

Teton Valley Idaho  
Planning Commission  
Article 10-Use Provisions

TETON COUNTY  
PLANNING & ZONING

JUN 08 2016

RECEIVED

Dreamcatcher Bed and Breakfast

██████████  
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, Owner

Dreamcatcher Bed and Breakfast

**Kristin Rader**

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**From:** John Hansford <>  
**Sent:** Wednesday, July 27, 2016 4:43 PM  
**To:** Kristin Rader  
**Cc:** Steve Roth; tetonglass  
**Subject:** Clawson zoning

TETON COUNTY  
PLANNING & ZONING

JUN 27 2016

RECEIVED

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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, Teton, 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 whether 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 property 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

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**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

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**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.

SEP 11 2016

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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 subdivisions, 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



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**

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**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**

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**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

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**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

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**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 115 years. Four of us 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**

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**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

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**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

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**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'

September 14, 2016

To: Teton Planning and Zoning Commission

RECEIVED

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

Victor, ID 83455

## Kristin Rader

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**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

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**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

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**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

  
Driggs

## Sharon Fox

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**From:** Kristin Owen  
**Sent:** Wednesday, September 28, 2016 2:53 PM  
**To:** Sharon Fox  
**Subject:** Fwd: Readability of the draft Land Use Code

Please print.

Sent from my iPhone

Begin forwarded message:

**From:** Clint Van Sicken [REDACTED]  
**Date:** September 28, 2016 at 2:46:47 PM MDT  
**To:** PZ <[pz@co.teton.id.us](mailto:pz@co.teton.id.us)>, Commissioners <[commissioners@co.teton.id.us](mailto:commissioners@co.teton.id.us)>, Kristin Owen <[kowen@co.teton.id.us](mailto:kowen@co.teton.id.us)>  
**Subject:** Readability of the draft Land Use Code

Planning and Zoning Commission  
Board of County Commissioners  
Teton County Planning Administrator

Dear Commissioners,

I set aside last weekend to do my civic duty of carefully reading through the 400-page draft Land Use Code and submitting comments. But it was a tedious and unproductive exercise! The draft Code is a technical, legal document that cannot be read front to back. I certainly had a hard time comparing it to the Comprehensive Plan. In fact the draft Code looks like Code Studio provided a template and the P&Z committee just put in the numbers, unconstrained by the Comprehensive Plan.

I'm not prepared to comment on the draft Code--I just don't understand enough of it. I'm sure my frustration is typical. How can we get informed "public comment" on the draft if the public doesn't understand it? I propose the following:

Prepare an online, readable version--for public consumption--of the current draft Code that includes links to corresponding parts of the Comprehensive Plan. There should be an additional section that informs the reader what parts of the Comprehensive Plan are not addressed in the draft Code. I suggest contracting VARD to prepare this document. (VARD is local, has the appropriate expertise, and is familiar with the Comprehensive Plan.) The P&Z committee will critically review this document to ensure it accurately describes the current draft Code. Then the document gets sent to me (and whoever else is interested) for review. There may be several revisions! When I, and whoever else is interested in this task, agree that the document is understandable, it is released for public review and comment.

Note that this action is NOT a revisitation of the content of the draft Code. It simply lets the public understand what the draft Code says. Then the public can provide informed "public comment", and decide what changes it wants.

Sincerely,

Clint Van Sicen

[REDACTED]

Tetonia, ID 83452

[REDACTED]

October 1, 2016

Dear Planning and Zoning Commission,

Thank you for the many hours of diligent work that you have put into this draft land code. It is obvious that you have tried hard to reach compromises that will satisfy a wide range of community members, which is a laudable goal.

I am conflicted about the timeline currently proposed for the adoption of the new land code. On the one hand, it is a very long and complicated document, so it is an overwhelming task to provide thorough comments with only a few weeks to study it. On the other hand, it has now been more than four years since our county adopted a new Comprehensive Plan, and during that time we have not had a code that matches that plan, even though the current code says that one of the criteria for making a decision is that the proposal must comply with the Comp Plan. This lack of coordination between our code and our comp plan creates some real dilemmas for decision makers and violates State Statute.

Development is picking up in our county, reinforcing the need for a good land use code that matches our Comprehensive Plan. In particular, the draft code does away with Planned Unit Developments, and I, along with many others in our community, would hate to see more developments being approved under the PUD provision, which has contributed greatly to increased density in rural areas far from services, as well as to zombie subdivisions.

All things considered, I think it is time to move this draft code forward to the Board of County Commissioners without further delay, along with your recommendations for changes based on public comment.

There are many things I like about this draft code, such as the 3 agricultural districts with their unique descriptions and unique requirements for priority open space; moving sensitive A-2.5 lands into one of the new Ag districts; the requirement of open space in order to maximize density in most situations; the elimination of the PUD; 2.5-acre lots no longer allowed without significant open space; simplified options for land splits; specific regulations for development within the Scenic Corridor.

However, there are aspects of the draft code that I think could be improved.

Here are my recommendations:

1. Have this draft code reviewed by a professional planning firm or consultant not affiliated with Teton County as soon as possible, so that the public can study those recommendations before the next public hearing.
2. Reduce the maximum density in the 3 rural districts to 1 lot per 15 acres, rather than 1 lot per 10 acres, keeping the same requirements for open space as now proposed, since preserving our agricultural character is a key component of the Comp Plan.

This is still lenient compared to the current 20-acre zoning but would further reduce the potential number of building lots in the county compared to this draft. The additional 17,000 new lots allowed under the draft code, in combination with the currently platted lots (including 7000 vacant ones), would destroy our county's agricultural character and would result in a more urban community than residents want.

3. Do away with the One Time Only Land Split, which is no longer needed because of the new option of Land Divisions. Furthermore, hasn't all the land in Teton Valley already been split at some point? We live on a 10-acre parcel that is not part of a subdivision, yet clearly the land in our area has been subdivided. If you retain the fuzzy option for a One Time Only Land Split, please limit that option to larger parcels, perhaps 40 or more acres, since 14.5.8 states that the purpose is to provide for division of a *large* parcel.

4. Allow Land Divisions only in the RA, LA and FH zones, and not the ARN, since the stated purpose is to more easily divide *large* parcels (whereas the ARN zone allows 3.75 acre zoning without open space). Allow no more than 2 new parcels to be created for a total of 3 parcels (rather than the 4 proposed in the draft). Those wanting to create more parcels could use the Short Plat option, which is another simplified development option.

5. Retain and strengthen the Wildlife Habitat (or Natural Resource) Overlay, with a provision to update that overlay with new data. The Comp Plan clearly and repeatedly calls for protection of our county's natural resources, yet the draft code does not provide sufficient protection for wildlife habitat and other natural resources.

6. Add a provision to the Scenic Corridor section for a scenic vista inventory to be incorporated later, so that views other than those along the highways and Ski Hill Road can be protected in the future, as envisioned in the Comp Plan.

7. Strengthen the Administrative Section so that decisions are not subjective and are not dependent on the opinion of a current planning administrator.

8. Add a section to address "zombie" subdivisions.

Thank you for considering my ideas.

Sincerely,  
Alice Stevenson

  
Victor, ID 83455

October 3, 2016

Teton County Planning & Zoning Commission  
150 Courthouse Drive  
Driggs, Idaho 83422

Re: Wildlife Comments Regarding the Proposed Land Use Development Code

Dear Planning and Zoning Commissioners:

I am writing to offer broad comments concerning the proposed Land Use Development Code (Code). First off I commend you for taking up this issue and applaud your focus on expediency; however I am very concerned about the timeline and opportunity for meaningful public comment.

My focus at this stage is purely on Wildlife. I was one of the main contributors to wildlife provisions contained in the existing code and know full well the challenges with striking balance between safeguarding wildlife, respecting private property and cost to the developer. Remember that wildlife is the property of all citizens and also a major economic and quality of life driver.

Without going into specifics the following are my major concerns with the plan as drafted:

- The proposed Wildlife Habitat Protection Map is weak and is being used out of context. This map was never produced for this purpose. Although plant community composition and structure are important elements of habitat they are not the only elements. The existing Wildlife Habitat Overlay Map was constructed using the best science and professional judgment available and a much stronger tool. A weakness is that it has not been updated. I recommend keeping the existing map but adding a mechanism for mandatory periodic updates.
- Focus on a 25 acre density trigger to exempt Wildlife Habitat Assessment is ill conceived. Unless the trigger is very high (>100 ac.) Development location and configuration not development density are far more important and scientifically valid predictors of wildlife impacts and protection measures. Even at very low development densities there are some places needing special attention to protect wildlife values.
- Administratively I am concerned about the burdens being placed on Idaho Department of Fish and Game (IDFG). Teton County needs to invest in staff natural resource professionals or certified subcontractors to alleviate some of this burden. IDFG is an extremely valuable partner and should always be given the opportunity to comment but they are also overwhelmed with other responsibilities. I am sensitive to stringing

developers along waiting for comment but also worry about the provision “If comments are not received within 45 days, it will be judged that there are no IDFG comments on the application.

In closing I urge you to slow down and get it right rather than get it done. In my opinion the proposed Code weakens wildlife protections rather than strengthens them, which I don't think is your intent and certainly not the intent of the majority of our residents who favor stronger protections for fish and wildlife.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in blue ink that reads "Jeffrey Klausmann". The signature is written in a cursive style with a prominent flourish at the end of the name.

Jeffrey Klausmann, *Wildlife Professional*