



**IDAHO DEPARTMENT OF FISH AND GAME**

UPPER SNAKE REGION

4279 Commerce Circle  
Idaho Falls, Idaho 83401

C.L. "Butch" Otter / Governor  
Virgil Moore / Director

October 5, 2016

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

**Re: Teton County's Draft Land Use Development Code**

Dear Planning & Zoning Commissioners:

Idaho Department of Fish and Game (Department) appreciates the opportunity to provide comments on the draft Teton County Land Use Development Code (Land Use Code). While we acknowledge Teton County's efforts to solicit public comment, we were unable to thoroughly review and understand the implications of the Land Use Code. The Department needs to fully understand and further discuss County expectations of our role in reviewing proposed development projects. Once the initial round of public comments are complete, the Department recommends the County to work with us to understand our concerns and develop revised draft language to ensure adequate protections for wildlife and fisheries resources are in the new Land Use Code.

The Department recommends that "IDFG's Major Plant Communities Map" should not be used in place of a bona fide Wildlife Habitat Overlay. Section 13.3.8 (A) Wildlife Habitat Protection Map, is proposed to be used to determine protected Indicator Species habitat location, and lands contained therein will be subject to a Wildlife Habitat Assessment (when they are not exempted by Section 13.3.8 (C)). It appears that the Major Plant Communities Map from IDFG's 2012 *Summary of Key Fish and Wildlife Habitats of Low Elevation Lands in Teton County, Idaho* (IDFG 2012) is proposed to replace the county's existing Wildlife Habitat Overlay Map. Please note that this is not the map's intended purpose. Originally, the Department included this map in our report to the County as a general reference only. Priority wildlife habitat is comprised of many characteristics, not just vegetative cover. Teton County's existing Wildlife Habitat Overlay (Overlay) was produced in consultation with the Department and other partners. In our view, it is the best tool for protecting wildlife habitat in the course of land development. Priority habitats and the rationale for their designation are explained thoroughly in IDFG (2012), which is included as an appendix in the Teton County Comprehensive Plan.

The Department is concerned that the proposed density exemptions in Section 13.3.8 (C) were developed without any scientific basis. It appears this section exempts development of a certain density from the Wildlife Habitat Assessment requirement. The purpose of this exemption is unclear. However, we assume that the Planning & Zoning Commission found that development of less than one unit per 25 acres has no impact to Indicator Species, or that the Commission does not seek to protect habitat in exchange for lower density proposals. In the case of the latter, we find this to be a local policy decision independent of scientific analysis. However, if Teton County's intent is to protect key habitat, we stress the location of development - not the density of development - is a more scientifically sound approach to wildlife habitat protection.

*Keeping Idaho's Wildlife Heritage*

The Department is very concerned about our role in the proposed Land Use Code. We believe that the review of Wildlife Habitat Assessments should not fall solely to the Department. Section 13.3.8 (G) establishes the Department as the sole technical reviewer for:

- 1) The optional preliminary review of plant communities in Section 13.3.8 (G)(1), and
- 2) The required review for Wildlife Habitat Assessments outlined in Section 13.3.8 (G)(2).

The Department welcomes the opportunity to provide technical assistance to Teton County in managing the state's wildlife resources, and we will make every effort to accommodate reasonable requests. However, effective and sufficient wildlife protections may be compromised with Teton County mandating the Department's review for county development applications. The Department will not have the resources to conduct a thorough review for every application within the 45-day timeframe established in Section 13.3.8 (G)(2). Moreover, we have concerns with the language in Section 13.3.8 (G)(2)(b), that states "if no comments are received [from IDFG] within 45 days, it will be judged that there are no IDFG comments on this application." The Department recommends providing language that states "if IDFG is properly notified and if no comments are received [from IDFG] within 45 days, it will be judged that there are no IDFG comments on this application." Additionally, we recommend adding language that would offer the Department an opportunity to extend our comment period due to significant wildlife or fishery resource concerns. This would also be helpful in the event that the Department is requested to review several applications at one time.

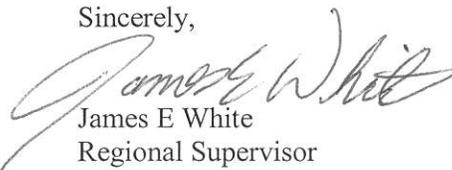
To alleviate Department concerns about being the sole technical reviewer for Wildlife Habitat Assessments, we suggest Teton County require some preliminary natural resources technical document for development applications. These should be prepared by qualified wildlife professionals familiar with the Teton County wildlife and ecology to provide the required review of the Wildlife Habitat Assessments proposed in Section 13.3.8 (G). The Department further recommends the County identify qualified wildlife consultants who are variably contracted directly by the County (*not the development applicant*). A process like this would benefit important wildlife habitat and:

- 1) Create a fair, level playing field for all applicants,
- 2) Increase objectivity of analyses,
- 3) Streamline technical review by the Department, and
- 4) Create a positive process that enhances the Department's relationship with Teton County planners.

In closing, the Department recommends the County to develop a wildlife review team that is tasked to engage with the Department. The intent of the wildlife review team would be for the County to understand our concerns and the Department has the opportunity to further discuss County expectations of our role in reviewing proposed development projects. This would be helpful to ensure adequate protections for wildlife are in the new Land Use Code.

Thank you for the opportunity to comment. If you have questions or require additional information, please contact Robert Cavallaro, Regional Wildlife Habitat Manager, or, Tom Bassista, Environmental Staff Biologist, at 208-525-7290.

Sincerely,



James E White  
Regional Supervisor

JEW:RAC:TPB:jms

October 3, 2016

Teton County Planning and Zoning Commission  
Teton County Courthouse  
150 Courthouse Drive - Room 107  
Driggs, ID 83422



To Whom It May Concern:

As a non-profit serving Teton County, Teton Regional Land Trust continues to find ways to fulfill our mission of conserving working farms and ranches, fish and wildlife habitat, and scenic landscapes in Eastern Idaho for this and future generations.

The Draft Code uses preservation as a zoning tool for mitigating development within subdivisions. Although we are supportive of any measure of preserving the important resources described within this letter, we feel it is necessary to explain the difference between rezoning an area as Preservation (PRS) and conservation easements. Because PRS is a county designation subject to the zoning ordinance, which can change over time, it is unclear how such a designation will achieve the requirement for permanent land protection in the Draft Code. It seems possible that lands dedicated as PRS could be converted to development in the future if the Code is later changed to remove PRS.

Alternatively, conservation easements offer a way to permanently protect property, because they are legal instruments that encumber a property in perpetuity. A conservation easement is a voluntary, legal agreement between a landowner and the easement holder that limits certain uses of the land – like large scale subdivision – in order to conserve the natural and agricultural values of the land.

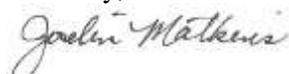
When considering whether to hold a conservation easement, TRLT evaluates each property for its conservation values to ensure it meets the IRS standards aimed at assuring that conservation easements serve the public good. Using conservation easements as an incentive for allowing development is problematic, and TRLT does not advocate for the requirement that landowners enter into conservation easements in exchange for meeting development requirements. Not all open spaces within any particular subdivision will meet the requirements for a conservation easement, or conserve important agricultural lands and wildlife habitat.

Most importantly with density changes as presented in the Draft Code, there is potential that less land will be suitable for agricultural production or intact enough for our area's wildlife, to qualify as land eligible for a conservation easement held by TRLT. This could limit the conservation options for future landowners. Additionally, if Teton County determines that conservation easements are the appropriate tool, they may want to consider how and if the County would hold, monitor, and enforce the open space placed in a conservation easement.

While we understand growth is inevitable and important to sustain our County's economic growth, we work to protect our rural character and wildlife resources to support the high quality of life and a sustainable economy for future generations.

As this Draft Code may directly impact the future success of our mission, we wanted to communicate these concerns.

Sincerely,



Joselin Matkins  
Executive Director

October 5, 2016  
Teton County Planning and Zoning Commission  
Driggs, Idaho

Dear Commissioners,

Firstly thank you all for your hard work on crafting the proposed new code for the County. After being on your side of the table I know first hand what a difficult job you had. As with all planning ideas there are always multiple view points which make the outcome even more complicated. I have some thoughts on the draft code and will try to keep them as brief as possible.

- Some general comments: The code is a complicated document and would be better if it was simplified. For example reduce the number of land division possibilities.
- Density: Giving bonus density for “doing the right thing” is a left over idea from the PUD days and is a bad idea. If the community wants to keep the rural parts of the county rural then zone it accordingly. For example make the base acreage 40 acres. If the development was clustered then allow 2 building sites. That would keep the underlying density at 20acres and if the clustered sites were 3 acres each 34 acres of open space would be created or 85%.
- Allow an administrative land division of 100 acres or more. This is an arbitrary number but the concept is valid. The proposed parcel would need to have a minimum of 300 feet of road frontage on an approved county road. This would be a very easy process with no P&Z review, public meeting/hearing etc. Also this new parcel would not be eligible for any further divisions. Certainly this would maintain the rural feel and allow large landowners an easy method of land division.
- Eliminate one time lot splits. This has been an abused method of land divisions for a long time.
- There should not be 10 acre density allowed no matter what mitigation measures are required. That is not rural in feel. Remember that a while back a proposal for a subdivision was suggested in the north west part of the valley. Because of the size of the development acreage (over 6,000 acres) a development the size of Driggs would have been created. No matter how much open space would have been created that part of the county certainly would not have maintained it rural feeling.
- Who comprises the DRC? How many members? Why are minutes not required?

- Wildlife13.3.8 There needs to be more than the use of the vegetation layer to protect the county's wildlife. It seems prudent to ask IF&G to help craft a comprehensive wildlife management plan. Also does IDF&G have the capacity to review the subdivisions as described in the code? The county should create a list of environmental consultants that are trusted to produce unbiased reports. An applicant should pick from the list and pay for the studies that need to be done.
- Article 10: agricultural uses: eliminate commercial feed lots. Why would Teton County want the possibility of a feed lot coming into the valley with all the problems that it would create?

In closing my main points are keep the rural parts of the county rural. An underlying density of 10 acres will not do that. Make a stronger wildlife protection section with specifics from IF&G. Allow a by right land division process if the created parcel is large enough to maintain a rural feel. Eliminate one time only lot splits. Thank you again for your hard work and effort in rewriting the code.

Sincerely,

Sandy Mason  
Tetonia, ID

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.

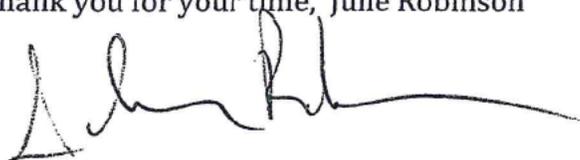
Wildlife is an asset to the County in many ways. It is a part of the area's heritage and history. It is also an economic asset. A healthier wildlife community relates to our tourist industry in hunting as well as recreation. (People love to see a Moose when they float the river). It enhances the attraction 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



---

## 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).



---

## 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.**

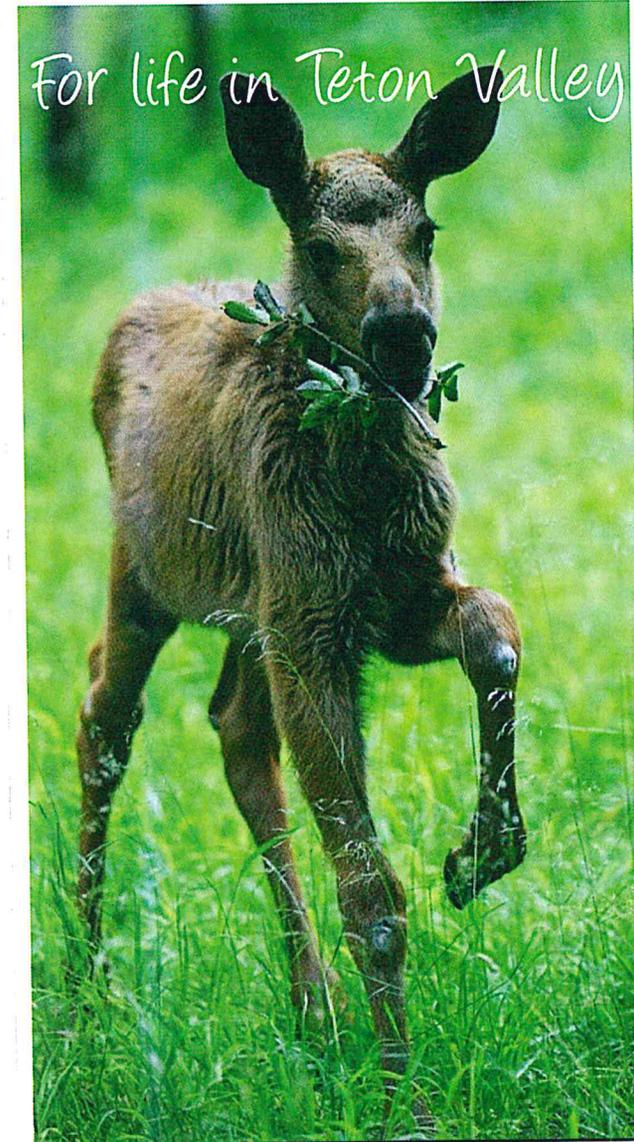
### Actions for Wildlife:

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.

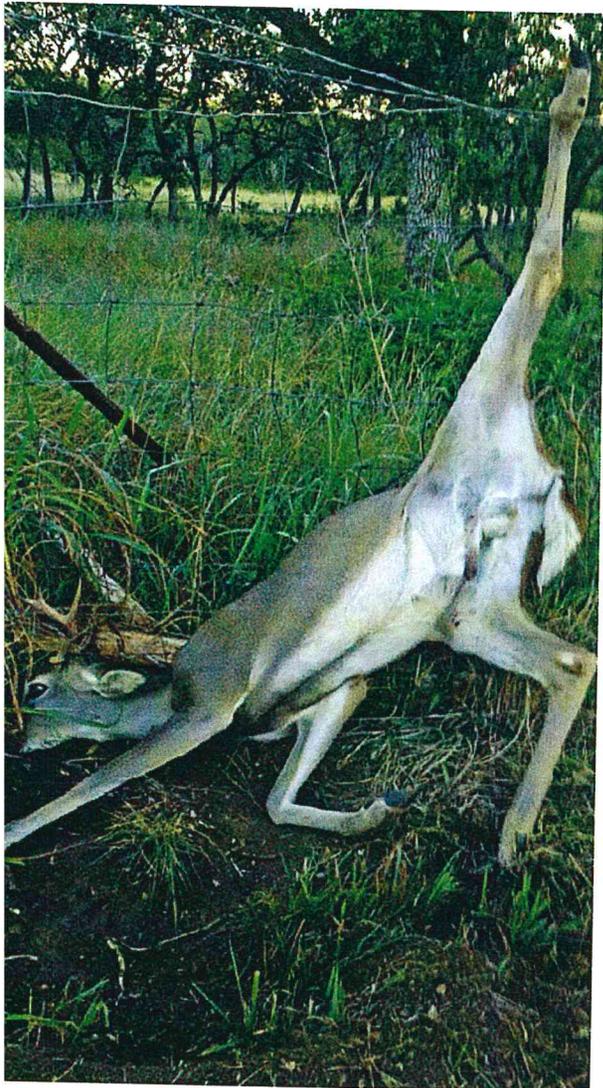


---

## 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).

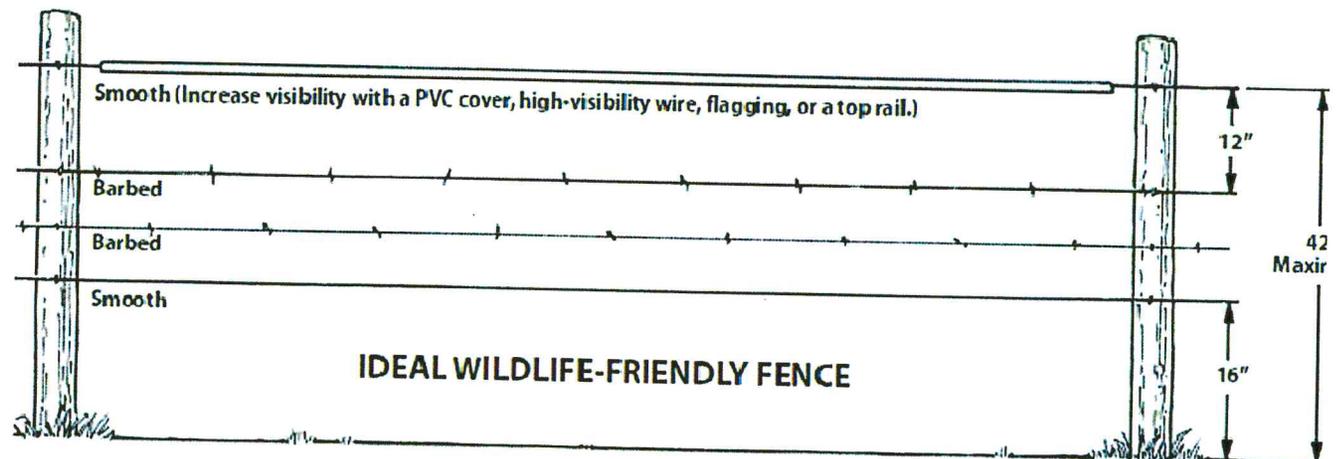
## Why Wildlife Friendly Fencing?

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

---

**From:** Jason Boal <jasonb@victorcityidaho.com>  
**Sent:** Wednesday, October 05, 2016 11:01 AM  
**To:** Kristin Owen  
**Subject:** FW: Teton Valley Code Comment Form Submission

I think this was supposed to be directed to the county.....

### Jason Boal- AICP, CFM

Planning and Zoning Administrator  
City of Victor  
P.O. Box 122-32 Elm Street-Victor, ID 83455  
Phone: (208) 787-2940 – Fax: (208) 787-2357 – Cell: (208) 313-9493  
<http://www.victorcityidaho.com>

Like the City of Victor on Facebook: [www.facebook.com/CityofVictor](http://www.facebook.com/CityofVictor)

**From:** Teton Valley Code [mailto:info@tetonvalleycode.org]  
**Sent:** Wednesday, October 05, 2016 10:47 AM  
**To:** jasonb@victorcityidaho.com  
**Subject:** Teton Valley Code Comment Form Submission

Message from Teton Valley Code Comment Form

---

**Name:** Emily Selleck

**Email:** [REDACTED]

**Phone:** [REDACTED]

**Which Jurisdiction?:** [jasonb@victorcityidaho.com](mailto:jasonb@victorcityidaho.com)

**Type of Comment?:** Code

**Chapter:** Chapter 3

#### Comments:

My comments are for the entire code, but specifically on #s 3 & 13:

It's not perfect; but it's a place to start. We need to plan for the long-term lives of the people, the wildlife, and the overall quality of life in the Valley. Both ag and wildlife contribute to the economic viability of TV; and as such, should be thoughtfully considered. The proposed plan allows for planned population growth of people & wildlife. We need both to flourish in our Valley.

**Kristin Rader**

---

**From:** Teton Valley Code <info@tetonvalleycode.org>  
**Sent:** Wednesday, October 05, 2016 3:20 PM  
**To:** Kristin Owen  
**Subject:** Teton Valley Code Comment Form Submission

Message from Teton Valley Code Comment Form

---

**Name:** Gini Van Siclen

**Email:** [REDACTED]

**Phone:** [REDACTED]

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

**Type of Comment?:** Code

**Chapter:** None

**Comments:**

My understanding is that the Code is derived from the Comprehensive Plan, i.e., the Comprehensive Plan established the requirements for the Code. Exceptions to the code can be made for public safety, health, and welfare as stated in Code Article 11.3.4

When I look at the Code, I do not see any citations to the associated Comprehensive Plan requirement(s)/guidance. In engineering and project work, it is standard practice to map the requirements to the detailed design and implementation. I expected to see such a mapping from the Comprehensive Plan to the Code. Is there a document showing this mapping? I don't see how anyone, professional, county commissioner, or citizen like me, can review the Code without such a mapping. Certainly I don't see how the Commissioners can approve it!

I appreciate the work of the P&Z and all those who participated in the Comprehensive Plan creation. I also appreciate our Commissioners. I know folks have put a ton of work in!

At the same time, the work is not complete without documented verification that it implements the Comprehensive Plan, and so I believe the Code cannot and should not be approved at this stage.

Gini Van Siclen

## Kristin Rader

---

**From:** Teton Valley Code <info@tetonvalleycode.org>  
**Sent:** Wednesday, October 05, 2016 11:15 AM  
**To:** Kristin Owen  
**Subject:** Teton Valley Code Comment Form Submission

Message from Teton Valley Code Comment Form

---

**Name:** Ron Prevost

**Email:** [REDACTED]

**Phone:** [REDACTED]

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

**Type of Comment?:** Code

**Chapter:** Chapter 13

**Comments:**

Thanks to all for the efforts to put these Codes together, I know it is a difficult task.

My comments are as follows:

- 1) Slow the process down as all public comments suggest.
- 2) The NP study requirement, to protect groundwater, is a step in the right direction but overlooks the reality that existing platted lots may exceed the capacity to assimilate waste. As an Environmental Engineer working in the Valley on NP studies it has recently become apparent to me that if all currently platted lots are developed with traditional septic systems, the Nitrate MCLs in Valley groundwater will most likely be exceeded. There is already evidence that this is happening. In the Teton view corridor north of Driggs, where many of the platted lots have been developed, voluntary nitrate tests show a disturbing trend. Many of these tests show elevated N levels. At a minimum, the NP Analysis requirement should be mandatory for any proposed subdivision. Ideally, if potential Nitrate overloading can be scientifically corroborated, a provision could be included that all future development using septic systems be required to have advanced Nitrate reduction processes included. This is not a terribly expensive addition to a traditional system. This should be considered an existential threat to the Teton Valley community as a whole because if we pollute our primary water resource, we can not easily get it back.

## Kristin Rader

---

**From:** T Sperber [REDACTED]  
**Sent:** Wednesday, October 05, 2016 1:50 AM  
**To:** Kristin Owen; PZ  
**Subject:** Draft code comments

Dear Teton County Planning and Zoning Commission,

As a fourth generation southeast Idahoan and a citizen of Teton County for the last 10 years, I greatly appreciate efforts to promote a healthy economy while protecting the cultural heritage and natural resources in our amazing landscape. I also appreciate the opportunity to comment on the 2016 Teton County draft code. However, I am concerned about the short amount of time County citizens have to review, assimilate, and develop meaningful comments on the over 400 page document. In addition, I am concerned about potential impacts to wildlife .

One of the greatest resources Teton County has is its wildlife. The replacement of the Natural Resource Overlay with the "Wildlife Habitat Protection Map" (13.3.8) does not provide adequate protection to natural resources or wildlife habitat in Teton County. The Wildlife Habitat Protection Map was not developed for the purpose of making land use decisions. The map does not include the entire county, both the northern and southern portions of the County are missing. How will the County address lands in these omitted areas? The use of this map also ignores the importance of rural agricultural lands to wildlife. Several of the Indicator Species listed in the code rely on open space and agricultural lands in Teton County during some part of the year. Elk use these open areas to transition between summer and winter habitats. Trumpeter swans wintering in Teton County forage and rest in farm fields and pastures. Sandhill cranes depend on grain fields and pasture land to build up their reserves for their long migration south and once again when they return in the spring. Using the Wildlife Habitat Protection Map significantly decreases the protection of natural resources and wildlife habitat in Teton County. I strongly encourage the use of an updated Natural Resource Overlay map while recognizing that although this map was based on empirical data and input from knowledgeable biologists in the region, the boundaries of the mapped areas are not hard and fast. The County should retain the authority to require wildlife habitat assessments outside of areas mapped as wildlife habitat.

I am also concerned about the density threshold for requiring a wildlife habitat assessment in areas mapped as rural residential/agriculture. The acreage threshold should be much higher (the density threshold should be lower) in order for the County to fulfill its intent is to maintain the long term viability of habitat (13.3.8.D). The density of a development is often secondary to the configuration of the development in terms of impacts to wildlife and sensitive areas. Requiring a wildlife habitat assessment at a lower density threshold would enable the County to make more informed decisions regarding the impacts of the development on wildlife resources and help minimize the 'death by a thousand cuts' wildlife are subject to as our region continues to grow.

Riparian corridors support a highly diverse suite of wildlife species, protect water quality, attenuate flood waters, and stabilize streambanks. I applaud the increases in setbacks from rivers and streams in the draft code (Riparian Buffers 13.3.1). However, the riparian corridor associated with natural water bodies can differ greatly, including the width of the corridor. To protect and maintain riparian buffers in the County, please consider requiring the greater of either the setbacks listed under 13.3.1.F or the edge of the riparian corridor for rivers and streams.

Thank you the amount of time and effort you have put into developing the draft code. Given the enormity and complexity of the document, I urge you to consider giving the public more time to review and comment. In the words of John Wooden, "if you don't have time to do it right, when will you have time to do it over?"

Respectfully,

Tamara Sperber  
Victor, ID

## Kristin Rader

---

**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>



## Kristin Rader

---

**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

---

**From:** LINDA UNLAND [REDACTED]  
**Sent:** Tuesday, October 04, 2016 1:37 PM  
**To:** Kristin Owen  
**Subject:** Comments on Code for P & Z

Hello, Kristin. Following are my comments pertaining to the draft code for the P&Z:

I would like to begin by thanking all of you immensely for the incredible time, effort and thought you have put into the code writing process over the last two years. Please know that all of us recognize the challenge of this massive undertaking, and I greatly appreciate your commitment to this process and serving on the P & Z. Acknowledging that this is the first and only public comment period (between now and the 10th) and that October 5th is the only Open Comment opportunity, I'm concerned that the community has not had sufficient opportunity to sift through the 420 page document. And, because it is so cumbersome and technical, it is, indeed, a challenge for all of us to catch up to all of you, if not impossible! So I encourage you to consider all of these comments and those of others carefully and non-judgmentally and understand how difficult it is for the layperson to provide specific recommendations.

As Dave Hensel said, this draft code is not perfect, but I cannot imagine how something like this could meet every stakeholder/constituent's needs and preferences. It is in this spirit that I submit some suggestions for your consideration.

1. In reviewing Section 13, I find the charts very open ended and lacking clarification for landowners, specifically. It appears that many decisions are left to the discretion of county officials. I submit that most, if not all of the "P's" be restructured to be "required" (R's), thus eliminating grey areas, loopholes or what may appear to be subjective, and conceivably unfair, decisions. Eliminating confusion and mistranslation of regulations upfront is always a safer approach.

2. Some of you know that our property is adjacent to the proposed Mountain Legends subdivision. It is safe to say that none of you were in favor of the plan submitted by the developer in July, but, because he was applying under the old code, 2.5 acre lots, with no open space requirements were admissible. With 7,000 vacant lots in the county, it seems incomprehensible that this could still occur - even under the current code. I see that the draft code in this same area would still allow 2.5 acre lots in this newly designated Agricultural Rural Neighborhood but would require open space and provide incentives for less density. Better, but still, in my mind, this does not go far enough. In an ARN area, 2.5 acre lots should not be permitted at all, because in this or many other cases, these properties are not near county services. The fact is, it is my opinion that we should halt any future subdivision development until we have effectively eliminated, vacated or, in rare cases, completed what already exists. Fiscally, the county loses revenue every time one of these developments is created, because they simply are not self

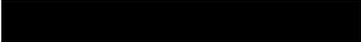
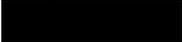
sustaining. We have an opportunity now to capture our Comp Plan's vision. Please address this issue in the code with realistic and meaningful incentives, requirements and consequences.

3. Protection of wildlife is a passion that many of us share in this valley. I do not believe that this topic is effectively addressed by the draft code. I also question the ability of Fish and Game to be able to handle the screening of every pertinent application. It appears to me that this draft provides a more vague definition of wildlife habitat than what currently exists and seems to have removed overlays. I request that you get more specific, use and update existing overlays and don't depend solely on plant communities to define wildlife corridors. As the county expands, I feel it is incumbent upon us all to adhere to carefully crafted protections of one of our greatest resources. Get bold with your oversight of wildlife. Please don't avoid it!

Thanks for your continued work and consideration.

Kind regards,

Linda Unland

  
[Driggs, ID 83422](#)  


## Kristin Rader

---

**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

---

**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**

---

**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

---

**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.