

ORDINANCE NO. 108, 2026
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SECTION 3-85 OF THE CODE OF THE CITY OF
FORT COLLINS FOR THE PURPOSE OF EXPANDING THE
DISTANCE EXEMPTION FOR LIQUOR LICENSES FOR
SCHOOLS AND COLLEGES

A. City Code Section 3-85 currently states that businesses that sell alcohol are prohibited from selling alcoholic beverages within 500 feet of any public or parochial schools, principal campus of any college, university or seminary with the exception of Colorado State University ("CSU").

B. There are no exceptions to the current 500-foot distance requirement other than CSU as stated in Section 3-85.

C. There has been an inadvertent impact on businesses, especially small local restaurants, due to new and expanding locations of charter schools in mixed-use or non-residential areas that are intended for commercial use. This limits the ability to issue liquor licenses to new businesses or an existing business seeking a concept change located near these new schools.

D. This Ordinance amends the City Code to expand the current exception for the 500-foot restriction to now include all colleges, universities or seminaries and to public or parochial schools that are located within the commercial, industrial, mixed-use and downtown zones. This modification does not impact any locations in zones other than those aforementioned zoned areas.

E. City Council hereby finds that amending the distance restrictions as set out in this Ordinance is in the best interest of the City and its businesses by allowing commercial centers or sites that are appropriately zoned and in compliance with all other applicable criteria, to be eligible for the applicable liquor license.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Sec. 3-85. Distance restrictions.

(a) The distance restrictions imposed by C.R.S. § 44-3-313(1)(d)(I), prohibiting the sale of alcohol beverages sold pursuant to a license described in C.R.S. § 44-3-309(1), within five hundred (500) feet of the principal campus of any college or university, any public or parochial school or the principal campus of any college, university, or seminary, are eliminated for only as to the following licenses and types of schools or campuses. All other distance restrictions established by C.R.S. § 44-3-313(1)(d)(I), shall continue in full force and effect:

(1) ~~a. Any class of retail license in C.R.S. § 44-3-309(1), except the retail liquor store license and the liquor-licensed drugstore licenses, but only with respect to the distance between the proposed licensed premises and the properties owned by the State Board of Agriculture for the benefit and use of Colorado State University. Except as said distance restrictions are hereby eliminated with respect to properties of Colorado State University, said distance restrictions shall continue in full force and effect as they pertain to any other public or parochial school or the principal campus of any other college, university or seminary.~~

(2) Any class of retail license in C.R.S. § 44-3-309(1), with respect to the distance between the proposed licensed premises and any public or parochial school when both the proposed licensed premises and school property are entirely located inside any of the following Zone Districts as defined in Article 2, of the Fort Collins Land Use Code:

- a. Commercial (Land Use Code Division 2.3);
- b. Employment, Industrial, Other (Land Use Code Division 2.5);
- c. Mixed-Use (Land Use Code Division 2.2); and
- d. Downtown (Land Use Code Division 2.4).

Introduced, considered favorably on first reading on August 18, 2026, and approved on second reading for final passage on September 1, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: September 11, 2026
Approving Attorney: Kevin Haugland

Exhibit: None