



### City of Cañon City

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The City wants nothing more than success for businesses small and large in our community. When a business decides to get up and running it is important to comply with the appropriate zoning, building codes, land use regulations, and sales tax requirements prior to opening for business. If a business decides to change what it does, for example start manufacturing in a building/area that is zoned for retail or commercial, then they must meet with the city to find out what they need to do to be in compliance with city ordinances. Codes and ordinances are in place for the public's health and safety. Safety is our top concern and priority when implementing and enforcing ordinances. We want to make sure that you are safe, your employees are safe, and your customers are safe. The City Community Development Department is committed to working cooperatively with businesses to achieve success in meeting health and safety standards. Once a business successfully meets the city's zoning, building, and land-use requirements, they are vested, which creates a legally binding agreement with the city.

In regards to the Hale Pet Door Special Review:

- Mr. Hale purchased a 1.45 acre property at 213 South 8th Street and 215 South 7th Street for his business Hale Pet Door in 2015.
- The property Mr. Hale purchased is zoned C-Commercial and manufacturing businesses are not permitted by right, however, they may be allowed through approval of a special review use (SRU).
- Prior to Mr. Hale's purchase, the property had been vacant for some time but most recently the building fronting 8th Street had housed an office. The start-up of Mr. Hale's business constituted a "change in use".
- A computer recycling and a furniture manufacturing business were located at the site in prior years but both of these businesses would have been considered illegal, nonconforming, as they are not permitted uses in the C-Commercial zone.
- The Planning Commission, on November 15, 2016 recommended approval of a Special Review Use with conditions, in a vote of 7-0, for Hale Pet Door.
- The Planning Commission is comprised of appointed residents of Cañon City.
- The city administrator and city staff enforce the laws of the city. Zoning code is law. Only City Council can amend these laws.

Mr. Hale was asked to comply with the city ordinances but most importantly, Mr. Hale was asked to meet safety concerns. Mr. Hale stated he has 20 employees and his business had changed from commercial (a call center) to include manufacturing when he moved to South 8th Street. The city had over 25 personal and written interactions with Mr. Hale between September 7, 2016 and February 8, 2017, of which the City Council was regularly apprised of. The City was more than willing to work with Mr. Hale and waived a number of fees and requirements in order to get Mr. Hale's business approved. The only items left for Mr. Hale to meet were the completion of safety requirements and other requirements that all businesses have to comply with like employee parking and infrastructure improvements.

During the December 19th City Council meeting Mr. Hale stated, "My decision is to, at this point, is to let the city do what it's gonna do, and then I'll shut down when I need to." This meeting can be viewed at [www.youtube.com/watch?v=MSpOFIAjtFA&feature=youtu.be](http://www.youtube.com/watch?v=MSpOFIAjtFA&feature=youtu.be). On January 11th, Mr. Hale chose not to meet the safety requirements for his business and employees and instead withdrew his application. It will cost him far more to move than comply with the City's requirements.

As stated before, we want nothing more than success for our businesses and our residents. Our obligation is to provide an even playing field for all businesses, and to fairly and consistently apply the city's zoning, building, and land-use regulations. We cannot however ignore safety concerns or city ordinances. These ordinances are online for everyone to read and review at [www.canoncity.org](http://www.canoncity.org). The Community Development Department is here to serve the business and residential community by ensuring timely, consistent, and cooperative services.

The Mayor and City Council will soon be forming a Business Regulation Citizen Committee, similar to our recent Community Marijuana Cultivation Facility Citizen Committee, Arkansas River Corridor Plan Citizen Committee, US Hwy 50 Pedestrian Crossing Committee, and Centennial/Mountain View Park Committee to engage residents and businesses to review and recommend any changes to the city's business regulations. Information on volunteering to serve on these committees will be advertised in the next several weeks.