

## Kristin Rader

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**From:** Kenneth Michael  
**Sent:** Tuesday, October 04, 2016 4:54 PM  
**To:** Kristin Owen; Commissioners; PZ  
**Subject:** Public Comment - Livestock Keeping

Dear Teton Valley Planning and Zoning Commission, Board of County Commissioners, and County Planning Administrator,

Under the Allowed Use Table in article 10 (see attached image), Livestock keeping is not permitted in 4 of the 5 agricultural zones. If keeping livestock is indeed permitted for farmers and ranchers, the allowed use table should make that clear in the allowed use table either by assigning an L for limited use or some other means. However, it is my belief that livestock keeping, particularly chickens, should be allowed for home gardeners in any agriculturally-zoned areas.

Permitting livestock keeping in agricultural zones aligns with the valley's cultural heritage and values. Citizens should have the right to produce their own food whether it be fruits and vegetables or animal products, especially in ag zoning. It increases self-reliance, saves money, enriches our lives, and most often benefit the land and our neighbors.

In sum, it is important 1. to clarify where and under what circumstances livestock keeping is allowed and 2. to allow livestock keeping in all agricultural zones and in any other neighborhoods or subdivisions that approve it as a conditional use. Let's change the -- in the Allowed Use Table to a P (or at least an L or C).

Sincerely,  
Kenneth Michael  
Teton Full Circle Farm  
<http://www.tetonfullcirclefarm.org>

Use Category Specific Use	RA	LA	FH	ARN	RC	Residential Districts	Mixed Use Districts	IL	IH	CIV	REC	PRS	Definition/ Standards
Agricultural Uses cont.													Div. 10.8.
Community garden	P	P	P	P	P	--	--	--	--	L	L	--	Div. 10.8.7.
Livestock keeping	--	--	--	--	L	--	--	--	--	L	--	--	Div. 10.8.8.
Nursery	P	P	P	--	--	--	--	--	--	--	--	--	Div. 10.8.9.
Urban farm	--	--	--	--	--	--	--	--	--	--	--	--	Div. 10.8.10.

## Kristin Rader

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**From:** Erika Eschholz  
**Sent:** Tuesday, October 04, 2016 6:13 PM  
**To:** PZ; Commissioners; Kristin Owen  
**Subject:** Comments

Dear Planning & Zoning Commission, Board of County Commissioners, Teton County Planning Administrator

I would like to submit the following comments to the code drafting process:

I support adopting a Zoning Map and Land Use Code that reflects the character mapping in the Comprehensive Plan and would like to see this expressed and enforced in the final draft of the Code. Specifically I would like to see the code adopt the idea of agricultural-rural neighborhoods where there is a transition between cities and rural lands in the county. To do this I would like to see medium sized lots clustered together to protect open space. The open space should be left for parks, farms, and pathway connections. This process could make possible large tracts of contiguous open space which would serve our greater community and wildlife in many ways. I also greatly support the mixed-agricultural rural neighborhood in lime green on the maps. I would like to see all of this area expressed in the code as areas for farming and ranching and if sold for development, sold as large indivisible lots.

I would like to generally see what we created in the comprehensive plan translated into enforceable code. I would like to see open space protected, agricultural use and farming supported in all areas, wildlife corridors and conservation land protected from development. I would like to see tiny and alternative houses allowed. I would like to see restrictions on very large houses and guidelines for placement of these houses on parcels (ie. views, and open space protected). I would like to see the code enforce commercial business to stay within city areas.

I am very impressed with the comprehensive plan and wholeheartedly support it becoming enforceable code. Thank you for taking my comments.

Sincerely,

Erika Eschholz

Teton Full Circle Farm

<http://www.tetonfullcirclefarm.org>

Growing organic food and cultivating sustainable living in the Tetons

<https://www.facebook.com/tetonfullcirclefarm>





208 354 3871  
www.tetonwater.org

18 North Main Street, Suite 310  
PO Box 768  
Driggs, Idaho 83422

**To: Teton County Planning and Zoning Commission**

**Re: Land Development Draft Code**

Dear Planning and Zoning Commissioners,

Please accept the comments below from Friends of the Teton River (FTR) in regard to the proposed draft of the Teton County Land Development Code. We commend Teton County for taking on the important issues of floodplain protection, flood hazard reduction, and drinking water protection in this code. Since Kristin Owen assumed the role of Planning Administrator, we have greatly appreciated her efforts to reach out to community stakeholders regarding the draft code; however, we wish we would have had the chance to work more closely with planning staff earlier in the code development process, so that regional knowledge and best management practices could have been better incorporated into the draft plan. Also, please understand that FTR staff have done our best to review and respond to the draft code in a short period of time; however, we believe all community stakeholders would benefit from a longer time period in which to review and comment on the extensive document.

Based on our review of the Draft code, we recommend the following:

**Floodplain Protection/Flood Hazard Mitigation:**

As you know, FTR has worked extensively throughout Teton County on floodplain protection and flood hazard reduction. This has been most evident in our cooperative work on Teton Creek, where we have worked with Teton County and numerous other partners to repair damage that occurred as the result of illegal dredging of the stream channel upstream of the Cemetery Road Bridge. Like Teton Creek, many of Teton County's streams have been significantly altered by development activities, causing upstream and downstream erosion and sediment deposition that lead to significant instability. This has led to a situation where the potential for continued stream channel and side channel migration is very high, even during minor flooding events. For example, Teton Creek has moved laterally across its floodplain significant distances in recent decades. This channel migration has occurred during small flood events (far less than 100-year/1% flood events) and is primarily due to development-related alterations to the channel and floodplain. This lateral movement of the channel has, and

will continue, to cause significant damage to property and infrastructure built within the floodplain, unless a major effort is made to protect this infrastructure. Protecting infrastructure would require building and maintaining an engineered channel and floodplain similar to the project completed in the vicinity of the Aspens and Aspen Pointe subdivisions. The engineered channel would have to extend from Cemetery Road to Highway 33 to ensure that upstream destabilization doesn't compromise downstream stabilization efforts. Based upon the budget from the recently finished work on Teton Creek, we roughly estimate a bare minimum cost of \$5 million to design and build an engineered channel of this type and length. It should be noted that this estimated cost is to build a channel and floodplain that can contain and convey up to a 100-year (1% chance of occurring in any given year) flood event. To build a channel and floodplain that could accommodate a flood event like the one that hit the City of Boulder two years ago, which was considered to be a 500-year flood event (0.5% chance of occurring in any given year), would cost significantly more. There will also be indefinite maintenance costs associated with such a project.

Based on this, we recommend the following:

- **FTR recommends that, rather than using standard setbacks from stream channels, Teton County follow recommended best practices for floodplain risk assessment by including the Channel Migration Zone (CMZ) on hazard maps, and utilizing the FEMA Risk Mapping, Assessment, and Planning Tool to identify areas of risk within the floodplain.**
- **FTR recommends that the County move toward limiting all future development within the 100 year floodplain and/or within a predetermined Channel Migration Zone (CMZ). FTR also recommends that a minimum 50 foot riparian buffer be enacted from the edge of the 100-year floodplain and CMZ delineated areas (rather than from a subjective point on an existing stream channel).**
- **If the County decides to use "set-back" distances from the creek instead of CMZ and/or 100-year flood delineations for protection, FTR recommends that the County be sure to require set-backs from each overflow channel of all existing creeks, in addition to the main channel.** Overflow channels can quickly become the main channel during even small flood events. This occurred as recently as 2006, when a 5-year flood event (20% chance of occurrence in any given year) caused a small overflow side channel to become the main channel (Figure 1). This side channel activation resulted in loss of the Creekside bike path, over an acre of land, and dozens of mature aspen and cottonwood trees (Figure 2).
- **FTR recommends that, if FEMA Floodplain maps are used, it is important to ground-truth these maps with local knowledge, and to ensure that all local streams are included.** On the current FEMA risk map, several streams that regularly

flood (including Fox Creek) are omitted arbitrarily. FTR recommends using County staff and/or contracting a qualified 3<sup>rd</sup> party consultant to augment FEMA maps.

**Drinking Water Protection:**

As discussed in recent presentations to a joint work session of the Planning and Zoning Commission and the Board of County Commissioners, data collected by Friends of the Teton River in 2012 and 2016 indicates that there are several areas of elevated nitrate-nitrogen levels throughout Teton County. It is important that the new code ensure that all future developments demonstrate that plans for sewage treatment will not further increase the concentration of nitrate-nitrogen in these (or other) areas of Teton County, in order to protect human health and economic vitality.

- **FTR strongly recommends that Teton County form a technical advisory committee to review and critically evaluate Nutrient Pathogen standards to ensure that the final version of the code takes into account current data and best management practices.**
- **FTR also recommends that the County consider requiring nitrogen-reducing onsite septic systems, increasing minimum lot sizes necessary for onsite septic systems, and/or incentivizing or requiring nitrogen-reducing community septic systems for subdivisions.**

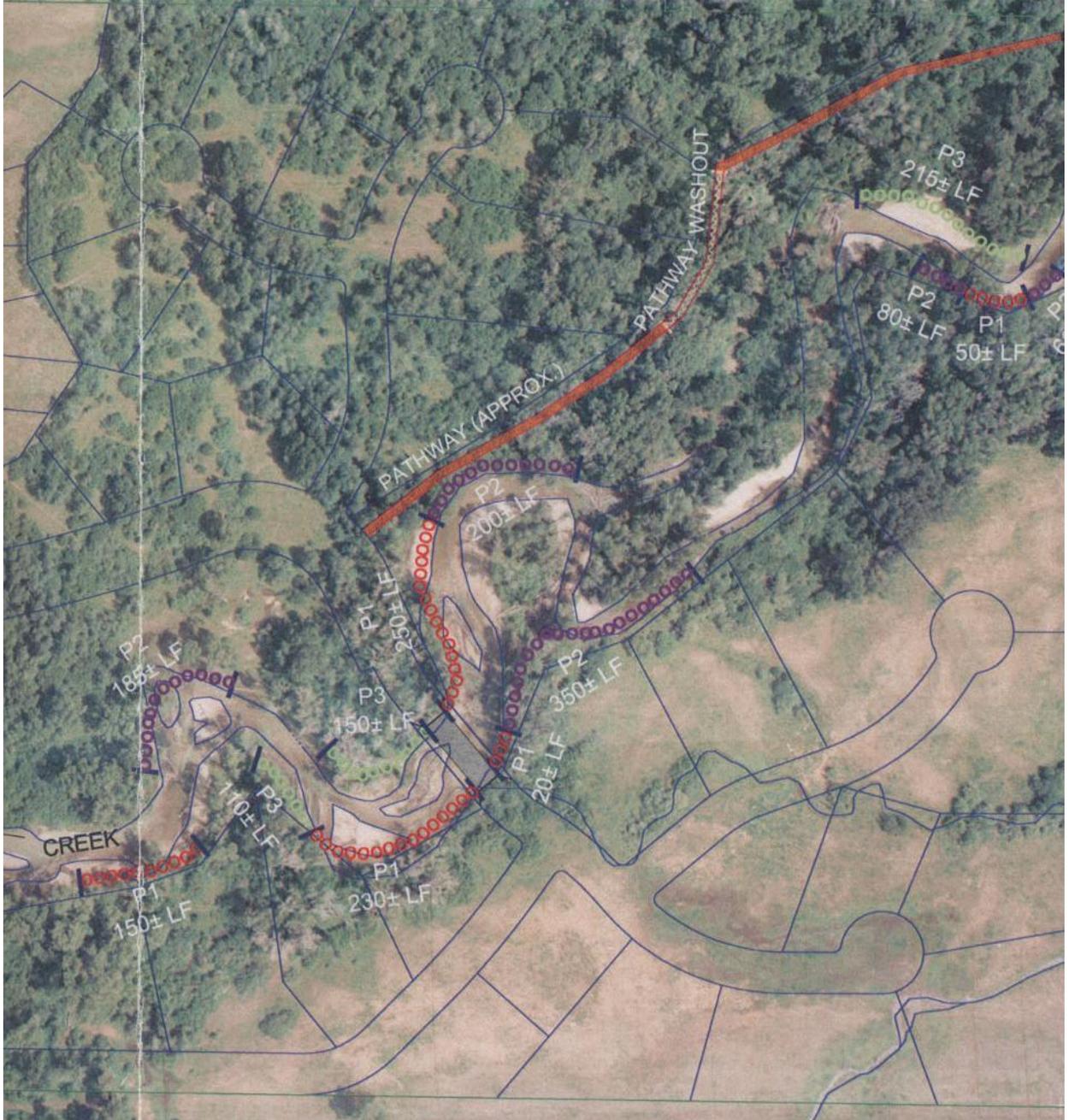
Again, we commend the County for taking on these important issues. FTR staff would be happy to meet with or present to County staff and/or elected officials to provide more information on any of the above if desired. Please don't hesitate to contact us with any questions.

Sincerely,



Amy Verbeten, Executive Director  
Friends of the Teton River  
(208)354-3871 x 13, [amy@tetonwater.org](mailto:amy@tetonwater.org)

**Figure 1: 2000 Aerial Photo showing the location of the Creekside Bridge and Bike Path Prior to Construction**



**Figure 2: The Creekside Bike Path during the 2006 20% probability flood event**



Julie Robinson

[REDACTED]

Driggs, Idaho 83422

[REDACTED]

Teton County Planning and Zoning Board

Teton County, Idaho

To the planning board,

Thank you for all the time and thought you've devoted to creating the Land Development Code. It is a testament to your dedication to protecting Teton County.

My comment relates specifically to fencing, addressed in Chapter 13, page 26. The statements in section B are quite vague. I'd like to see the Code be more specific in it's demands on new fencing. First, it should be specified that the changes in requirements would only relate to new fencing. Old fencing need not be replaced. Secondly, it should specify exactly what Wildlife Friendly fencing is, what it accomplishes, and what it looks like.

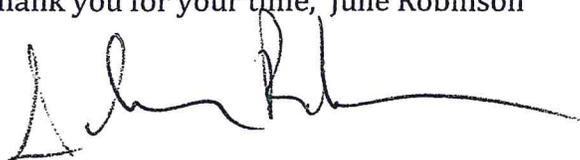
Wildlife is an asset to the County in many ways. It is a part of the area's heritage and history. It is also an economic asset. A healthier wildlife community relates to our tourist industry in hunting as well as recreation. (People love to see a Moose when they float the river). It enhances the attraction of Teton County to tourists, as well as new and old residents. Our obligation is to protect it in every feasible way.

Wildlife friendly fencing is very feasible in that it's not more expensive, only more thoughtful. By that I mean more full of thought. And, still provides for stock containment, or property delineation, as it was intended. Wildlife friendly fencing respects how animals need to move around, making it easier and less stressful which in turn makes for a healthier wildlife community.

I've included a Wildlife Friendly Fencing brochure for each of you, which I compiled from the information found in the regulations for Teton County Wyoming. Since wildlife knows no political boundaries, it seemed appropriate to be consistent with regional regulations.

Let me know if you'd like more copies of this brochure.

Thank you for your time, Julie Robinson



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## Guidelines for Wildlife Friendly Fencing

If a barbed-wire fence is needed to contain cattle, it can be made wildlife-friendly by adding a top rail and keeping the wire strands taut (therefore it is less likely to entangle either stock or wildlife). If the wire fence is not needed year-round, it can be designed to lay on the ground during the winter. Wire fences that cross creeks can be made more visible with the addition of a plastic-pipe sleeve or simple flagging. This can help prevent low-flying birds from running into them.

**Buck and Rail fences**, originally designed for areas too rocky to dig fence posts, have become popular for property boundary fences. These are not easy for wildlife to get over or through. However, rails can be laid down or a gap in the fence can be provided (look for a place where animals are likely to cross - a swale or creek, away from buildings and access roads).



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## The Ideal Wildlife Friendly Fence

From a wild animal's standpoint, the ideal fence is one that can be seen (and therefore not run into. Especially in the case of Swans and Owls), and one that can either be easily leapt over or scurried under without injury. **A fence with posts and a wooden top rail works best.** Rails or smooth wire strands can be used below the top rail to effectively contain stock and allow wildlife movement. **A maximum height of 38 to 40 inches, with the bottom strand of wire 16 inches from the ground, is considered optimum.**

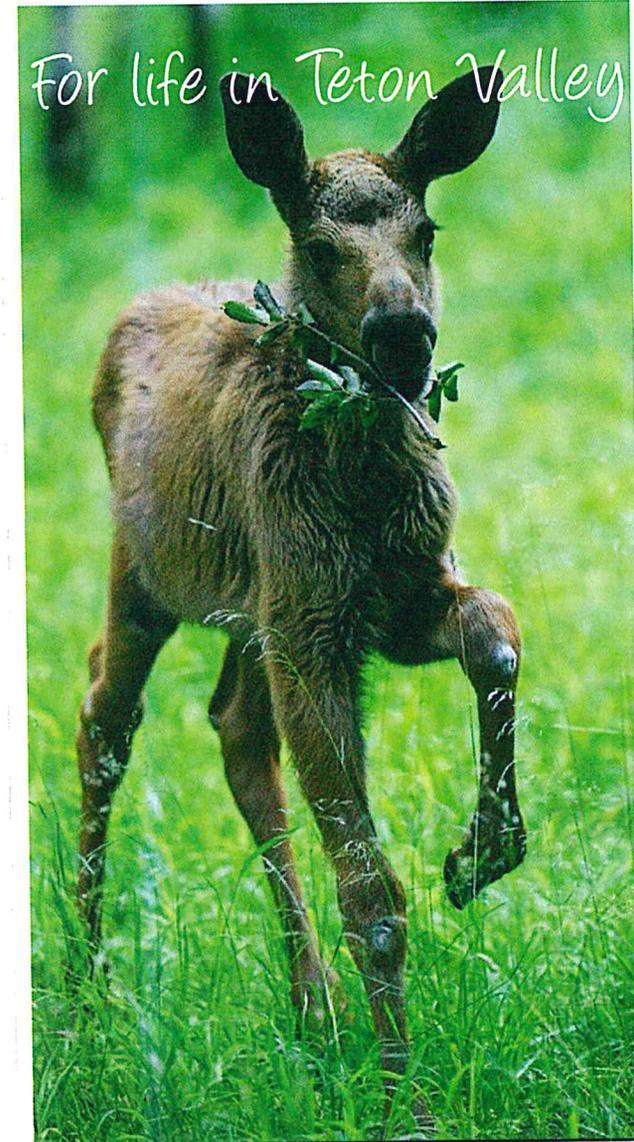
### Actions for Wildlife:

1. Send an email to: [pz@co.teton.id.us](mailto:pz@co.teton.id.us) Tell the Planning and Zoning Commission to include Wildlife Friendly Fencing in the Teton Valley Development Code.
2. Watch for and attend the Public Hearings for the Teton Valley Development Code expected to be in September 2016. **Speak up for Wildlife.**
3. Redesign your own fencing to accommodate wildlife movement.

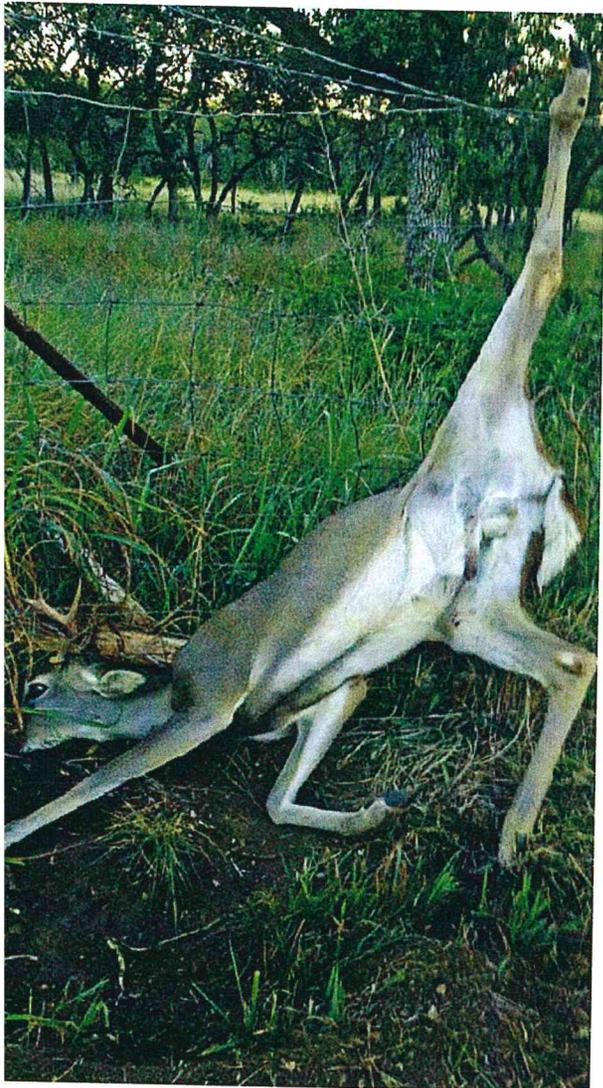


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## Wildlife Friendly Fencing



**Wildlife Friendly Fencing maintains habitat connectivity for wildlife, thus preserving this integral part of our western heritage.**



## Wildlife Friendly Fencing:

- Allows for barrier-free wildlife movement and migration, while still containing domestic livestock.
- Reduces damage to the fence thus reducing the need for maintenance or repair of the fence.
- Is designed to eliminate or substantially reduce the number of injuries and deaths to wildlife.
- Can reduce the number of animal/vehicle collisions by reducing the time the animal spends in the Right of Way.
- Preserves the wild animals for future generations.

**Wildlife friendly fencing can be accomplished while still serving the purpose of containing stock.** There is no reason not to incorporate Wildlife Friendly Fencing for new and repaired fences into Teton Valley's Development Code.

Helpful information can be found online at [www.wildlifefriendlyfencing.com](http://www.wildlifefriendlyfencing.com).

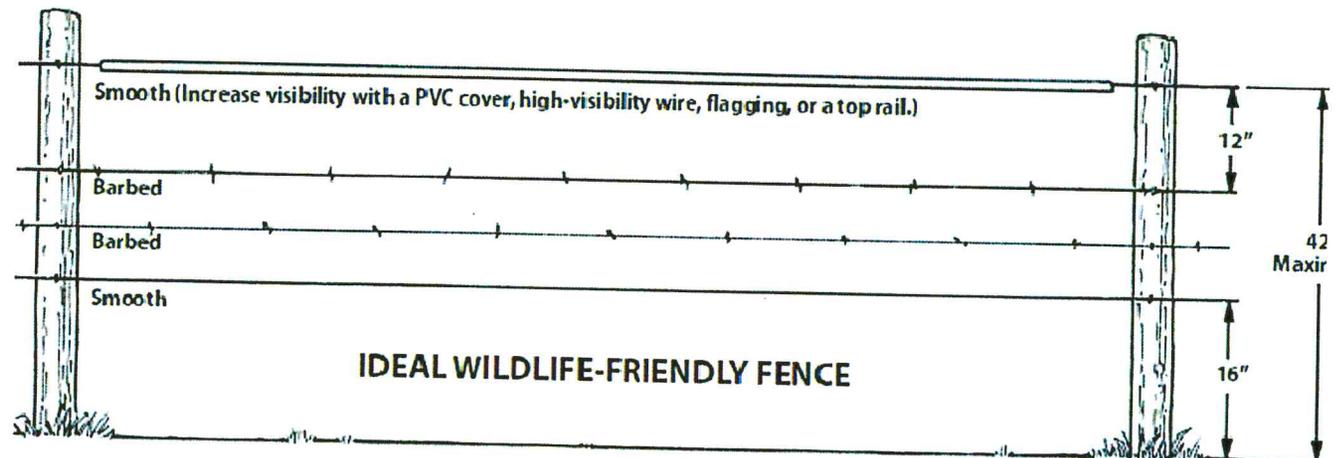
## Why Wildlife Friendly Fencing?

Here in Teton Valley Idaho we share the land with the wildlife who have called this area home for thousands of years. They deserve our respect and admiration. Future generations of people deserve to have these wild animals share their habitat.

Some animals, such as Elk, Moose, and Deer, migrate between the mountains in the summer and the valley floor in the winter. Others live as year-round residents on ranch lands or in river or stream corridors.

Fencing can create an impediment for wildlife movement and migration resulting in injuries, or death, to the animals, and damage to the fencing as well.

It is in the best interest of hunters, ranchers, and wildlife-lovers to preserve this heritage and build responsible fences to allow these animals to migrate and move about more safely.



## Kristin Rader

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**From:** Teton Valley Code <info@tetonvalleycode.org>  
**Sent:** Wednesday, October 05, 2016 9:36 AM  
**To:** Kristin Owen  
**Subject:** Teton Valley Code Comment Form Submission

Message from Teton Valley Code Comment Form

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**Name:** Richard Berg

**Email:** [REDACTED]

**Phone:** [REDACTED]

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

**Type of Comment?:** Code

**Chapter:** Chapter 3

**Comments:**

The proposed code needs to do a better job of protecting open space. Yes, there are nice open space rules, but one place that the code falls down on is the open space configuration rule. See 3.7.4. It states that the open space must be "contiguous" which is nice, but doesn't keep a developer from proposing a "un-clustered" development where say 4 or 8 home sites are spread over an 80 acre development with an additional open space lot which is contiguous (as required by 3.7.4) yet snake-like in its shape weaving around the 4 or 8 residential lots. To keep the home sites clustered together as much as reasonably possible, this rule should also require that the residential lots with home sites be clustered together as much as reasonably possible. One way of possibly doing this would be to require that the "configuration of the open space be constrained to minimize (to the extent reasonably possible) its contacts with other permitted lots in a subdivision". That would force the grouping the other lots (presumptively all residential lots) together.

**Kristin Rader**

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**From:** Teton Valley Code <info@tetonvalleycode.org>  
**Sent:** Wednesday, October 05, 2016 9:17 AM  
**To:** Kristin Owen  
**Subject:** Teton Valley Code Comment Form Submission

Message from Teton Valley Code Comment Form

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**Name:** Richard Berg

**Email:** [REDACTED]

**Phone:** [REDACTED]

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

**Type of Comment?:** Code, Zoning Map

**Chapter:** Chapter 3

**Comments:**

The comprehensive plan calls for a "Mixed Agriculture/Rural Neighborhood" zone immediately south and to the east of the Driggs Area of Impact. The proposed code fails to implement this zone.

**Suggestions:**

1. Implement this zone ("Mixed Agriculture/Rural Neighborhood") as it is shown on the comprehensive plan maps. Assign A-10 zoning to it.
2. Change the RA zone to A-20. The "Mixed Agriculture/Rural Neighborhood" is supposed to have higher density than RA and this change would support the work that you did on RA and also implement the comprehensive plan better.
3. Keep (or apply) the open space rules (75% open space) for both RA and "Mixed Agriculture/Rural Neighborhood".

This action would reduce the number of lots by about 2500 I would guess and thus make the proposed code come closer to the stated goal of the Comprehensive Plan Economic Development Committee that the potential lot supply in Teton County should be eliminated by 75% in order to stabilize the local real estate market.