Teton Valley Idaho
Planning Commission
Article 10-Use Provisions

TETON COUNTY
PLANNING & ZONING
JUN 08 2016
RECEIVED

Dreamcatcher Bed and Breakfast
[redacted]
Victor, Idaho

June 8, 2016

Dear Planning Commission:

Dreamcatcher Bed and Breakfast opened for business May 22, 2015 and was permitted as a three-room lodging. We understand the Planning Commission is revising its Use Provision Code 10.5.4 Overnight Lodging to make bed and breakfast lodgings up to 4 rooms.

The purpose of the letter is to recommend the code be up to five rooms. The reason for this recommendation are as follows:

1. Teton Valley has seen an increase in tourism and the demand for affordable lodging will be an asset to the community by allowing tourist to stay here for more than one night thus increasing the revenue and taxes that filter back to the community,

2. An increase in tourism improves the revenue for other local businesses,

3. Additional rooms will increase revenue thus providing the needed income for overhead and other expenses lodgings accrue during the slow season. Lodging insurance, property taxes and utilities are annual costs that can be offset by the revenue from five rooms during the busy season.

In all, by revising the code for bed and breakfasts to have five rooms will not only be an asset for the local economy but also an incentive for small lodging proprietors to stay in business.

Thank you for your consideration,

Aline Sarria

Aline Sarria, Owner
Dreamcatcher Bed and Breakfast

Kristin Rader

From:	John Hansford <>
Sent:	Wednesday, July 27, 2016 4:43 PM
To:	Kristin Rader
Cc:	Steve Roth; tetonglass
Subject:	Clawson zoning
Follow Up Flag:	Follow up
Flag Status:	Flagged

TETON COUNTY
PLANNING & ZONING
JUN 27 2016
RECEIVED

Kristin

I am writing this letter in response to our conversation yesterday. I am the owner of Drawknife Billiards and my company, Hansford Properties LLC, owns the property at 5146 N Hwy 33, Tetonia, Idaho 83452. My property, which is zoned A20, has been over the years a church, a single building wood shop and most currently, since 2001, a two building wood shop, offices and showroom. I have had a grandfathered CUP to operate as such since buying the property from the Phillips brothers in 1998.

I would like to suggest that my property, along with the other commercial properties across the highway from me, be rezoned to Light Industrial. Since we are already operating businesses of this class, I see no reason not to allow us the zoning under which we actually function. The benefits to us owners are numerous, including but not limited to:
Increased valuation of our properties
More attractive to potential buyers looking for industrial space
Increased ability to borrow funds from banks as they will be more receptive to loans or mortgages if the property is properly zoned in conjunction with their use.

I feel that the time is right to move to this change as we business owners have been operating our businesses for many years with only CUP's which may or may not be passed to future buyers/owners. It is time for the county to be more proactive to business owners if it wants to encourage and entice especially manufacturing jobs to the valley, of which we mostly are. I personally have doubled my workforce in the past year and if sales remain strong, may increase the number of jobs even more. Growth often requires funding and I know that area banks would be much more receptive to extending business credit if my property were zoned for its use. Manufacturing products in this valley is a difficulty by virtue of our remote location and the inherent issues with shipping, marketing and work force that entails. Teton County must take that into consideration when deciding wether or not to help manufacturers in any way they can, this being one.

Thank you for your time and consideration and please let me know what we need to do to further this cause.

Respectfully submitted,

John Hansford
President
Hansford Properties, LLC
Drawknife Billiards

Sent from my iPad
John Hansford

Dear City Council Members,
August, 25, 2016

In 2006 I purchased 80 acres at the north end of the county, bordering Bitch Creek. The purpose of this purchase was for retirement investment only. My intent was to hold onto the property for several years before selling. It was never to subdivide as I only desire one residence on the entire parcel. My realtor never informed me of any issues with obtaining a building permit on the agriculture split. Upon placing the property for resale, about year and half ago, I was informed that I could not obtain a building permit. I realize that after the 2008 downturn, my propery had lost value, I was not prepared to find out that I lost further value due to the building permit issue. I have been informed that several other agriculture splits have been given permits and built on after my 2006 purchase. I would simply request that I be grand fathered in to obtain one building permit for the entire 80 acres, as it is not my intent to place multiple homesites on this beautiful property by future owners. IF this is impossible to achieve, then I would desire a one time split into two 40 acres parcels with designated open spaces. Also I would desire this split be easily accomplished with minimal fees as I have already lost so much value in this land.

Respectfully,

Mark C Stewart

[redacted]

[redacted]

[redacted] Forest Ridge Subdv.

Vicor, Idaho 83455

TETON COUNTY
PLANNING & ZONING
AUG 25 2016
RECEIVED

Kristin Rader

From: Teton Valley Code <info@tetonvalleycode.org>
Sent: Saturday, September 10, 2016 1:46 PM
To: Kristin Owen
Subject: Teton Valley Code Comment Form Submission

Message from Teton Valley Code Comment Form

Name: Dennis Murray

Email: [redacted]

Phone: [redacted]

Which Jurisdiction?: krader@co.teton.id.us

Type of Comment?: General

Chapter: [chapter]

Comments:
I purchased 40 ac in Teton County 25 yrs ago as a retirement place for my wife and I to live. Due to moratorium concerns on land zoned for 2.5 acre lots, I put in a subdivision of 15 lots named Wydaho Ranch in 2008. The cost was enormous and almost caused a bankruptcy as timing was off. I cannot sell a lot for 1/5 price offered in 2006 (prior to completion and approval of subdivision) before the market crashed. With 7,000+ vacant lots already in area its irresponsible to allow more subdivisions until real estate market stabilizes and vacant lots are sold and homes are built. Please have compassion for those that weathered the storm and sacrificed so much to remain long-time land owners and future residents of Teton County.

TETON COUNTY
PLANNING & ZONING
SEP 11 2016
RECEIVED

Comments - Draft Land Use Code

9 September 9, 2016

(The) new Comprehensive Plan created a need to update the County's Land Use Codes (Subdivision and Zoning) because Idaho's Local Land Use Planning Law (§67-65) specifies that county zoning ordinances, subdivision regulations, and official zoning map must not be "in conflict with the policies of the adopted comprehensive plan" (§67-6511-c).

The above is a direct quote taken from http://tetonvalleycode.org/teton-county/. It is assumed the primary goal of the new Land Use Code is to implement, as closely as possible, the objectives/values expressed in the new Comprehensive Plan. If that is truly the case, why have the following key areas of the Comprehensive Plan not been adequately addressed?

1. Land Division – The Comprehensive Plan defines narrow/specific ways and viable options to farmers/ranchers to pass land to family and raise capital when needed. Contrary to the Comprehensive Plan's desire to improve the regulation/control of land divisions, the new code provides even more land division options than the present code. These options apparently can be used by anyone and are not limited to agricultural land. If this code is adopted there is nothing that will stop the proliferation of more sub-divisions, sub-divisions approved without critical process or public hearings. Is this not WORSE than the existing code?
2. Housing Density – The new Comprehensive Plan desires having open spaces and increased housing densities in existing towns. If I interpret the interactive zoning map correctly, the new densities will DOUBLE in most rural areas of the county. Is this not WORSE than the existing code?
3. Protection of wildlife and habitat – The new Comprehensive Plan calls for protection of these natural resources (I was on the Comprehensive Plan committee that addressed this critical issue) and recommended strong rules. It seems the revised wildlife overlay and increased housing density allowed by the proposed new code DECREASES wildlife protections and is WORSE than the existing code.
4. Scenic Vistas – The new Comprehensive Plan recommends a Scenic Vista Inventory and designated open space corridors. It seems the new code is vague on this subject and there is no comprehensive effort to designate scenic corridors. The new code seems to be the same as the old.
5. So-Called "Zombie Subdivisions" – The proposed new code does not address how to either vacate or redevelop the 7,000 vacant lots sitting in Teton County. Why is this critical issue not addressed?

Finally, the proposed new code appears to be highly subjective and full of loopholes as regards house density rules. With the proposed code there will be much uncertainty about development

rights and a home owner will not know what could suddenly appear on the property next door. The new code is not specific enough and will be the same or even worse than the existing code.

I do not think the new code meets the goal highlighted in the first paragraph.

William Powell

[redacted]

Driggs, ID

ISSUE #1 - Land Divisions. The Comp Plan calls for narrowly tailored tools that give viable options to farmers and ranchers to pass land to heirs and raise capital when needed. Instead, the draft code provides even more fast track land division options (see section 3.6.1) than the present, and they are not limited to just agricultural lands - anyone can use them. Teton County is grappling with 7,000 vacant lots and the recent issue of illegitimately created lots from fast track land divisions. These new and **more lax land split options** will create a "mini boom" of additional subdivision lots approved with minimal oversight and no public hearings.

Verdict: Worse than the existing code

ISSUE #2 - Subjective Regulations. Instead of proactively ***making decisions*** on densities, the draft code passes the buck to whomever the ***decision makers*** are at the time. At 422 pages long, there are many loopholes whereby studies and requirements can be waived (see table on 13.2.2), and housing densities can be moved up or down. Landowners will not confidently know what their development rights are, nor will neighbors know what could potentially pop up next to their homes. This creates uncertainty for all.

Verdict: Same as the existing code

ISSUE #3 - Housing Density. The interactive draft zoning map shows housing densities are **doubled** from 20 acres to 10 acres in the most rural areas of the county. On the lands between the three cities, in exchange for 3.75 acre housing density, subdivision up to 4 lots, will be allowed without a public hearing (see table on 14.1).

Verdict: **Worse** than the existing code

ISSUE #4 - Wildlife & Habitat Protections. The Comp Plan places high value on wildlife and habitat, calling for the strengthening and refinement of the rules protecting these natural resources. With a decrease in the area (see section 13.3.8) covered by the revised wildlife overlay, and the new housing density exemptions, and waiveable study requirements (see sections 13.3.7 and 13.3.8), the new code **substantially decreases** wildlife protections.

Verdict: **Worse** than the existing code

ISSUE #5 - Scenic Vistas Protection. The Comp Plan recommends a Scenic Resource Inventory and designated open space corridors - particularly in the salvageable areas along our state highways in order to better protect scenic vistas. The draft code has vague references to open space priorities, but **no comprehensive effort** to officially designate scenic corridors (See section 9.3).

Verdict: **Same** as the existing code

ISSUE #6 - Addressing Zombie Subdivisions.
With **7,000 vacant lots** in the unincorporated county, the code should find ways to either vacate or redevelop these defunct subdivisions, rather than double rural housing densities while incentivizing fast track land division options. The code provides no new guidance (see section 14.10) on plat vacations.

Verdict: **Same** as the existing code

THE BOTTOM LINE

With this new code, Teton County planning staff estimate that ***over 18,000 more lots*** can be created outside of the cities, in addition to the 7,000 vacant lots already platted in the unincorporated areas of the county.

Kristin Rader

From: Suzanne Arden [redacted]
Sent: Monday, September 12, 2016 9:35 AM
To: Kristin Owen
Subject: new code

The new code allows for 18,000 new lots on top of 7000 existing empty lots. Is this in keeping with the vision for our Valley? We don't want to say no to future development, but this seems excessive. The wildlife that we seek to protect now has a smaller overlay. Why is this?

Thanks for all your hard work on this code. I hope that the growth can be trimmed and the wildlife more protected.

Sincerely,
Suzanne Arden

Kristin Rader

From: Jeff [redacted]
Sent: Monday, September 12, 2016 1:46 PM
To: PZ
Subject: Proposed zoning

Follow Up Flag: Follow up
Flag Status: Completed

Hello,

I purchased my property many years ago with one of the primary features was that it is zoned A-2.5. I hope you are not proposing to attempt to reduce my value by changing it.

Jeff McMullen
Tetonia

Sent from my iPhone

Kristin Rader

From: Teton Valley Code <info@tetonvalleycode.org>
Sent: Tuesday, September 13, 2016 9:07 AM
To: Kristin Owen
Subject: Teton Valley Code Comment Form Submission

Message from Teton Valley Code Comment Form

Name: Dan Miller

Email: [redacted]

Phone: [redacted]

Which Jurisdiction?: krader@co.teton.id.us

Type of Comment?: Code

Chapter: [chapter]

Comments:
Chapter 13. Seven of us inherited 95 acres in Cedron that have been in our family over 115years. Four of bought out the other three. We then did a land split leaving two brothers with 50 acres and another and I with 45. Even though we own 45 acres, we cannot build on our own land because if I were to build a cabin, it would be jointly owned by my brother and me. Also, no lender wants to loan money on a structure on jointly owned land. We do not want to do a subdivision, with all its added costs and red tape, as we do not want to sell any lots. Our only solution is for adoption of the short plat or additional land split. Either would allow us to build on our property.

Kristin Rader

From:	Steve Auer[redacted]
Sent:	Tuesday, September 13, 2016 1:10 PM
To:	PZ
Subject:	NEW ZONING PROPOSAL CLARIFICATION
Follow Up Flag:	Follow up
Flag Status:	Completed

I am one of the property owners associated with the Madeline Meadows Subdivision north of Driggs.

In the August, 2016 PZC review draft, our subdivision is designated as "Rural Agricultural."

However, the Stillwater Subdivision, adjacent to the east of us, has been designated as "Agricultural Rural." We are confused as to what this implies.

We have always felt that maintaining agriculture on our lots is an asset to us as well as to Teton Valley. Our plan for the future is to have our farmer, Jim Beard, continue as much agriculture as possible on developed parcels, using hand lines. Recently, at significant cost, we had the berm around our fire pond lowered specifically to facilitate the movement of Jim's irrigation lines.

Madeline Meadows Subdivision was platted in 2007 (#193527) as 2.5 and 5 acre parcels. We are currently in Zoning District A-2.5. After an inquiry to Teton County this March, the owner of lot #4 was reassured that they have building rights on their lot. We assume that, in the future, the other 7 parcels in Madeline Meadows Subdivision will also continue to have the same building rights.

Sincerely,
Steve Auer

Kristin Rader

From: Teton Valley Code <info@tetonvalleycode.org>
Sent: Wednesday, September 14, 2016 9:30 PM
To: Kristin Owen
Subject: Teton Valley Code Comment Form Submission

Message from Teton Valley Code Comment Form

Name: Maggie Shaw

Email: [redacted]

Phone: [redacted]

Which Jurisdiction?: krader@co.teton.id.us

Type of Comment?: Code

Chapter: None

Comments:
I have read the code. Am I missing something? Nowhere can I find zoning to address the existing zombie lots. In fact you are allowing more division of ag properties to add additional lots. I do not understand this.There are no safeguards from the creation of additional zombie lots. Do not open this door again.... Bad idea.

TETON COUNTY
PLANNING & ZONING
SEP 15 7
RECEIVED

September 14, 2016

To: Teton Planning and Zoning Commission

I will not be able to attend either of the public hearings scheduled for Sept 20 and Sept 27 because I must be out of the state for medical reasons. However, as a former member of one of the subcommittees which met numerous times over the course of many months helping to draft the comprehensive plan of 2012, I must emphatically comment that the draft Land Use Development Code does not reflect the vision of the Comprehensive Plan in many respects.

1) The Comp plan calls for narrowly tailored rules for the various Land Divisions. The idea is to be specific, not general, to be clear and concise, not open ended, to be objective, not subjective. The Draft Code is not in compliance with the mandates of the Comp Plan and does not give narrowly tailored tools but rather open-ended options which actually prevent landowners from knowing exactly what their development rights are.

2) The Comp Plan envisions clear and specific Housing densities which can not be changed at will, but the Draft Code proposes densities that do not conform to this vision-densities that go up or down and can be changed, sometimes even without a public hearing.

3) The Comp Plan calls for strengthening the rules which protect the Valley's valuable resources of wildlife and habitats and the Draft Code actually seems to weaken even the existing wildlife protections. I think a clearly defined, maybe even professionally drafted, map showing these important and valuable resources so there is no confusion as to the corridors and habitat of each species, must be part of the code.

4) The Comp Plan specifically recommends designated scenic corridors. The Draft Code again does not follow this vision. The Draft Code is too vague and fails to mandate the designation of open space but rather gives options rather than specifics.

5) Lastly, there doesn't seem to be any effort to specifically address the serious problem of vacant lots and zombie subdivisions. This problem must be addressed in the Code.

In summary, the process must be slowed down and we must be sure we have both public and expert input. We must also be proactive in codifying planning for Housing, Transportation and Recreation in the future.

Marie Tyler
[redacted]
Victor, ID 83455

Kristin Rader

From: Teton Valley Code <info@tetonvalleycode.org>
Sent: Saturday, September 17, 2016 11:48 PM
To: Kristin Owen
Subject: Teton Valley Code Comment Form Submission

Message from Teton Valley Code Comment Form

Name: Jolene nissen

Email: [redacted]

Phone: [redacted]

Which Jurisdiction?: kowen@co.teton.id.us

Type of Comment?: Code

Chapter: None

Comments:
I feel it is discrimination to limit our choices of building types because we are in ag or foothills. For us as a family to have the cottages option or duplex would solve our problem of all of our family being able to have a residence. Families are cut out because you are limiting us with building lots. You have to have 1 per ten acres and 75 per cent open space. So if you have seven families and 40 acres. You can't accommodate everyone. If you had a cottages option or even the duplex option families could accommodate more family When you limit Building lots and require so much open space we should at least have some building options so our families can be accommodated I feel the little cottage behind a single residence is no choice at all it would limit the view and be worthless.

Kristin Rader

From: LegalSandy@aol.com
Sent: Sunday, September 18, 2016 5:18 PM
To: PZ; Kristin Owen; Commissioners
Subject: County Draft Land Use Code

Dear Officials:

Our comments:

1) Land Divisions: No "fast track" options for land division. This is probably the worst road that Teton County could travel in search of a sustainable future. We do not need land speculation, cookie-cutter subdivisions, or chopped-up natural areas.

2) Densities: We have the responsibility right now to put clear and concise rules, minus loopholes, into the regulations. The procedures for increasing densities need to be strict and variations rare.

3) Wildlife and Habitat Protections: We need the strongest possible protections for our wildlife. Human nature being what it is, it is the elected officials who must take a stand to keep rural areas rural no matter what pressure comes to bear.

Teton County = open spaces, view corridors and a vibrant economy based on agriculture, tourism and outdoor recreation. You all have a huge responsibility to those who live here, present and future. Take the long view, honor what we have, and strive always to improve, not degrade, our county.

Sandra and Roy Walters
[redacted]
Driggs

Charles Gaudet [redacted]
[redacted] Victor, Id
83455

Hoosing on Farm for
Seasonal workers
Apple, hop, & gardens

Thanks,

TETON COUNTY
PLANNING & ZONING
SEP 22 2016
RECEIVED