church</i>) Mulberry Polk City	Auburndale Bartow (<i>School</i>) Dundee (<i>School</i>) Eagle Lake Lake Hamilton Lake Wales Lakeland (<i>Church</i>)	Davenport Lakeland (<i>School</i>)	
4 COP (Quota)	Dundee (<i>Church</i>) Lake Alfred	Mulberry	Auburndale Bartow Dundee (<i>School</i>) Eagle Lake Haines City Lake Hamilton Lake Wales Lakeland (<i>Church</i>) Polk City	Davenport Lakeland (<i>School</i>)	
3 PS (Package Sales)	Dundee (<i>Church</i>) Haines City Lake Alfred	Auburndale Bartow Eagle Lake Mulberry	Davenport Dundee (<i>School</i>) Lake Hamilton Lake Wales Lakeland (<i>Church</i>) Polk City	Lakeland (<i>School</i>)	

License	No restrictions	1 ≥ 499	500 ≥ 999	1000 ≥ 1999	2000'+
1 & 2 COP (Beer & Wine)	Alachua Lake Osceola Volusia Manatee	Brevard	Hardee Highlands (<i>Church</i>) Hillsborough	Duval Highlands (<i>School</i>) Orange Seminole Pasco Polk	
4 COP (Quota)	Alachua Lake Osceola Volusia Manatee	Brevard	Hardee Highlands (<i>Church</i>) Hillsborough	Duval Highlands (<i>School</i>) Orange Seminole Pasco	Polk
3 PS (Package Sales)	Alachua Brevard Lake Osceola Volusia Manatee		Duval Hardee Highlands (<i>Church</i>) Hillsborough	Highlands (<i>School</i>) Orange Seminole Pasco	Polk

Measurement Summary

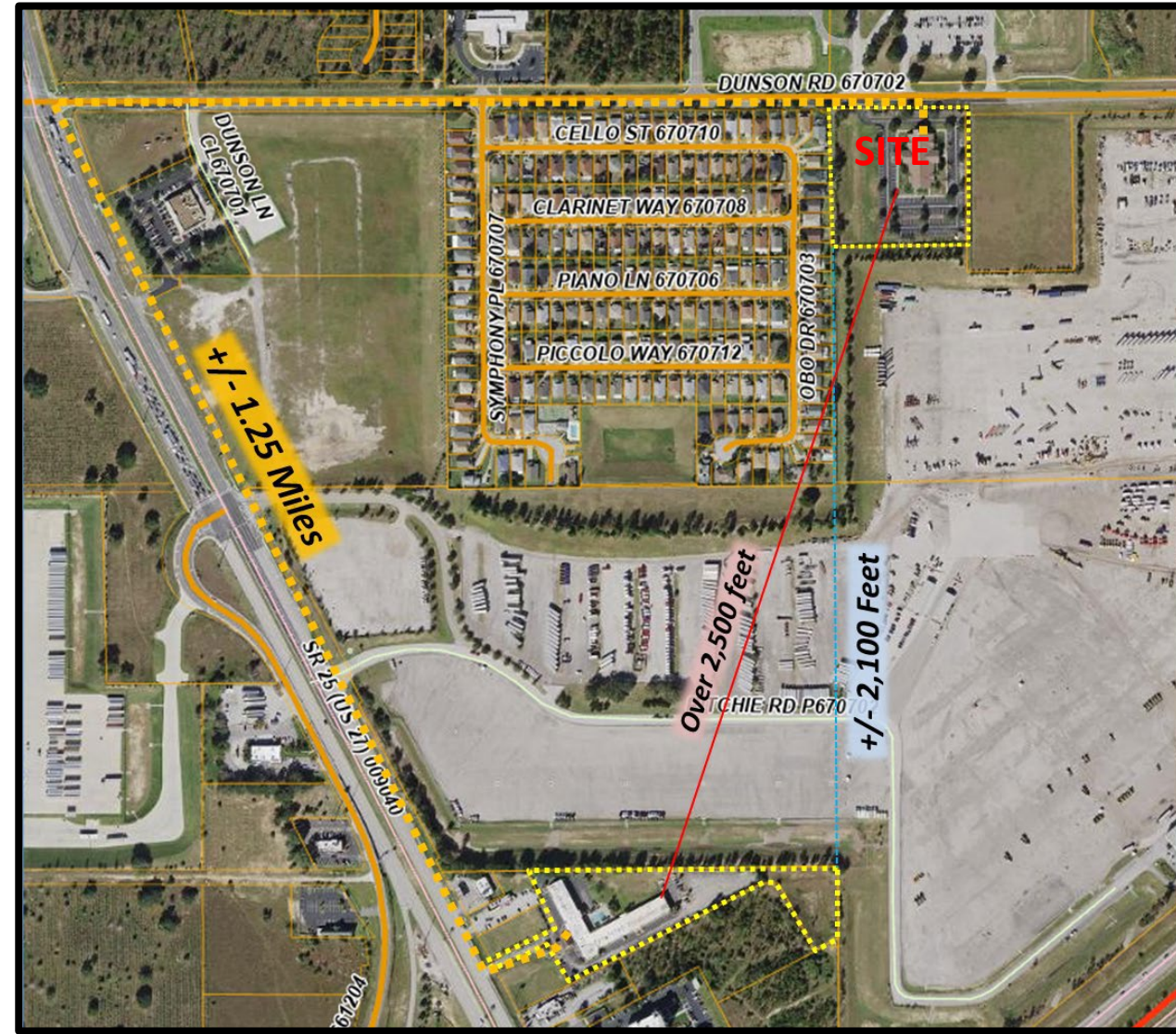
- Measure separation distance instead of property line or “how the crow flies” to ... “the shortest legal route of pedestrian travel along or across public roads, alleys, streets, sidewalks, or public thoroughfares from the centerline of the principal entrance of such establishment to the centerline of the principal entrance of the nearest religious institution or the nearest point of a school ground in use as part of the school facility.” ...
- Only **two municipalities** measure distance via property lines.
- Only **one county** measures distance via property lines.
- More accurate depiction of real-world phenomena.

Municipality	Pedestrian Measurement?	County	Pedestrian Measurement?
Auburndale	Y	Alachua	Y
Bartow	Y	Brevard	N (property line)
Davenport	Y	Duval	Y
Dundee	Y	Hardee	Y
Eagle Lake	N (property line)	Highlands	Y
Haines City	Y	Hillsborough	Y
Lake Alfred	N/A (no dist.)	Lake	Y
Lake Hamilton	Y	Orange	Y
Lake Wales	Y	Osceola	Y
Lakeland	Y	Seminole	Y
Mulberry	Y	Volusia	Y
Polk City	N (property line)	Manatee	Y
Winter Haven	Y	Pasco	Y



LDLVAR-2021-122

- 2COP licenses require 1,000' separation from a church/school
- **Property lines:** under 1,000 feet
- **Door to door:** over 1,000 feet



LDLVAR-2022-36

- 4COP licenses require 2,500' separation from a church/school
- **Property line:** 2,100 feet
- **Building to building:** over 2,500 feet
- **Door to door:** +/- 1.25 miles

Sunday Sales Summary

- To allow liquor package sales on Sundays (3PS license) Sunday 12:00 PM until 12:00 AM Monday next.*
- Extend consumption on premises hours one hour earlier starting at 11AM (1,2,4COP license)*



- Unincorporated** portions of the County are **losing package sales revenue on Sundays.**
83.6% of the County is unincorporated.
- Based on 13 counties analyzed, Polk is the **only County** which **prohibits Sunday sales.**
- Inconsistent regulations across the County.**

Municipality	Sunday Hours (3PS)	Sunday Hours (COP)
Auburndale	N/A	12pm – 12am
Bartow	9am – 12am	9am – 12am
Davenport	12pm – 12am	12pm – 12am
Dundee	12pm – 12am	12pm – 12am
Eagle Lake	12:01pm – 2am	12:01pm – 2am
Haines City	12pm - 12am	7am – 12am
Lake Alfred	12pm – 12am	12pm – 12am
Lake Hamilton	12pm – 12am	12pm – 12am
Lake Wales	6am – 2am	8am – 2am
Lakeland	7am – 2am	7am – 2am
Mulberry	N/A	7am – 2am
Polk City	7am – 2am	7am – 2am
Winter Haven	7am – 2am	12pm – 12am

County	Sunday Hours (3PS)	Sunday Hours (COP)
Alachua	7am - 11pm	1pm – 11pm
Brevard	24 hours	24 hours
Duval	6am – 2am	6am – 2am
Hardee	12pm – 1am	12pm – 1am
Highlands	7am – 2am	7am – 2am
Hillsborough	11am – 3am	11am – 3am
Lake	7am – 12am	7am – 2am
Orange	9am – 2am	11am – 2am
Osceola	9am – 2am	11am – 2am
Seminole	7am – 2am	7am – 2am
Volusia	2pm – 2am	7am – 2am
Manatee	7am – 2:30am	7am – 2:30am
Pasco	7am – 2am	7am – 2am
POLK	N/A	12pm- 12am

All alcohol sales shall conform to the following:

1. No Certificate of Approval shall be issued, and no place of business shall be established, in the territory lying without the limits of incorporated municipalities in Polk County, Florida, for the sale of malt beverages having an alcoholic content of more than 1 percent by weight, or wine regardless of alcoholic content, for consumption on the premises, which place of business within ~~1,000 feet~~ 500 feet of any established religious institution or public and private kindergarten thru 12th grade school located outside of a Commercial Future Land Use Map District.
2. No Certificate of Approval shall be issued, and no place of business shall be established, in the territory lying without the limits of incorporated municipalities in Polk County, Florida for the sale of alcoholic beverages having an alcoholic content of greater than 1 percent by weight (except malt beverages and wine) which place of business is within ~~2,500 feet~~ 750 feet (package sales) and 1,000 feet (consumption on the premises) of an established religious institution or public and private kindergarten thru 12th grade school located outside of a Commercial Future Land Use Map District.
3. [No longer needed with revised Table 2.4]
4. [No longer needed with revised Table 2.4]
5. The table to follow illustrates the required distance between the business property for which the type of license is applied and religious institutions or kindergarten thru 12th grade schools (public or private) located outside of a Commercial Future Land Use Map District. The distance separation shall be measured ~~so that no point on the property/lease line of the business applying for the Certificate of Approval shall be located closer than the applicable minimum distance from any point on the property/lease line of the church or school~~ by following the shortest legal route of pedestrian travel along or across public roads, alleys, streets, sidewalks, or public thoroughfares from the centerline of the principal entrance of such establishment to the centerline of the principal entrance of the nearest religious institution or the nearest point of a school ground in use as part of the school facility, located outside of a Commercial Future Land Use Map District.

Section 224 Alcohol Sales (Revised 08/13/18; Ord. 18-49; 04/17/18; Ord. 18-023; 12/20/11; Ord. 11-042; 3/25/03 - Ord. 3-26; 7/25/01 - Ord. 01-57)

Table 2.4 (Revised 8/7/18; Ord. 18-50; 8/7//8; Ord. 18-049; 7/25/01 - Ord. 01-57)				
License* (DBPR License Code*)	Description***	Distance****	Hours of Operation	
Standard Retail Licenses				
1APS & 2APS	Beer and Wine package sales	No distance requirement	Monday <u>thru</u> Sunday 7:00 A.M to 2:00 A.M. next day	
3PS	Liquor, beer and wine package sales	2,500 <u>750</u> feet	Monday <u>thru</u> Saturday 7:00 A.M to 2:00 A.M. next day	No Sunday Sales <u>Sunday 12:00 PM until 12:00 AM Monday next*</u>
1COP	Beer package sales and consumption on premises	1,000 <u>500</u> feet	Monday <u>thru</u> Saturday 7:00 A.M to 2:00 A.M. next day	Sunday 12:00 PM <u>11:00 AM</u> until 12:00 AM Monday next*
2COP	Beer and Wine consumption on premises	1,000 <u>500</u> feet		
4COP	Liquor, Wine and Beer consumption on premises	2,500 <u>1,000</u> feet		



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Staff Recommends Approval

- These changes to distance, measurement, and hours **provides more consistency** when compared to other jurisdictions.
- Purpose of distance separations will be better implemented and more effectively align with real-world phenomena.
 - *Property sizes and types vary greatly*
- Changes to hours of operation helps the County maintain competitiveness for economic opportunities and development.
- Helps reduce staff burden on variances.