

Alex Norton

From: Armond Acri <anacri_wy@msn.com>
Sent: Wednesday, August 20, 2014 3:24 PM
To: Tyler Sinclair; Alex Norton
Cc: 'Rich Bloom'; 'Mary Gibson'
Subject: LDRs

Tyler and Alex, Unfortunately in his article today, Mike Polhamus did not include one of my key points. I think you made a good effort with the table of changes and should be commended for that effort. I also told him I believe that we have to ask if the table of changes is meeting the intended purpose of informing the public of what changes were proposed. I think the answer is that it does not do so effectively. I suggested that it was the responsibility of the electeds to recognize that and take action to communicate more effectively. One way to do that would be to have a workshop to determine what format is most useful to the public. I do believe that charging ahead will cause problems down the road.

Armond Acri
Save Historic Jackson Hole



August 22, 2014

TO: Tyler Sinclair, Planning Director
Town and County Planning Department

FROM: Mary Gibson, Community Planning Director
Jackson Hole Conservation Alliance

RE: Improving the LDR update process

Dear Tyler,

Thank you for meeting with us last week and listening to our concerns about the county's process to revise our Land Development Regulations (LDRs). Here, we present our specific concerns regarding this process and simple solutions to address them. Our proposed improvements will provide a better, faster, and smarter way to engage our community in an open, transparent, and accessible dialogue that best revises our LDRs and implements our community's vision as reflected in our comprehensive plan.

We propose four solutions to structure a better, faster, and smarter public engagement process:

1. A **clear road map** that explains when each section will be drafted, released for public comment and, finally, adopted.
2. Provide a "**red line**" version of the proposed new LDRs and current effective LDRs so the community can efficiently compare what changes are being proposed.
3. Provide a **clear rationale** for how the proposed changes work to implement our community's vision as reflected in our comprehensive plan.
4. Provide **adequate opportunity for our community to review and comment** on proposed changes. And, provide an appropriate forum so these comments are conveyed to planning staff, planning commission members, and elected officials.

Here are the issues underlying these proposals and our rationale for suggesting them:

1) Issue: There is *not a clear schedule* of when articles are being revised, released for comment, and adopted. For instance, stakeholders understood revisions would be limited to Articles 1 and 8, General Provisions and Definitions, at this stage. However, there are proposed changes throughout the code, in all 9 Articles. And there are multiple LDR review and adoption processes that are happening simultaneously with a confusing schedule of planning commission, town council, and county commission meetings.

Partnering for a Wild and Beautiful Community Since 1979. The Results of Our Work are All Around You.

685 S. Cache St. • P.O. Box 2728 • Jackson, WY 83001 • (307) 733-9417 • info@jhalliance.org • JHAlliance.org



Solution: Provide a *clear road map* showing when and in what order different LDR sections/articles will be drafted, released for public comment, and adopted. Further, please strive to adhere to that published schedule.

2) Issue: Stakeholders *cannot readily track changes* in the revised regulations. The Matrix of Changes is confusing and forces stakeholders to layout existing code and new proposed code, side by side, to discern the changes, in all 800 pages.

Solution: Provide the public with a “*red lined*” *revisions document* that shows exactly what has been struck and what wording has been added.

3. Issue: The *code changes are not clearly tied to our community’s vision* as articulated in our comprehensive plan. In particular, several changes are being proposed to the environmental assessment process before the NRTAB and county contractor have completed their Focal Habitat Identification project. This is putting the cart before the horse. As well, the section on land use designations for public lands which are being transferred to private ownership has been changed with no policy direction to this effect in our comprehensive plan.

Solution: Provide a *rationale that explains how the proposed changes better implement the policy direction in our comprehensive plan*.

4. Issue: Our *community does not have adequate time and opportunity to comment* on proposed revisions. Planning meetings do not provide a suitable forum at which commissioners can receive public comments. Comments submitted in writing are not clearly presented to decision makers and the public is not given the opportunity to explain their written comments and make their case at the very next public meeting. Staff, planning commissioners, and elected representatives must have the opportunity to view all public comments.

Solution: Provide *adequate time and opportunity for the public to review and comment* on proposed drafts. We note that a clear road map of LDR revision will be one important step that helps toward this end. Second, during planning commission and county commission meetings, provide adequate opportunity for public comment and ensure that all public comments, written and verbal, are conveyed to planning commissioners and elected representatives.

Finally, we believe that revising our LDRs to reflect our community’s vision as articulated in our comprehensive plan should be afforded the highest priority by planning staff and our elected representatives. Reacting to current issues becomes a distraction that prevents our community from implementing our comprehensive plan vision. Such issues can be addressed through the LDR revision process.

Overall, we propose four solutions to address key issues in the current LDR revision process. We believe that our solutions will ensure a better, faster, and smarter public engagement process

Partnering for a Wild and Beautiful Community Since 1979. The Results of Our Work are All Around You.

685 S. Cache St. • P.O. Box 2728 • Jackson, WY 83001 • (307) 733-9417 • info@jhalliance.org • JHAlliance.org



that will allow our community to make the right choices about choosing regulations that help us meet our comprehensive plan vision.

We at the Alliance would be delighted to work with you to help implement these proposed solutions. Please do not hesitate to reach out if we could be of any assistance. And, please feel free to contact me if you have any further questions.

Thank you for your time.

Sincerely,

Mary W. Gibson
Community Planning Director
Jackson Hole Conservation Alliance

Cc: Alex Norton, Long Range Planner
Teton County Board of Commissioners
Jackson Town Council

August 26, 2014

To: Tyler Sinclair – planning director – Town of Jackson and Teton County Planning Departments
Teton County Board Of Commissioners

Re: Joint Land Development Regulations –“Restructure & Administrative Procedure Update”

Dear Tyler and Commissioners,

As you know I have serious concerns on the lack of “effective transparency” and wanted to memorialize the issue – and also offer concrete steps to fix the problem and keep the LDR update process on schedule.

I believe we have mutual goals of maintaining the LDR review schedule but you have also stated that you want to engage and disclose to the public substantive changes along the way – and make sure changes that are proposed relate only to the new 2012 Comprehensive Plan direction.

At this date I have very serious concerns that I have already shared with Tyler Sinclair and Alex Norton that unfortunately we are not close to achieving these shared goals.

Of primary concern is that imbedded into the 1,600 pages of Town and County restructured LDRs are numerous substantive changes that the community has no idea are being considered – and also do not relate in any manner to new direction from the Comprehensive Plan. I suspect most of these changes is staff’s attempt to do some housekeeping and word smiting but as you will find in this letter they go well beyond that.

The Process Failings:

First and foremost the roll out was constantly positioned as a “LDR Restructure & Administrative Procedure Update” – and was not to have substantive buried changes covering items as far flung as changes to Home Occupancy and Home Business, environmental regulations and affordable housing regulations. The manner in which the 800 pages of LDRs and sixteen pages of changes were rolled out – without any redline or side-by-side comparisons - made it nearly impossible for the public to identify and review changes. Myself, along with staff from the Jackson Hole Conservation Alliance and Save Historic Hole, made repeated requests for a simplified comparison of all proposed changes – or even a redline Word document - to the planning office. These requests were always denied as they felt the table of changes was all that was needed.

I consider myself someone rather fluent on the LDRs, 2012 Comprehensive Plan and the public process. I dutifully reviewed the sixteen page roadmap to possible changes, attended an open house and meet with both with Tyler and Alex. Without staff providing either a redline or a side-by-side comparison of all of the changes it was impossible to work through 1,600 pages of documents to see what had actually changed. Again I will emphasize that the roll out was positioned that it was primarily a “LDR Restructuring and Administrative Procedure Update”– and that substantive changes to most sections would follow at a later date. Unfortunately I found this to be largely untrue.

I want to be clear that I do not believe the lack of effective transparency was intentional. It is simply an unfortunate effect of the complexity of the task at hand. I want to also support the concept of

restructuring – but it should have been done separated from buried numerous substantive changes that no one can track. The positive news is this is correctable and I will go into some length on the changes to Home Occupancy and Home business to magnify the types of changes in many sections of the LDRs going complete unnoticed by the public and possibly even you. Most importantly I cannot detect any clear relationship of most of these changes to new comprehensive plan direction.

The complete lack of public comment by most organizations and nearly all individuals fluent with the process attest that catching changes was almost impossible without hours upon hours of work. That is now finally being done by a few of us - and we are finding substantive changes in areas we, the public and even the electeds were not aware of.

Process Solutions:

- Direct staff to prepare a side-by-side comparison of all proposed changes that is accessible to the public so they can be thoughtfully considered.
- Have staff remove all changes that are not related to the restructure and administrative changes – and in addition remove all of those that are not related to the new direction of the comprehensive plan.

Home Occupancy and Home Business changes (see attached comparison charts):

Let me preface that I am not against current uses of home occupancy, home business or home day care – the concern is the change in uses and increase in intensity of uses buried in the complexity of the new draft LDRs going totally unnoticed by the public and electeds.

Home Occupancy

Home Occupancy is an allowed by-right use in every home in the County and the Town. It is intended to incubate businesses and stay at a level that is compatible with the residential nature of location it is located in. There are numerous protections to achieve that via number of employees (no off-site employees), numbers of clients served and percent of a home used for this starter business to name a few.

Substantive changes that are contrary to the new Comprehensive Plan direction:

A primary direction of the plan is to maintain the integrity of existing residential neighborhoods. The specific changes to Home Occupancy which is a by-right use in every home in both the County and Town are as follows:

Uses permitted have been expanded with a general term of “education” added to day care.

The draft LDRs now bring in “education” and combined it with “day care”. In the County current regulations the term education is specifically contained by not allowing “tutoring or classes for no more than two (2) students at one time”

In the case of counselling language ensures that only one of one counseling is done.

By expanding to the term of “education” with day care you are opening up the entire valley to the inclusion of schools that have previously become so problematic in the Nethercutt subdivision with the illegal Pioneer Classical School. Institutional uses of education are a large leap from the pressing need to have very modest home day care as available as possible – contained to reasonable levels that is compatible in a residential neighborhood.

Intensity of use has been expanded – increase in numbers of the new combined “day care and education”:

The current County LDRs have day care limits of three (3) to no more than six (6) participants in home day care - and no more two students in education.

The new draft LDRs on “education and day care” has no limits on numbers. The joint planning commissions have made a recommendation of no more the ten (10) students in “education and day care” in the County. This is an increase from no more the six in day care to the current recommendation of no more the ten for day care. This is also an increase for education (tutoring and counseling) from no more than two (2) to now the joint PC recommendation of ten (10). That is a very large expansion of type of use and intensity of use with no discernable new Comprehensive Plan direction of this matter.

Use of home area percentage has been expanded:

The current LDRs limit use of a home for a Home Occupancy to no more than 25% of the habitable square footage. The new draft code eliminates this limit for education and day care. Although part of our code does allow up to 100% of a home to be calculated – that is only for large institutional type daycare uses not found under the definition of Home Occupancy.

Solution:

- The County Home Occupation definition should not be changed and expanded with increased uses, numbers and percent of home. Simply keep the constraints on home occupancy largely as the current regulations are written.

Home Business – allowed throughout nearly the entire County via a CUP.

Home Business is the next level of intensity of incubating a business in a residential neighborhood. Since it expands types of uses and also allows up to two off-site employees – it must receive a conditional use permit. It is allowed throughout nearly the entire County.

The primary issue in that the definition for Home Business has been expanded exponentially by bringing in Light Industry and Heavy Services. A complete comparison is attached in a gird submitted as part of the planning commission review.

The addition of Light Industry would allow new uses ranging from Sheet Metal Fabrication, Processing and Packaging of Meat and Game, Welding and Machine Shops, to Brewery, Winery and Distillers. The addition of Heavy Services will expand allowed uses to everything from Boarding of Horses, Veterinary Services to Automobile Rental, Servicing and Repair shops.

There is only some specific reference within the Character District of Hog Island for this direction. Simply the Comprehensive Plan did not direct greatly expanded Home Business uses to the entire County. More concerning is that planning staff has acknowledged that this expansion of uses is not appropriate for most of the county and will be constrained once the new zoning maps are complete.

The problem is if a new uses get started via a CUP in current zones staff is recommending not have these dramatically expanded uses – then we will have a situation that uses have been approved that are not desirable to specify character districts and/or zones. This is an avoidable potentially large private property and takings issue.

Solution:

- Expanding the definition of Home Business to Light Industry and Heavy Services should not be done until the new zoning maps are complete. There is nothing in the new plan that would direct opening nearly all of residential neighborhoods to these expanded uses.

Corrective Step recommended for the September 8 JIM:

I am hoping the commissioners and staff will take the opportunity on September 2 at their scheduled 2:30pm workshop to discuss the issues I, and others, have brought up.

I would like to see the following changes be achieved by the September 8 JIM review meeting.

1. A complete side-by-side comparison piece is developed that clearly shows intended changes – and the compelling reasons that would suggest these changes in the new plan.
2. Expanded or increased uses that are to only apply to specific new zones should not be considered until the adoption of the new zoning maps. This applies to Home Business.
3. All changes not directly related to changes in the Comprehensive Plan should be removed and reviewed after the new LDRs representing the new direction in the Comprehensive plan are adopted. This specifically applies to Home Occupancy.
4. These unrelated changes only slow down and distract from the timely adoption of critical LDR changes related to the new plan – much like the yearlong short-term rental debate distracted staff and electeds energy and time.
 - a. These buried substantive changes also are scattered in the affordable housing regulations and the environmental review regulations.

Sincerely,

Rich Bloom

Cc Alex Norton, Mayor Mark Barron, Jackson Town Council

Comparison of Home Occupancy use in existing LDRs versus proposed re-write of LDRs

Existing LDRs

Uses permitted:

- professional services
- art and music studio
- tailor
- repair of furniture and small appliances

- tutoring or classes for no more than two (2) students at one time
- Counseling primarily for individual persons
- Day care home, family

Limits of use:

Day care - "no more than six (6) persons for part of a day in a family setting"

Percent of Home You Can Use

All uses no more than 25% of habitable floor area of the principle dwelling unit

Proposed LDRs

Uses permitted:

- office
- service

- education and day care

Limits of use:

"Daycare or education use is a business where persons receive educational instruction and/or care for part of a day."
Draft - no limits on numbers - joint PC has recommended no more than ten (10)

Percent of Home You Can Use

Same except: "This standard shall not apply to home education and daycare use." So 100%

Comparison of Home Business use in existing LDRs v. proposed re-write of LDRs

Existing LDRs (§§ 23700; 2220.B.4)	Proposed LDRs (§§ 6.1.11.E; 6.1.6.A, D & F; 6.1.9.B)
Service Businesses	Service Business (Same)
Offices	Offices (Same)
	Light Industry
	Sheet Metal Fabrication and Woodwork
Contracting Businesses	Building Contractors and Special Trade Contractors such as cabinetry, carpet and flooring, insulation, roofing, mechanical, and plumbing and heating
	Processing and Packaging of meat and game
	Wholesale sales and distributors
	Welding and machine shops
	Industrial laundries and laundry services
	Food service and distribution
	Cleaning and janitorial service and supply
	Brewery, winery, distillery
	Heavy service (does not include Heavy Retail)
	Rental and servicing of light motorized and nonmotorized tools and equipment
	Motorized vehicle rental, service and repair
	Farm implement service
	Vetrinary and other pet and livestock services
	Landscaping services
	Boarding of horses
	Education and Daycare (w/rec to limit to no more than 15)
Music, art or other schools	Schools
Home day care, family (3-6), group (7-11)	Childcare centers
Art Studios and galleries	

Alex Norton

From: Don Harger <donharger@hotmail.com>
Sent: Tuesday, August 26, 2014 7:15 PM
To: Alex Norton
Subject: Comment on LDR Updates

We would hope that the language of the LDR's can be rewritten in more easily understandable language and organized in a manner accessible to the average citizen.

Don Harger

Alex Norton

From: Rich Bloom <richbloom.jh@gmail.com>
Sent: Wednesday, September 03, 2014 12:03 PM
To: County Commissioners; Town Council; Mark Barron; Tyler Sinclair; Alex Norton
Cc: Keith Gingery; Erin Weisman
Subject: LDR Restructure - updated comments

Dear County Commissioners, Mayor Barron, Town Council and planning staff,

I likely will not be able to attend the September 8 JIM at 6pm as I am a board member of the Teton Raptor Center and we are having our ribbon cutting ceremony for the new raptor barn – plus our annually volunteer event for some 75 residents to thank them for their role in supporting our work. If I can slip away in order to make some public comments – I will do so – but I wanted to bring my previous comments up to date.

After discussing my concerns that I laid out in my August 26 email with attachments with several of you in detail I want to support the direction that planning staff will now propose to solve the problems that I outlined – while maintaining the LDR restructure approval timeline.

My understanding is the substantive draft LDR changes I pointed out in detail to County Home Occupancy, Home Business and the County LDRs related to day care – including “Day Care Home, Family” and “Day Care Home, Group” - should be tabled and come forward at a later date via a focused text amendment so there is adequate time for a policy discussion and public review.

These substantive changes I identified are large policy discussions – and the proposed release and review of the zoning maps trialing by some time the LDR restructure approval is an additional unnecessary problematic layer. Staff, in consultation with several of you, now has a pathway to resolve these issues much along the lines of what I suggested in my August 26 comment email.

In closing: I strongly support the direction staff will suggest – and several of you have already confirmed with me that you support – simply that the joint electeds endorse staff’s direction to keep the existing County LDR language in the draft restructured LDRs that relate to Home Occupancy, Home Business and Day Care as they currently are – with no changes at this time to definitions, intensity of use and/or scope of uses.

Sincerely,

Rich Bloom

Frank Hess*
Paul E. D'Amours**
Nicole G. Krieger*

HESS D'AMOURS & KRIEGER, LLC
ATTORNEYS AT LAW
30 East Simpson St.
P.O. Box 449
Jackson, Wyoming 83001

(307) 733-7881 Phone
(307) 733-7882 Fax
paul@hcdlawyers.com
Pat Michael
Legal Assistant

* Admitted in WY
** Admitted in WY, ID & CO

September 3, 2014

Board of County Commissioners
200 S. Willow St.
Jackson, WY 83001

Via email

Re: Reorganized LDRs

Dear Commissioners,

As some of you know, I attended the most recent Town and County workshop on the reorganized Land Development Regulations (LDRs), and the joint meeting of the Town and County planning commissions at which the reorganized LDRs were considered. At the joint meeting, I provided public comment on behalf of clients who oppose the expansion of home business uses in the reorganized LDRs, which adds light industry and heavy services uses as permitted home business uses County-wide (after obtaining a CUP). The expansion of home business uses to include these more intense uses County-wide is not in accordance with the new Comprehensive Plan, which contemplates the expansion of such home business uses primarily in the Hog Island subarea of the South Highway 89 Character District. At the conclusion of my comments, I recommended that the County maintain the status quo with respect to LDRs regarding home business uses and, once the new zoning districts are established based upon the Character Districts and subareas identified in the Comp Plan, the County can at that time expand the home business uses in those zones where such expansion is deemed appropriate under the Comp Plan. It is my understanding that the Teton County Planning Commission did not adopt my recommendation, and the proposed reorganized LDRs that come before you expand home business uses County-wide to include light industry and heavy service.

My clients who oppose this expansion, Drs. Nader Bozorgi and Mandan Farahati, are directly negatively affected by this change. They live on Boyles Hill Road, directly across from the Jackson Hole Winery, which is currently an unauthorized use in the NC-PUD zone under the current LDRs, but which would become a permitted home business use under the reorganized LDRs. Last year, in response to an application submitted by the owners of the winery for a Conditional Use Permit and Home Business Permit to allow the continued operation of the winery, the County Planning Department concluded:

Unfortunately, upon a more detailed review of the [winery] business against the standards in the Land Development Regulations (LDRs), Staff cannot find that the winery qualifies as one of the uses permitted as a home business....

.... Despite our best efforts, we were not able to find a way to recommend approval of this use or bring the property into compliance under the current regulations.

(See Memo from Shawn Means dated August 30, 2013, Re: Jackson Hole Winery Permitting Issues, pp. 1-2, a copy of which is included herewith as Exhibit A.) Staff identified four options for the winery, one of which was to pursue a text amendment “to either add a food processing and production use and define the zoning districts in which it would be allowed or to amend the existing Home Business standards to permit Light Industrial uses.” (Id, p. 2.) Staff further explained to the winery: “although it is your right to apply for a Text Amendment to the current regulations, as suggested by option #3, given the larger update to the LDRs taking place and the staff workload associated with the update, Staff would advocate for directing your attention to the larger LDR update effort.” (Id.) In December of last year, the owners of the winery submitted a text amendment (AMD 2013-0008) to replace the list of uses permitted as home businesses (Contracting business, service business, offices, etc.) with the single requirement that the use be secondary and subordinate to a residential use on the same property.

It is my understanding that staff has chosen to address the application for a text amendment through changes in the reorganized LDRs that would permit the winery operation to continue. Staff accomplishes this change through a two-step process. First, staff added “brewery, winery, distillery” as a new use to Light Industry. Second, staff included Light Industry as a permitted home use in virtually all residential zoning districts, including NC-PUD. While clearly a substantive change made in response to an application for a text amendment by a landowner, this change escaped capture within the Table of Changes prepared by staff.

As the winery currently operates, it results in substantial additional traffic (including heavy trucks) in what is otherwise a residential neighborhood. Boyles Hill Road starts at the intersection of South Park Loop Road and Tribal Trails Road, and provides access the Indian Springs Ranch and Dairy subdivisions, and homes that are otherwise accessed directly from Boyles Hill Road or Ely Springs Road. Boyles Hill Road sees little traffic other than by residents of these subdivisions, and other owners who access their homes via Boyles Hill Road. Boyles Hill Road is also frequently traveled by bicyclists, runners, walkers and others who use the road for recreational purposes, including my clients, their children and grandchildren. The increase in traffic along Boyles Hill Road from the winery, both in terms of volume and type, is noticeable to my clients, and poses a safety concern for their family and anyone else who may enjoy Boyles Hill Road for bike riding, running, walking, etc.

Living across from the winery, my clients’ driveway is one of only two driveways located between the start of Boyles Hill Road (at the intersection of South Park Loop Rd.) and the entrance to the winery, and is the last driveway passed by traffic going to the winery. In other words, every car and truck, whether from employees of the winery or trucking/shipping companies, destined for the winery passes my clients’ driveway. And according to the winery owners’ prior CUP application, they wish to greatly expand the scope of their winery operations, which will only further increase the intensity of the home business use, and resulting traffic along Boyles Hill Road.

On page one of their CUP application, the winery owners described their winery operation as “Production and Storage of Wine with Tasting Room and Tours.” (See CUP Application 2013-0007, a copy of which is attached hereto as Exhibit B.) In the application, the owners proposed to use the “barn” in closest proximity to my clients’ property as a tasting room; and to hold wine tastings 2 to 3 times per week, for up to 5 hours each time. Presumably, tours of the winery would also be given during those times. The owners also indicated their desire to hold receptions for 50-100 “wine club members”, 3 to 4 times per year. While these uses may well be outside the scope of the “light industry” classification given to the winery under the reorganized LDRs¹, it highlights the slippery slope of expanding home business uses generally: once a home business use takes hold, expansion will likely follow unless physical constraints on the property actually require a different location.

On behalf of my clients, I respectfully request that you keep residential areas residential, and that you not expand home business uses County-wide to permit light industry and heavy service uses, specifically including a winery, within residential areas.

Thank you for your consideration.

Sincerely,



Paul E. D'Amours

Enclosures

¹ Section 6.1.6.E., governing the commercial uses of a restaurant/Bar, was re-written to include standards for “microbrewery, microdistiller, microwinery:

2. Standards

a. Breweries, distilleries, and wineries are general[ly] considered light industrial uses. In order to be considered a restaurant/bar a microbrewery, microdistiller, or microwinery shall include a tasting room in which guests/customers may sample the product and the facility shall produce no more than the following volumes of beverage per year on site:

- i. 15,000 barrels of fermentative malt beverages
- ii. 15,000 barrels of spirituous beverages
- iii. 100,000 gallons of the vinous beverages

Memo

To: Robert and Linda Schroth, Jackson Hole Winery
From: Shawn Means, Staff Planner
Date: August 30, 2013
Re: Jackson Hole Winery Permitting Issues

Dear Bob and Linda,

I am writing in response to the applications you submitted for a Conditional Use Permit and Home Business Permit to allow the operation of your business, the Jackson Hole Winery, from your residential property, Lot 3B Dairy Subdivision. The property, located at 2800 W Boyles Hill Road, contains 16.81 acres and is zoned Neighborhood Conservation-Planned Unit Development (NC-PUD). The Planning Department was made aware of your business in February 2013, after an inquiry as to whether the business was appropriately permitted. Typically in these cases, Planning staff work with the owners to pursue permits that would authorize the use and allow it to continue in compliance with the regulations. Staff initially felt that we could potentially permit the winery as a home business. You were asked to request a pre-application conference to discuss the process and then to submit the Conditional Use Permit and Home Business Permit applications for review. Staff greatly appreciates your cooperation in moving through the process so far and your willingness to work with us to bring the business into compliance.

Unfortunately, upon a more detailed review of the business against the standards in the Land Development Regulations (LDRs), Staff cannot find that the winery qualifies as one of the uses permitted as a home business. Section 23700 of the LDRs lists the uses permitted for home business as follows, "*contracting businesses; service businesses (see Subsection 2220.B.4.d., Service); offices; music, art or other schools; art studios and galleries.*" Based on your application submittal, the winery appears to comply with the other standards for a Home Business, including number of employees, parking, storage and the area devoted to the business; however, it does not qualify as one of the uses permitted.

Staff made numerous efforts to try to find a means of permitting this use in its current location. We explored the possibility of making a Similar Use Determination and finding this use most similar to one of the listed Service uses that would be permitted as a home business and we analyzed other types of uses such as Agricultural Support and Cottage Industry as options. The closest listed use in the LDRs to wine production and bottling would be food service and distribution, which is defined as a Light

EXHIBIT A

Industrial use. Light Industrial uses are not permitted as home businesses, nor are they allowed in the Neighborhood Conservation zoning district. Despite our best efforts, we were not able to find a way to recommend approval of this use or bring the property into compliance under the current regulations.

Given this determination, the following options are available to you:

1. Proceed to public hearings on the current applications in front of the Planning Commission and the Board of County Commissioners with the understanding that Staff will be recommending denial based on an inability to find that the winery meets the standards for a Home Business. The Board of County Commissioners has the final decision-making authority over this application. Should they concur with Staff's determination, you will be faced with either relocating the business to a property where the use is allowed or with shutting down the operation.
2. Relocation of the winery operation to a property zoned for Light Industrial uses, which are allowed by right with an approved Development Permit in the Business Park zoning district or with an approved Conditional Use Permit in the Auto-Urban Commercial or Wilson Commercial zoning districts.
3. Pursuit of a Text Amendment to the regulations to either add a food processing and production use and define the zoning districts in which it would be allowed or to amend the existing Home Business standards to permit Light Industrial uses.
4. Evaluation of whether artisan food processing/small scale food production is an appropriate use to be allowed in one or several of the proposed new zoning districts being considered for Rural character areas of the County as part of the overall update to the LDRs.

None of these options guarantees that we will be able to find a way to permit your business in its current location, and in fact, the second option assumes that we will not. Furthermore, although it is your right to apply for a Text Amendment to the current regulations, as suggested by Option #3, given the larger update to the LDRs taking place and the staff workload associated with the update, Staff would advocate for directing your attention to the larger LDR update effort.

Staff would urge you to consider pursuing the fourth option by engaging in the conversations about appropriate uses taking place as part of the update of the zoning districts that apply to areas identified in the Comprehensive Plan as having a rural desired future character. You would need to be prepared to explain how your use, or food production uses more generally, is supportive of the community goals in the Comprehensive Plan and to make an argument for why such uses are appropriate in the zoning districts being considered. Should the outcome of the process be that your use, or a category that encompasses your use, is allowed in the zoning district applied to your property, you would then be responsible for pursuing a development permit as required by the new regulations. Should the outcome be that the use remains prohibited in your zoning district, you will again be faced with relocating or shutting down your operation.

Should you choose to pursue the fourth option and provided there are no complaints from neighboring property owners regarding your winery operation, Staff will stay any enforcement action against your business for 180 days to allow for completion of the Rural Areas LDR update. Once the LDR update is complete, you will either need to immediately pursue the appropriate development permit to bring your business into compliance, or take steps to relocate or shut down your winery. Failure to do so will result in the County having to take enforcement action as outlined in Article IX of the LDRs.

We regret that we were not made aware of your business earlier in the development stages so that we could work through these issues before you invested time and money in your operation. We also regret that we were unable to find a more straightforward solution under the current LDRs. Although we try to work with property owners to find creative solutions and to avoid disruption, a solution is not always possible within the confines of the LDRs, particularly when faced with reviewing a use after-the-fact.

I would be happy to meet with you in person to discuss this determination and your options going forward. Depending on the option chosen, a partial refund of the application fees associated with your current applications may be appropriate. If you have any questions or wish to schedule a meeting, please feel free to contact me by phone at (307)733-3959 or by email at smeans@tetonwyo.org.

Sincerely,

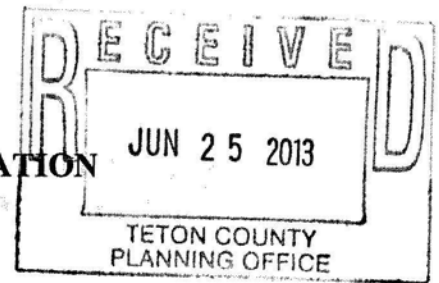
A handwritten signature in black ink, appearing to read 'Shawn Means', with a stylized, flowing script.

Shawn Means
Staff Planner



CONDITIONAL USE PERMIT (CUP) APPLICATION

Teton County Planning & Development Department
P.O. Box 1727, 200 S. Willow, Jackson WY 83001
Phone (307)733-3959 Fax (307)739-9208
www.tetonwyo.org



Please submit applications to the Teton County Planning & Development Department, located:
200 S. Willow Street, Jackson WY 83001.

Applicant: Jackson Hole Winery

Mailing Address: P.O. Box 8827

Zip Code: 83002 **Phone:** 307-201-1057

Email: Jacksonholewinery@gmail.com

Owner: Robert + Linda Schroth

Mailing Address: P.O. Box 8827

Zip Code: 83002 **Phone:** 307-733-6472

Email: Jacksonholewinery@gmail.com

Agent: Owners

Mailing Address: _____

Zip Code: _____ **Phone:** _____

Email: z

Project Description: Production And storage of wine
with Tasting Room & Tours

PIDN: 22-40-17-01-1-01-002

Fee paid: \$ 500
* double fee

Check # 1285

CUP 293-007

For Office Use Only

I hereby certify that all information required for a conditional use permit is submitted as a part of this request and, to the best of my knowledge, all information submitted in this request is true and correct. I grant permission to Teton County and its partnering agencies to enter the property described above during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering the property.

Signature: Linda M. Schroth Date: 3/6/13
(Landowner, Applicant, or Agent)

**CONDITIONAL USE APPLICATION
CHECKLIST OF SUBMITTAL REQUIREMENTS**

- X **Application.** A completed application, including fee, and consent, if applicable. A letter of consent from the landowner is required if the applicant is not the landowner, or if an agent is applying of behalf of the landowner.
- X **Fee.** \$400 to \$500; \$2,000 for application not associated with a Development Plan Permit, in accordance with currently adopted fee schedule. Out of County checks must be certified.
- Development Plan application.** When applicable, an application for a Conditional Use may be required in conjunction with a Development Plan application; it is on the Development Plan application that most submittal requirements are covered and are not repeated on this application checklist.
- X **Response to Conditional Use Standards.** A specific response of how the proposal meets each of the standards in Section 5140.B, Conditional use standards (see attachment for standards.)
- X **Other.** The Planning Director may require any additional information applicable to the requested Conditional Use as listed below:

All applications submitted to the Teton County Planning Department must be submitted in digital format once the application is determined to be sufficient.

SECTION 5140. CONDITIONAL AND SPECIAL USES

B. Conditional use standards. The issuance of a Conditional use permit shall be dependent upon findings that the proposed use, as conditioned, fully complies with all the standards of this Section, this Division, these Land Development Regulations and, where applicable, with Article VI. Platting and Land Records. At the request of the applicant, a Conditional use may be issued on a temporary or term basis, in order to determine and demonstrate the nature and extent of any adverse effects of the Conditional use. The Board of County Commissioners may also attach any other conditions deemed appropriate, including conformity to a specific site plan, to ensure compliance with the following standards.

1. **Consistent with Comprehensive Plan.** The proposed Conditional use shall be consistent with the purposes, goals, objectives and policies of the Comprehensive Plan, including standards for building and structural intensities and densities, and intensities of use;
2. **Compatibility.** The proposed Conditional use shall be compatible with the character of the immediate vicinity of the land proposed for development including scale, bulk, and general appearance;
3. **Minimizes adverse impact.** The design, development, and operation of the proposed Conditional use shall minimize or mitigate adverse effects, including visual impact of the proposed use on adjacent lands; furthermore, the proposed Conditional use shall avoid significant adverse impacts on surrounding lands regarding trash, odors, noise, glare, and vibration, and not create a nuisance.
4. **Minimizes adverse environmental impact.** The development and operation of the proposed Conditional use shall minimize adverse environmental impacts.
5. **Impact on public facilities.** The proposed Conditional use shall not have a significant adverse impact on public facilities and services, including transportation, potable water and wastewater facilities, parks, schools, police, fire, and EMT facilities.
6. **Other relevant standards of Land Development Regulations.** The development and operation of the proposed Conditional use shall comply with all standards imposed on it by all other applicable provisions of these Land Development Regulations for use, layout, and general development characteristics.

June 18, 2013

Planning and Development Department
200 South Willow
P.O. Box 1727
Jackson, WY 83001

Shawn Means, Staff Planner,

Description and proposed Use The applicants have owned and lived on the subject property since 1992. The property consists of 16.82 acres along Spring Creek in the Dairy Subdivision. The applicants have applied for, and received all necessary liquor licenses and winery permits from federal and state agencies to operate a winery. The proposed use of the property, in addition to a family residence, is a small winery. Our property was formerly a commercial dairy known as the Spring Creek Dairy which supplied dairy products to the valley in the 1940's and 1950's. There are currently three utility buildings on the property and all three will be used either for the production, storage, or sale of wine. It is anticipated that building #1 in the attached diagram will be used to house the wine making equipment. The wine is made in the fall, typically, immediately following the harvest of the grapes which occurs in October and November each year.

The applicants personally pick the grapes in California, load the grapes on rental trucks, and drive the fruit into Wyoming from the out of state vineyards in small lots. Upon arrival at the winery the grapes are immediately shoveled into a small machine that crushes and destems them. As the grapes are crushed and destemmed they are placed in fermentation bins. This process takes approximately 12 hours and requires a 3 person crew. The bins are then stored inside building #1 for approximately three weeks until the

initial fermentation process is complete. The crushed grapes are then taken out of the fermentation bins and put into a manual ratchet press to squeeze the remaining juice out of them. The juice is pumped into wine barrels where it will remain for 1-2 years in order to complete the fermentation process and aging of the wine. This process also requires a crew of no more than 3 persons. The wooden wine barrels are then stored in building #1 for 1-2 years.

After the wine is sufficiently aged it will be bottled. The bottling process also takes place inside building #1, and can also be done with a crew of 3 persons. After the wine is poured in the bottle it is corked and a label is applied. The finished bottles are packed in cases of 12 and stored in the front half of building #1 which is temperature controlled.

Building #2 is used to store equipment such as fermentation bins, wine racks, wine barrels along with supplies and materials.

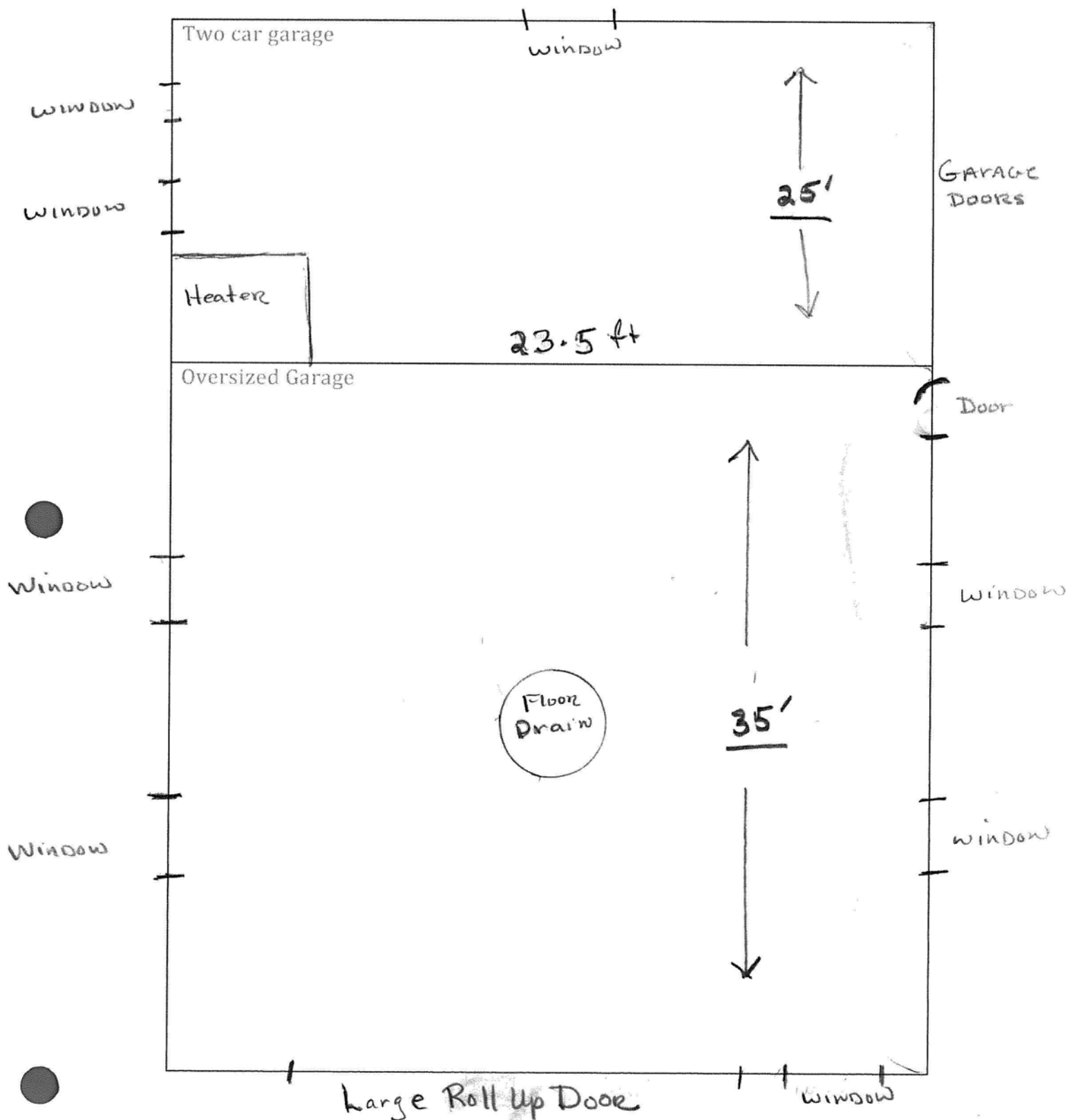
Building #3 (barn) is proposed to be used as a tasting room. We would like to use building #3 to hold wine tastings 2-3 times per week, by appointment only, preferably Fridays from 1-5, Saturdays 1-6 p.m., and Sundays 2-6 p.m. We would also like the flexibility to hold small receptions 3-4 times per year for 50-100 wine club members to come to the winery and pick up wine orders.

We have ample space to park at least 75 vehicles and if given permission for a tasting room we will install government approved handicapped parking spaces as well as accessible restrooms.

Standards for Home Business

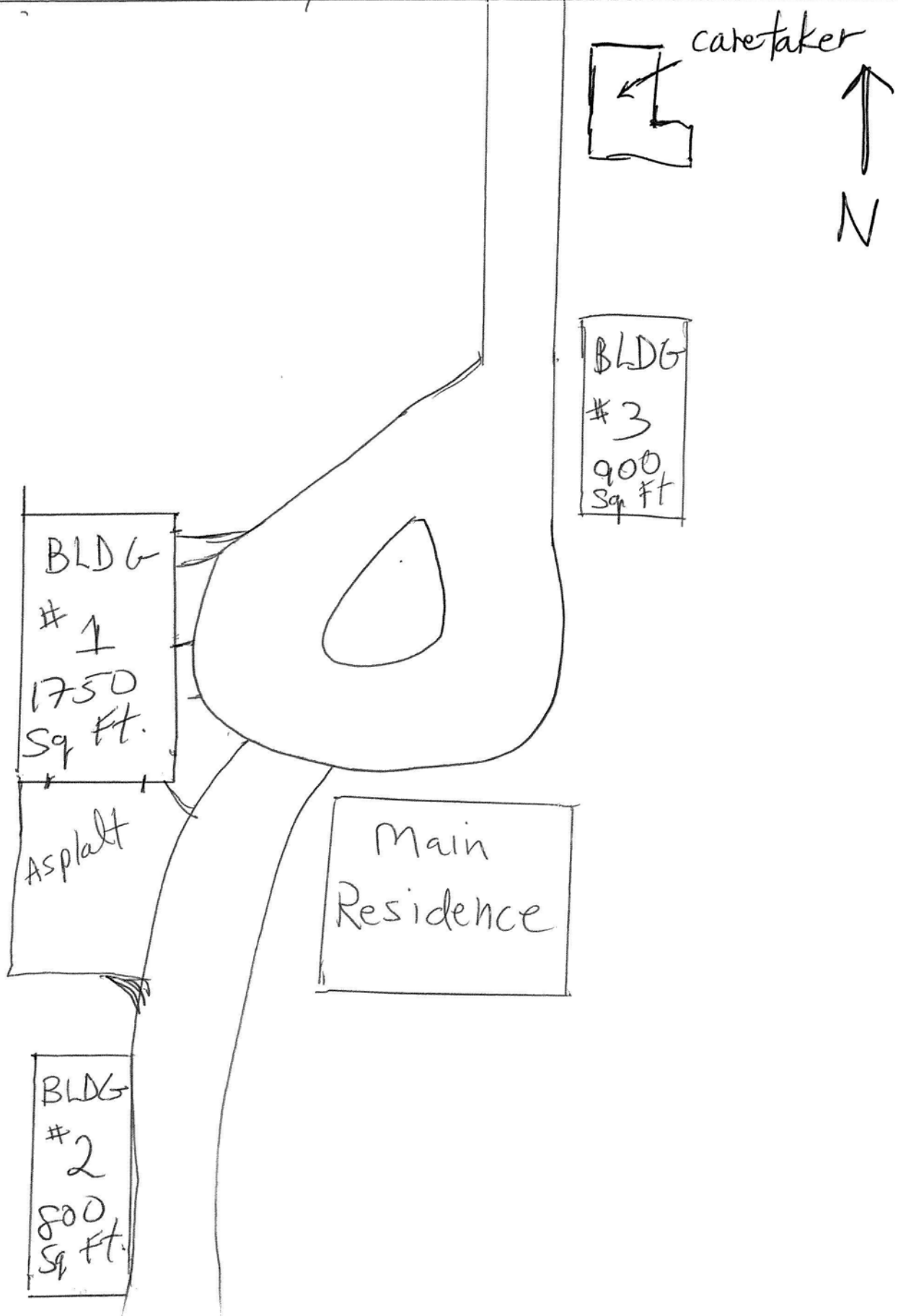
- A. JH Winery will have no more than 3 employees
- B. The proposed winery is accessed off of a county road that has very few residences and those that are located along Boyles Hill Road have large setbacks and are well shielded from the road by trees and vegetation. This helps to minimize any adverse effects to privacy and quiet. The production operation of the winery is done mostly inside and out of view from the roadway or neighbors' properties. Any production work that is done occurs for only a few days in the fall during the harvest when the grapes are crushed.
- C. No more than 3 persons would be employed by the winery at any given time.
- D. None of the vehicles or materials will be located outside.
- E. No more than 25% of residential building will be used for business purpose
- F. All parking will be out of site behind existing structures.
- G. There will be no display of merchandise or advertising of any nature.
- H. Any signage will comply with standard.

Jackson Hole Winery, LLC 60 x 23.5 ft



Bldg #1

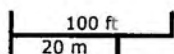
Boyles Hill Rd





Boyles Hill Rd

Jump To ...

[link](#) [help](#)

Wyoming West NAD83 USft
N: 1409539 E: 2428923

Long: -110° 49' 14.4" Lat: 43° 27' 55.7" UTM Zone 12 NAD83 meters
Long: -110.8207° Lat: 43.4655° X = 514507 Y = 4812523
Scale = 1 : 1473

Foreground Layers:

- ☒ Lot Numbers
- ☒ House Numbers
- ☒ Subdivision Names
- ☒ Lot and Parcel Lines
- ☒ Roads and Easements
- ☒ River, Creeks, Lakes
- ☒ Public Land Survey
- ☒ Zoning Overlays
- ☒ Conservation Easements
- ☒ FEMA Flood Zones
- ☒ National Wild & Scenic
- ☒ Fire Zones
- ☒ 5 & 25 foot contours
- ☒ Wild Fire History
- ☒ Landslides

Background Layer:

Aerial Photography

- 2012 Low Resolution
- 2011 & 2009 Mosaic
- 2011 Infrared
- 2009 Color 1 ft & 1m
- 2007 Color, 1ft
- 2005 Color
- 2003 Color, 1ft
- 2002 Grand Teton N.P.
- 2001 Infrared, 1m
- 1999 Color, 1ft
- 1994 B&W, 1m
- 1989 Infrared
- 1983 Infrared
- 1978 B&W
- 1977 Color
- 1967 B&W
- 1945 B&W

Voter Precincts

Designed by Greenwood Mapping, inc.

1977

Jump To ...

[link](#) [help](#)

Foreground Layers:

[Az](#) Lot Numbers**Az** House Numbers**Az** Subdivision Names

Lot and Parcel Lines

Roads and Easements

River, Creeks, Lakes

Public Land Survey

Zoning Overlays

Conservation Easements

FEMA Flood Zones

National Wild & Scenic

Fire Zones

5 & 25 foot contours

Wild Fire History

Landslides

Background Layer:

Aerial Photography

2012 Low Resolution

2011 & 2009 Mosaic

2011 Infrared

2009 Color 1 ft & 1m

2007 Color, 1ft

2005 Color

2003 Color, 1ft

2002 Grand Teton N.P.

2001 Infrared, 1m

1999 Color, 1ft

1994 B&W, 1m

1989 Infrared

1983 Infrared

1978 B&W

1977 Color

1967 B&W

1945 B&W

Voter Precincts

Wyoming West NAD83 USft
 N: 1409769 E: 2428776

Long: -110° 49' 16.4" Lat: 43° 27' 58.0" UTM Zone 12 NAD83 meters
 Long: -110.8212° Lat: 43.4661° X = 514462 Y = 4812593
 Scale = 1 : 2504

Designed by Greenwood Mapping, inc.

WARRANTY DEED

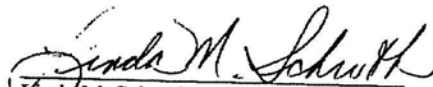
Robert E. Schroth and Linda M. Schroth, husband and wife, GRANTORS, of Teton County, State of Wyoming, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, in hand paid, receipt of which is hereby acknowledged, CONVEY AND WARRANT to Robert E. Schroth and Linda M. Schroth Revocable Living Trust, whose address is Post Office Box 8827, Jackson, Wyoming, hereby waiving and releasing all rights under and by virtue to the homestead exemption laws of the State of Wyoming, to wit:

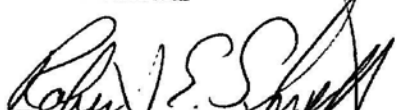
All real property commonly know as and located at 2800 Boyles Hill Road, Lot 3B of the Dairy Subdivision, and more particularly described in Schedule C attached hereto

Together with and including all improvements thereon and all appurtenances and hereditaments thereunto belonging. Subject to all covenants, conditions, restrictions, reservations, and rights-of-way of sight and /or record.

WITNESS our hands this ___ day of September 2004.

Grantor: SCHROTH, ROBERT E ET UX
Grantee: ROBERT E SCHROTH AND LINDA M'
Doc 0634428 bz 566 pg 171-173 Filed at 11:19 on 10/04/04
Sherry L Daigle, Teton County Clerk fees: 14.00
By ANN SCHROEDER Deputy


Linda M. Schroth


Robert E. Schroth

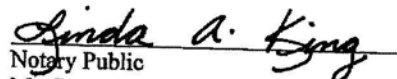
STATE OF CALIFORNIA)

COUNTY OF SAN DIEGO)

RELEASED	
INDEXED	
ABSTRACTED	
SCANNED	

The forgoing instrument was acknowledged before me by Robert E. Schroth and Linda M. Schroth, husband and wife this 9 day of September 2004.




Notary Public
My Commission Expires: 6/7/2007

ALIF RNIA ALL-PURPOSE ACKNOWLEDGMENTState of CaliforniaCounty of San DiegoOn September 20, 2007 before me, Linda A. King
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"personally appeared Robert Schroth Linda Schroth
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Linda A. King
SIGNATURE OF NOTARY**OPTIONAL**

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- ☐ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

- ☐ PARTNER(S) ☐ LIMITED
☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

DESCRIPTION OF ATTACHED DOCUMENTTITLE OR TYPE OF DOCUMENTNUMBER OF PAGESDATE OF DOCUMENTSIGNER(S) OTHER THAN NAMED ABOVE

BASIC PERMIT

(Under Federal Alcohol Administration Act)

1. PERMIT NUMBER

WY-W-15004

2. DATE OF PERMIT

APR 18 2011

5. NAME AND ADDRESS OF PERMITTEE (Number and street, city or town, State and Zip Code)

JACKSON HOLE WINERY, LLC
dba JACKSON HOLE WINERY
2800 BOYLES HILL ROAD
JACKSON, WY 83002-0000

3. REGISTRY NUMBER (if applicable)

BWN-WY-15003

4. DATE OF APPLICATION

December 14, 2010



6. TRADE NAMES AUTHORIZED BY THIS PERMIT (Trade name approval does not constitute approval as a brand name for labeling purposes. If needed, list on reverse or use continuation sheet.)

* Used for Contract Bottling or Packaging/Branding Purposes

7. PERMIT GRANTED FOR (ONE TYPE OF OPERATION ONLY)

Pursuant to the application of the date indicated in item 4, you are authorized and permitted to engage, at the above address, in the business of:

- a. ☐ Distilled Spirits - ☐ distiller ☐ rectifier(processor) ☐ warehouseman and/or ☐ warehouseman and bottler
and while so engaged, to sell, offer or deliver for sale, contract to sell or ship, in interstate or foreign commerce, the distilled spirits so distilled or rectified, or warehoused and bottled, or the wines so rectified,
- b. ☒ Wine - ☒ producer and blender ☐ blender and while so engaged, to sell, offer or deliver for sale, contract to sell or ship, in interstate or foreign commerce, the wine so produced or blended,
- c. ☐ Importer - importing into the United States the following alcoholic beverages: and
while so engaged, to sell, offer to deliver for sale, contract to sell or ship, in interstate or foreign commerce, the alcoholic beverages so imported,
- d. ☐ Wholesaler - Purchasing for resale at wholesale the following alcoholic beverages: and
while so engaged, to receive or to sell, offer or deliver for sale, contract to sell or ship, in interstate or foreign commerce, the alcoholic beverages so Purchased.

This Permit is conditioned upon your compliance with the Federal Alcohol Administration Act; the Twenty-first Amendment and laws relating to its enforcement; all other Federal laws relating to distilled spirits, wine, and malt beverages, including taxes with respect to them; the Federal Water Pollution Control Act; and, all applicable regulations made pursuant to law which are now, or may hereafter be, in force.

This basic permit is effective from the date shown above and will remain in force until suspended, revoked, annulled, voluntarily surrendered, or automatically terminated.

THIS PERMIT WILL AUTOMATICALLY TERMINATE THIRTY DAYS AFTER ANY CHANGE IN PROPRIETORSHIP OR CONTROL OF THE BUSINESS, unless an application for a new basic permit is made by the transferee or permittee within the thirty day period. If an application for a new basic permit is timely filed, the outstanding basic permit will continue in effect until the application is acted on by the Director, Alcohol and Tobacco Tax and Trade Bureau.

THIS PERMIT IS NOT TRANSFERABLE. ANY CHANGE IN THE TRADE NAME, CORPORATE NAME, MANAGEMENT OR ADDRESS OF THE BUSINESS COVERED BY THIS PERMIT, OR ANY CHANGE IN STOCK OWNERSHIP (MORE THAN 10%) MUST BE REPORTED TO THE NATIONAL REVENUE CENTER OR PUERTO RICO OPERATIONS OFFICE WITHOUT DELAY.

THIS IS AN



ORIGINAL PERMIT



AMENDED PERMIT

REASON FOR AMENDMENT

DATE OF AMENDMENT

SIGNATURE AND TITLE OF AUTHORIZED TTB OFFICIAL

FOR JOHN J. MANFREDA, ADMINISTRATOR

Alex Norton

From: Denny Emory <dennyemory@earthlink.net>
Sent: Wednesday, September 03, 2014 3:13 PM
To: County Commissioners; Town Council; Mark Barron; Tyler Sinclair; Alex Norton
Cc: Keith Gingery; Erin Weisman
Subject: Joint LDR Changes & Process

Dear County Commissioners, Mayor Barron, Town Councilors and Planning Staff -

It has been called to my attention from a number of directions now that Planning Staff is preparing to present in a Joint Information Meeting a massive document encompassing a draft of the restructured LDRs. I further understand that within that document a number of substantive changes have been proposed. Of special concern are those that relate specifically to both Home Occupancy / Home Business and Home School / Day Care.

Any substantive changes will have a profound impact on our established and developing neighborhoods moving forward; and, may severely alter a context established through the development and reliance on our history of land use planning and regulations.

The further development of that LDR framework, as massive as it may be, appears to be a part of the process. It is hoped that any and all sustentative changes will be given full and open public scrutiny.

Thanks to all for your time and effort.

Regards -

Denny

Denny Emory
4505 Nethercott Lane
Wilson



September 3, 2014

TO: Tyler Sinclair, Planning Director
Town and County Planning Department

FROM: Mary Gibson, Community Planning Director
Jackson Hole Conservation Alliance

RE: Restructure and Administrative Procedure Update of LDRs

Dear Tyler,

Thank you for meeting with us to discuss our concerns and suggestions for improving the public process with respect to the Land Development Regulations code rewrite process, as articulated in our letter of August 22, 2014. Additionally, we appreciate the fact that Commissioners Phibbs, Ellis, and Vogelheim also met with us to discuss ways to make public review of this daunting endeavor more user friendly.

We are all in agreement as to the need for transparency in the public process of crafting new laws to implement our community's vision as articulated in the 2012 Comprehensive Plan, particularly in the Land Development Regulations (LDRs) administrative and reorganization element currently under review. We are also all in agreement we want to implement our community's vision through revised LDRs as soon as possible and do not want to cause delays in the process underway.

Toward that end, we recommend you hold out any changes in the LDRs which deserve further discussion and consideration because they change the meaning, intent, review process, or allowed uses of the existing code. We recommend you process such changes as separate text amendments to the code, so they can undergo a more focused public review and discussion process, which by their nature, they deserve. This will allow the administrative reorganization portion of the code to move forward to adoption without further risk of delay.

The types of changes we are referring to are such things as:

1. The changes in home occupations, home businesses and daycare.
2. Suggested changes in existing administrative procedures for environmental assessments.
3. Changes requiring a community or neighborhood meeting prior to application for certain land use actions.
4. Changes to the process for establishing comprehensive planning and zoning designations for lands in public ownership, being transferred to private ownership.

Partnering for a Wild and Beautiful Community Since 1979. The Results of Our Work are All Around You.

685 S. Cache St. • P.O. Box 2728 • Jackson, WY 83001 • (307) 733-9417 • info@jhalliance.org • JHAlliance.org



This list is not exhaustive, as we have been unable to review all the changes in the Town and County LDRs. But it is a list of the types of changes we do not think fall under our expectations, nor the public's expectations, as to what is purely an administrative reorganization of the existing codes. Staff should know of any other changes made along these lines, and all of those are changes which should be held out at this time, in order for the revision to move forward without controversy or delay.

This action, to remove substantive, content, process and use changes from the revisions moving forward, should prevent delay, improve transparency and public perception of an user friendly process open and available to all.

Sincerely,

Mary W. Gibson
Community Planning Director
Jackson Hole Conservation Alliance

Cc: Alex Norton, Long Range Planner
Teton County Board of Commissioners
Jackson Town Council

Alex Norton

From: Armond Acri <anacri_wy@msn.com>
Sent: Wednesday, September 03, 2014 12:05 PM
To: Town Council; County Commissioners
Cc: Tyler Sinclair; Alex Norton
Subject: Proposed LDR Changes

SHJH recognizes that staff and the elected officials would like to adopt the proposed administrative changes to the LDRs. We also recognize that some of the changes currently included in the proposed LDRs are not truly administrative in nature and could result in significant changes in what is allowed in our community. We can accept moving forward with adopting the proposed LDRs if all items that are not administrative are removed. This would include proposed changes to home occupancy, home business, daycare, and home schooling. It would include not changing the current limits on habitable space used for home occupancy and home business. These items can be discussed at a future time and adopted on their own merits rather than being lumped in with changes that are truly administrative. Our goal is to protect the community, but we recognize the need to move forward. We think removing the items that have caused controversy will accomplish both.

We still believe that as you move forward, future changes must be summarized in a manner that is understandable to the public. Failure to adequately inform the public of the changes that you propose could result in a major backlash against any changes. This would not be productive. We would point to the staff report on rural tools as an example of a format that worked in the past for the public. In a multi-column format, it compared specific changes between the old regulations and the proposed regulations. We encourage you to continue to explore formats for presenting the information to the public. One option would be to hold a public workshop that specifically asks the question: How would you like to see future changes communicated to you?

Armond Acri
Executive Director
Save Historic Jackson Hole