

Commission Agenda Item

MEETING DATE: July 28, 2025

SUBJECT: Options regarding the City Ordinance prohibiting alcohol sales within 450 feet of religious institutions

PREPARED BY: David Wisener, Economic Development Manager

RECOMMENDED ACTION:

Instruct Staff on desired direction regarding the Ordinance.

Summary

At the May 5 Regular City Commission meeting, members of the Alachua Chamber of Commerce and other local business representatives expressed a desire for the Commission to consider amending a City ordinance that prohibits the sale of alcohol within 450 feet of a religious institution. This request emanates from a desire from members of the community to allow the possibility of a brewery and/or wine bar to locate in the business district along Main Street which, because of the close proximity of three churches, is currently restricted because of this ordinance. The Commission requested Staff return at a future meeting to present possible options. On May 22, Staff sent emails to the three affected churches inviting them to the June 9 Commission meeting to share their thoughts on this discussion if desired. On June 5, Staff sent additional emails to the three affected churches updating them that the discussion had been moved to the June 23 Commission meeting. At the June 23 Commission meeting, the Commission directed Staff to engage again with the churches to ensure they were aware of this discussion. Staff called the pastors of each church the week of July 7 to inform them this item would be discussed at this July 28 meeting.

For context, the full portion of the relevant ordinance is Section 4.3, which reads: "It is unlawful for any sale of alcoholic beverage to take place or occur, whether for consumption on or off a premises, within 450 feet of a religious institution, as defined by the City's Land Development Regulations unless authorized by a special event permit issued pursuant to [Section 4.6](#), special events, of the Land Development Regulations (LDRs), or unless authorized for a temporary event where the sale of alcoholic beverages will not exceed a period of three days for a single event. Such distance shall be measured from the center of the main entrance of the licensed premises and follow the most direct public route of pedestrian travel to the center of the main entrance of the religious institution. However, this section shall not apply to those sales of beer and malt beverages for consumption off the premises and for locations that are licensed as restaurants which derive at least 51 percent of gross revenue from the sale of food and nonalcoholic beverages or for a premises licensed on or before July 1, 1999 and continuously

operating."

There is no State statute that requires a municipality to have an alcohol sales prohibition in relation to distance from religious institutions. The only State prohibition that is similar is in Section 562.45(2)(a): "a location for on-premises consumption of alcoholic beverages may not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school unless the county or municipality approves the location as promoting the public health, safety, and general welfare of the community [as decided through a public hearing process]." There are not currently any schools located in a proximity to Main Street that would affect this discussion.

Therefore, whether there is a prohibition on alcohol sales in proximity to religious institutions is solely at the discretion of municipalities, and if there is a prohibition, the distance is likewise at the discretion of municipalities. For example, the other seven Alachua County municipalities have the following ordinance restrictions in place regarding distance of alcohol sales from religious institutions:

- Archer - 600 feet
- Gainesville - no restrictions
- Hawthorne - no restrictions
- High Springs - 500 feet
- Micanopy - no restrictions
- Newberry - 300 feet
- Waldo - 500 feet

Specific to Alachua's Main Street, because Living Word Church of Faith is located on Main Street in the heart of the northern business district, maintaining a prohibition of any significant distance would eliminate a large portion of buildings from alcohol sales. In the southern business district, a prohibition of approximately 200 feet would likely allow sufficient distance from First Baptist to qualify those business buildings.

Because there is no State requirement, all options are open to the City Commission depending on its preference. Some of those options are:

- Remove the prohibition on alcohol sales in proximity to religious institutions altogether
- Remove the prohibition on alcohol sales in proximity to religious institutions within a specific area of the City (for example, along Main Street, or within the CRA, or some other specified area)
- Specify a new distance prohibiting alcohol sales in proximity to religious institutions
- Amend the City's Land Development Regulations to create a category for "brewery" and/or "wine bar," then exempt those categories from the prohibition
- Maintain the existing ordinance as is

FINANCIAL IMPACT

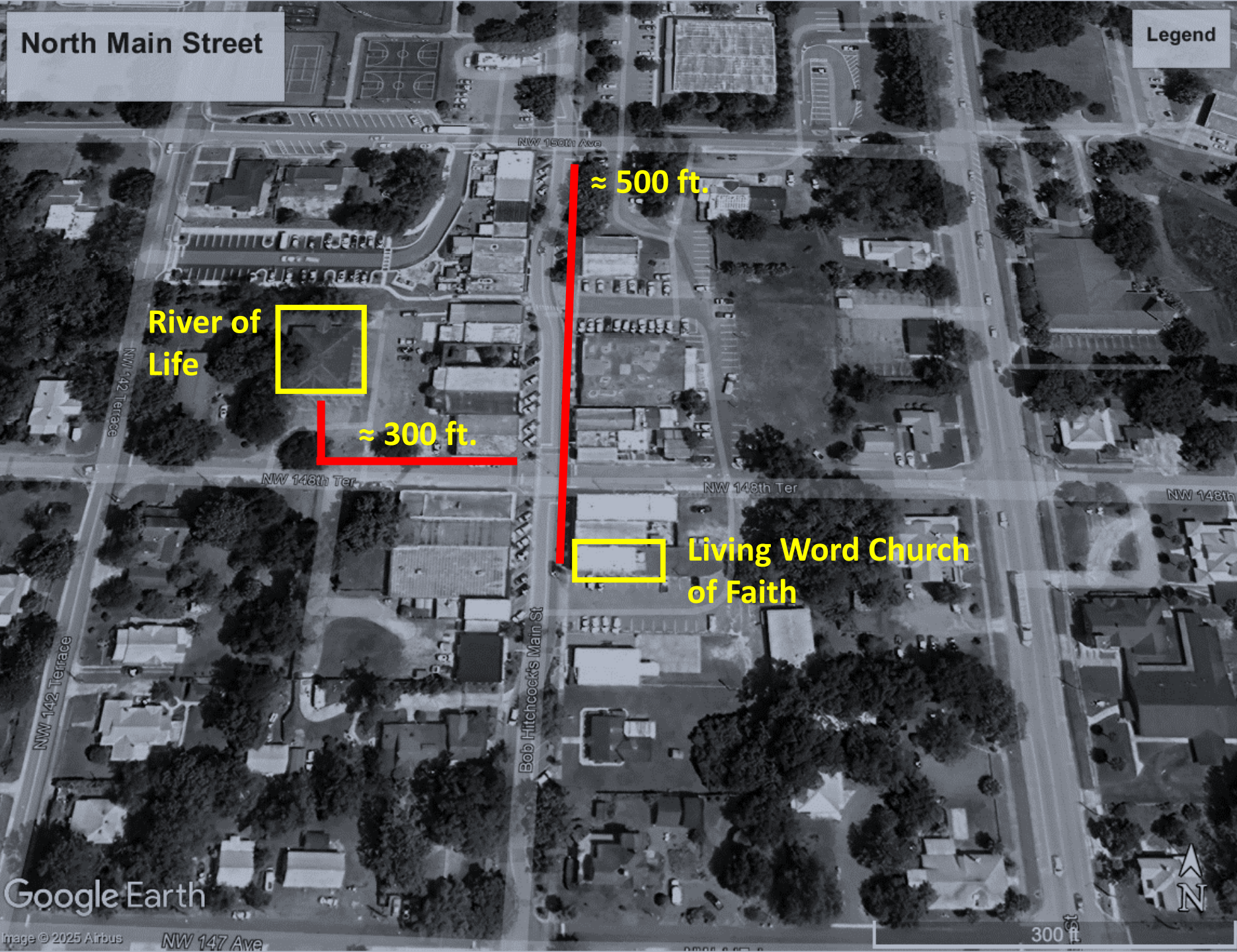
ADDITIONAL FINANCIAL INFORMATION

COMMISSION GOALS

Economic Development
Quality of Life
Community Enhancement

ATTACHMENTS

1. Alcohol sales ordinance church distances





South Main Street

Legend

≈ 490 ft.

First Baptist

Google Earth

Image © 2025 Airbus

300 ft