What does meaningful open space mean? Is it taking the rights of the landowners away? Is taking from them and giving it to the public? What right does the community have forcing the landowners to maintain open space so they can promote Teton Valley to the tourists? Teton Valley is not a National Park. It is not public ground. It is owned by private property owners. The proposed comp plan is just a way to inflict Marxist communistic values and controls on the people, such as open space requirements, forced clustering, prevention of building churches, lighting controls & curfews, controlling soundscape, forcing us to provide bike paths and trails for them and the tourists. Is that maintaining our culture?

Maintain cultural and scenic values? The culture that the newcomers are bringing to our valley has no resemblance to our past culture. It is like telling the American Indian that we have preserved their culture. Ha! The culture they are trying to maintain is a recreation-play-and-run-and-bike-every-waking-moment culture. A feel-good culture that only serves themselves. The culture in Teton Valley before they came was about working hard to make an honest living. Obviously these "people" don't even have to work. Instead they are out on their bikes all day and gathering at Tony's to drink beer at night, secretly plotting a way to destroy the local culture and standards, all on the pretense that they are preserving our culture! Our culture was of church-going, God-fearing family-oriented residents who respected the Sabbath and worshipped God. Our word was our bond. Our contracts were made with a handshake. We were honest and neighborly. We didn't have businesses open on Sunday. We didn't even mow our lawns on Sunday. We honored the sabbath day by going to church, spending quality time with our children, and visiting and doing good things with or for our neighbors. Our culture was about freedom and sacrificing your life for freedom. Your idea of maintaining that culture is by denying the building of our churches while approving a Vodka distillery in the scenic corridor. Having marijuana-smoking, drug-infested music concerts at "Ghee?" Having wine and cheese tasting events, encouraging the consumption of alcohol? Having dogs instead of children? Living with your significant other instead of marriage? How is that maintaining our culture or scenic values? The main reason you want to maintain open spaces because you want to sell your less desirable properties at the expense of those who have desirable property.

Enjoy an abundant wildlife population? You say your want to protect the wildlife only so you can put a wildlife overlay over the entire valley and further limit development. You aren't really interested in wildlife or protecting the river or you wouldn't be advertising the Teton River to everyone and encouraging them to come to it. It can't handle all that traffic. The wildlife who currently happily co-exist with the landowners' livestock will not tolerate all of your excessive utilization of it with canoes, paddle boards, floating, and fishing intrusion of the stream. Then you propose trails and bike paths along it! Obviously you don't have a clue what your are doing to the wildlife and your methods of protecting it won't work. Herds of people walking through their habitat will destroy them Stay away from it and you will be doing wildlife a favor. Besides that the property is mostly private. You can't have access unless you get permission or do an eminent domain.

Your guidance for future growth and a vibrant downtown is a no growth plan. I don't see how you think we can have a vibrant business climate when you don't want development or growth. People who move here need two things: 1) a place to work 2)

a place to live in a non-city-like atmosphere. If they wanted to live in clusters and crowded neighborhoods, they would stay where they came from. Teton Valley is beautiful, but beauty doesn't put food on your table. If there isn't a vibrant economic culture in this valley, the only people who will be able to afford to live here will be the trust-fund babies who are reliant on their daddy's pocketbook or the already wealthy people who will use this area as their vacation/second home areas. Perhaps that's your goal all along. You say you want to maintain the rural heritage but your are basically running off the very people who can maintain it for you. Do you think our childrent will be able to afford to run farms in Teton Valley once you limit development, strangle the economy of the vally and tax them to death with additional taxing districts, ie., recreational tax, capital improvement districts for the already over paid fire department, and open space tax on the very land they are forced to hold open.

Fair, predictable, and cost-effective development: First of all do you really think that taking away the property-owners development rights is **FAIR**? How do you think that is fair? Would it be fair if the farmers came to your property (your home, your car, your bike, your skis) and a said, "We decided that everyone should be able to live in a home like yours, drive a nice car like yours, bike on a nice bike like yours, or ski with such great ski equipment as you have. We are going to make an ordinance that states that you can no longer control how you use these things. You need to make them available for everyone to use. Also, you can't sell any of it either, because you need to have it available for the community to use because that is what the community desires." You are doing that to the landowners when you tell us what we can do with our land all on the guise that it is what the community wants. **Predictable?** How is that possible? How are you going to control when, how, who, what people want to purchase in this valley? If you think you can control that by only allowing the current 7000+ units to sell before anything else can be developed, then you are making a serious mistake. In a free market society, the market (what people want to purchase) determines development. I guess you can say it is predictable because you are going to stifle all development, unless it serves your lifestyle of biking, hiking, and paddleboarding or it sells your property that you have for sale before the rest of us can sell any of ours.

Cost effective? I suppose you are pretending that means cost-effective to the county's tax base? I know that many of you think that by allowing development out of town, you will cost the county more money. That is the biggest misnomer you are forcing on everyone so far. When a person builds out of town, he pays for his septic tank, his well, his road and maintenance of his road, running electrical to his property, and running telephone to his property. You claim that EMS, Fire and Sheriff will have more expense if people live out of town. First of all, their is NO guarantee that the city dweller will only utilize of those services in the city limits. There is no guarantee that the biker will not get hurt on the road between Bates and Cedron, that the city dweller won't have a wreck on Highway 33 near the county boundaries by Madison County, or that someone who lives in the city, won't commit a crime, such as killing his wife, outside the city limits. The county has to provide these services on all four corners of the valley, whether people live in town or out of town. That is an irrational and very debatable argument.

Incentives that support rural character? What would that be? A tax on the landowners who will be forced to keep open space for the community's desire? I would

totally be in favor of incentives if it comes from the ones who are proposing this new comp plan.

Support for recreation. No, and hell no! If you want recreation, then pay for it out of your own pocket. Why should other people have to pay for your playtime?

Quality of Life? Our quality of life was a lot better before you all came in here and tried to make Teton Valley look and smell like Sun Valley, Vale, Steamboat Springs, or Jackson Hole, Wyoming. We are Teton Valley and we were a whole better place to live before you all moved in here. If you really wanted to preserve our lifestyle, then quit trying to change everything.

Laren and Laura Piquet

Driggs, ID 83422

Dear Planning and Zoning:

The scenic corridor is another example of taking the property owner's development rights. We own 20 acres of ground along the scenic corridor. Every bit of our property is in the corridor. The regulations for the scenic corridoris totally unreasonable. It basically give our property to the public, while we pay the taxes How is that fair? If they don't like what they see along the corridor, then the tourists can just go elsewhere!

We also disagree that the landowners should be forced to maintain open space for the liberal bike riders who are doing nothing to give back to the community. They don't have to work. They ride bikes all day long. They sit and dream up the ideas that only benefit them on a constant basis. They pretend it is to preserve the rural heritage but this comp plan does not do that. Instead it is forcing the minority to be subject to the majority, if it is really true that the majority wants what you say they want. We don't believe that your surveys were a true representation of the valley people's desires. Most of the people who live here didn't take the survey because they weren't involved with it or didn't know about it. A lot of your older generations don't own a computer or how to get to your website.

We are against additional taxes, such as a recreation district, capital improvement tax for Fire, or open space. If you want recreation, pay for it yourselves. You are going to tax the rural citizens right out of the valley. TV will only be for the rich and the trust fund babies.

We don't want Teton Valley to be another Jackson Hole or Sun Valley. If that's where you want to live, move there! If you want it to be like where you are from, go back!

We also didn't like the church being denied but the vodka distillery was allowed to be built right on the scenic corridor just outside of Driggs. Isn't that great? What an eyesore! It even has a tower on it! It's going to be ugly! At least a church is a beautiful building.

We think the dark skies movement is ridiculous. Look up, the stars are there! Turning on a light didn't make them go away. You claim we are trespassing on other's property with our light? That is stupid. You know what else is stupid? Tripping and falling because you can't see where you are going because the lights are so dim. Getting robbed because the night light has been taken away for protection.

We also think your idea of rural heritage is a joke. Do you even know what rural heritage means? It means having families and farming and working hard for a living. It means a house on every 20 acres because that was how TV was settled. It means going without when the crops don't yield and the weather doesn't cooperate. It's being a friend to your neighbor and doing his farming or taking him a meal because he is sick. It means living in a little farm house where the snow blows in on your blankets in the winter and your cup of water freezes solid on your headboard by morning. It's going out and milking the cows or getting in wood even when it isn't convenient or fun for you. It's

raising a garden so you can feed your 8 kids. It's having chickens for eggs and chicken noodle soup, not because it is organic. It's having a horse because you need to use it on a farm or to go hunting for your winter's food. It's about freedom to make your own living without others' interfering. It's about defending your property from invasions from outside marauders. It's about watching a calf being born and helping it suck it's mother for the first time. It's usually hand-to-mouth and now you want to take away our ability to sell out when we retire for what our property should be worth, before you came along and devalued our property with the scenic corridor and comp plan, or deny us the right to give our legacy, our property, to our children.

Jani Rasmussen

Jani and Buzz Rasmussen

Victor, ID 83455

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July 2, 2012

VIA REGULAR MAIL AND EMAIL

Teton County Board of County Commissioners
Teton County Planning & Zoning Commission
c/o Angie Rutherford
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Driggs, ID 83422

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RE: Comments From the Teton County Group for Property Rights ("TCGPR") Regarding Draft Comprehensive Plan (downloaded June 29, 2012) for Teton County, Idaho.

Dear Ms. Rutherford:

As you know, our firm represents a group of individuals concerned with the property rights of individuals located in Teton County (the "County"), who call themselves the Teton County Group for Property Rights, or "TCGPR".[1] TCGPR consists of a number of large and small landowners located in Teton County.

On May 24, 2012, TCGPR submitted a letter describing its public comments regarding the then-current draft of the *Draft Comprehensive Plan for Teton County, Idaho* (the "Comprehensive Plan"). We understand that other comments were also received, and once received, the comments were considered and either incorporated, partially incorporated, or not incorporated into the latest version of the Comprehensive Plan, which is now scheduled for review and public hearing on July 10th and 11th. We appreciate the County's consideration of our comments relative to distressed subdivisions, and the removal of the prior draft language on this topic as we suggested.

[1] The VARD letter incorrectly refers to this group as the "TVGPR" rather than its correct name, "TCGPR."

We have now downloaded the latest version of the Comprehensive Plan on June 29, 2012, which we understand will be presented for the public hearing on July 10th and 11th. We wish to submit the following comments to the Planning and Zoning Commission, and trust that you will provide them to the Commission.

Additionally, we have reviewed a letter submitted on June 15, 2012 to the Teton County Planning & Zoning Commission and the Teton County Board of County Commissioners by an entity known as the "Valley Advocates for Responsible Development," or "VARD." (hereinafter "VARD Letter"). The letter was signed and therefore presumably written by five lawyers affiliated with VARD, and claims to "clarify and ultimately rebut" some of the contents of TCGPR's letter. *VARD Letter* at 1. In our review of some of the submitted comments, we are unaware of any direct rebuttal to any other person or entity's submission of public comments. Our understanding is that all interested parties were requested entitled to submit comments regarding the draft Comprehensive Plan. VARD's view of the solicited comments is that they were written on a law firm's letterhead with "the implied threat of a lawsuit in the event the stated wishes are not granted." *VARD Letter* at 6. This is certainly not the case. Adoption of a Comprehensive Plan is a significant issue, and one where public comments have been welcomed. The comments were submitted at the request of TCGPR in an effort to participate in this process, not to intimidate anyone. While VARD's legal firepower in response may be impressive, for TCGPR, this process has never been about the number of lawyers affiliated with any particular position. It is about the finalization of a Comprehensive Plan that represents the needs and interests of all of Teton County's residents, and that it does so in a lawful manner.

Prior to our comments below, we should initially address VARD's claims that TCGPR has confused comprehensive planning with zoning, but our prior letter demonstrates this is not the case. We explained this very principle, and cited to two Idaho Supreme Court cases in our letter which state that a comprehensive plan is not legally controlling zoning law:

> We understand the vision contained in any comprehensive plan is eventually given real meaning when such vision is implemented through county ordinances, and the final version of those ordinances will ultimately determine whether or not private property rights have been infringed upon in an unlawful manner.[2] However, because zoning ordinances must be in accordance with the

[2]"This Court has held that a comprehensive plan does not operate as legally controlling zoning law, but rather serves to guide and advise the governmental agencies responsible for making zoning decisions. The Board may, therefore, refer to the comprehensive plan as a general guide in instances involving zoning decisions such as revising or adopting a zoning ordinance. A zoning ordinance, by contrast, reflects the permitted uses allowed for various parcels with the jurisdiction." *Urrutia v. Blaine County*, 134 Idaho 353, 357-58, 2 P.3d 738, 742-43 (2000); "A comprehensive plan is not a legally controlling zoning law, . . ."*Evans v. Teton County*, 139 Idaho 71, 76, 73 P.3d 84, 89 (2003).

> Comprehensive Plan (Idaho Code §§ 67-6511 and 67-6535(a)), we want to be on the record with our concerns regarding language in the Comprehensive Plan because of how this language may be interpreted in the preparation and adoption of amended zoning ordinances.
>
> *TCGPR Letter* at 3.

Oddly enough, while making the claim that TCGPR does not understand comprehensive planning, they included the same quote from the *Urrutia* case which we quoted in our letter. To be clear, we recognize that any potential legal challenges to Teton County's actions would likely occur in the potential subsequent zoning actions that may take place after the Comprehensive Plan is adopted.[3] Idaho Code § 67-6519, which was recently amended, outlines that certain applications are subject to processing and potential judicial review under the Local Land Use Planning Act, ("LLUPA"). The applications subject to review are "zoning changes, subdivisions, variances, special use permits and such other similar applications required or authorized pursuant to this chapter . . ." It does not appear that adoption of a Comprehensive Plan, which is more of a legislative-type action, is subject to direct judicial review under the LLUPA, although it is subject to review under a separate arbitrary and capricious legal standard.[4] Nevertheless, despite the legislative-type action of the Comprehensive Plan and its limited direct judicial review, it remains a critical document because zoning must be done in accordance with the Comprehensive Plan. *See, e.g.*, Idaho Code §§ 67-6511 and 67-6535(a).

As described in more detail below, we remain concerned that the density descriptions that remain in the latest iteration of the Comprehensive Plan function as zoning laws which, in and of itself, appear to now effectively rezone land. As VARD notes, this is something that the

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[3] Indeed, it appears that this is likely based on p. 69 of the Comprehensive Plan, which states that "[t]he Zoning Code should be revised to reflect the Comprehensive Plan, including all its goals, policies and the Framework Map."

[4] See *Burt v. City of Idaho Falls*, 105 Idaho 65, 70-71, 665 P.2d 1075, 1080-81 (1983):

> "Promulgation or enactment of general zoning plans and ordinances is legislative action."
>
> "Legislative activity by a zoning entity is differentiated from quasi-judicial activity by the result—legislative activity produces a rule or policy which has application to an open class whereas quasi-judicial activity impacts specific individuals, interests or situations. Legislative action is shielded from direct judicial review by 'its high visibility and widely felt impact, on the theory that appropriate remedy can be had at the polls."
>
> "Direct judicial review in this case means an appellate process by which land use decisions by local authorities are appealed to a judicial forum. While we hold that legislative action is not subject to direct judicial review, it nonetheless may be scrutinized by means of collateral actions such as declaratory actions. In such instances the decision will not be disturbed absent a clear showing that it is confiscatory, arbitrary, unreasonable or capricious."

Comprehensive Plan cannot do ("It is well established in Idaho that the comprehensive plan cannot be elevated to the level of zoning law." *VARD Letter* at 2 (citing to *Urrutia v. Blaine County*, 134 Idaho 353, 357, 2 P.3d 738, 742 (2000)).

More critically, through another seemingly insignificant change, it is now apparent that the Comprehensive Plan's main goal is to reduce residential development and effectively eliminate the possibility for future development. A key action item under the economic development component of the plan used to call for actions to "[r]educe potential supply of lots by 75%." As described below, this should be removed.

Therefore, as further explained below, we request that the following changes be made to the latest iteration of the Comprehensive Plan:

1. Remove the key action of "Reduce potential supply of residential lots by 75%."

2. As we have requested previously, the Comprehensive Plan should be revised to simply include "residential" in the desired future character land uses for Rural Agriculture, Mixed Agriculture/Wetland, Mixed Agricultural/Rural Neighborhood, and Foothills, and the other density descriptions contained therein (i.e., "very low density," "low density," "medium-low density," etc.) should be removed.

3. As we have requested previously, provisions should be added to the Comprehensive Plan stating that wildlife are only to be regulated by the Idaho Department of Fish & Game, and not by Teton County and its wildlife overlay. This would support the eventual removal of the wildlife overlay from the County's current zoning ordinance. The Comprehensive Plan should adopt and encourage partnerships with landowners to mitigate impacts to wildlife in the development process, and not penalize landowners who did not develop their land in the 1990s and 2000s.

4. That a recommendation from the Planning and Zoning Commission of the Comprehensive Plan be delayed for 6 months to receive comments on the recent significant changes to the Comprehensive Plan, as well as review and comment on the Idaho Department of Fish and Game publication *A Summary of Key Fish and Wildlife Resources of Low Elevation Lands in Teton County, Idaho*.

Removal of Key Action to "Reduce Potential Supply of Residential Lots by 75%."

An express goal of reducing three (3) out of four (4) residential lots in the County is an affront to the property rights of County residents. It is unclear how this key action crept into the

Comprehensive Plan process so late in this process (which has taken place for over two years), and now is in the draft Comprehensive Plan just prior to submission to the Planning and Zoning Commission. The April 20th version of the Comprehensive Plan did not contain this item. See *Exhibit 1* attached hereto. A prior iteration of this item first appeared in the May 16th version of the Comprehensive Plan. See *Exhibit 2* attached hereto. No matter its source, it represents bad policy and is contradictory to the Comprehensive Plan's stated goals of balancing the property rights of County residents with the zoning ability of the County. It will effectively eliminate future residential developments, and further depress the County's economy by removing the jobs associated with future developments, which is also contradictory to the County's stated goal of establishing a "vibrant, diverse, and stable economy." *Comprehensive Plan* at 18.

The May 16th version of the Comprehensive Plan states that the action item is to "[r]educe *future* potential supply of residential lots by 75%." (italics added). We would interpret this provision consistent with other provisions of the Comprehensive Plan to refer to reduction of *currently* platted but undeveloped subdivisions by incentivizing vacation of non-viable subdivisions in undesirable locations. For example on Page 62 of the Comprehensive Plan, it calls for an action item to "[i]ncentivize vacation of non-viable subdivisions in or near migration corridors or sensitive habitats." We believe addressing non-viable subdivisions is a good thing because we have always felt, as described in our May 24th letter, that the ability to market and sell real state is obviously dependent on location, and the majority of existing distressed subdivisions, in our opinion, are located in less than ideal locations. You cannot encourage economic development by saying that potential lot purchasers cannot have something better. But an overall reduction of 75% of the residential lots in the County is a major change in the vision of the Comprehensive Plan. And to do so at this stage of finalizing the Comprehensive Plan is a significant of enough change to warrant additional time for comments and consideration. As described below, the Planning and Zoning Commission should delay recommendation of the Comprehensive Plan for six (6) months to further consider and understand this game changer.

Removal of Vague Residential Density Terms

As you are aware, Chapter 5 of the Comprehensive Plan describes "The Framework Plan."A prior draft of the Comprehensive Plan described different "Land Uses," including "Rural Agriculture," "Mixed Agriculture/Wetland," "Mixed Agriculture B," "Foothills," and "Waterway Corridors." The Comprehensive Plan still contains terms such as "medium density", "low-density residential, with provisions for clustering/conservation developments to protect natural resources," "medium to low density residential," "low residential," and "Low to lowest residential in the County."

As explained above, our concern is that these density descriptions function as zoning law, which the Comprehensive Plan cannot do. The zoning process is the process that should define

density. What has happened through the Comprehensive Plan drafts is a slow but sure migration to further restrict densities and significantly limit development. It backdoors in a zoning limitation. The density description is an adjective that moves the land use type into a zoning classification, and is unnecessary and unlawful. There are no other land use descriptions that are described so narrowly. For example, the Comprehensive Plan uses phrases such as "Agriculture" and "Ranching." The Comprehensive Plan further acknowledges that Teton County "has a very short growing seas and crops are currently limited to barley, seed potatoes, and several forms of grains." *Comprehensive Plan* at 53. Describing residential density is akin to categorizing land uses of agriculture as "Barley Agriculture," or "Seed Potato Agriculture." These descriptors go beyond the planning function of the Comprehensive Plan, and go right down to the specific land use associated with the property, which is a function of zoning. To avoid any potential dispute over the residential density descriptors, they should simply be removed.

VARD alleges that removal of these terms will make matters more vague, and the land use designations in the comprehensive plan do not and will not match the current zoning ordinances. While it is true that the comprehensive plan descriptions and zoning descriptions do not have to be categorized verbatim, this argument ignores the fact that zoning must be in accordance with the Comprehensive Plan, and therefore, subsequent zoning/rezoning will surely be limited by the density descriptors contained the Comprehensive Plan. This highlights the concern of TCGPR that the Comprehensive Plan density descriptors are too narrow and function as zoning law. Density should be addressed in the zoning/rezoning process, and references to density in the Comprehensive Plan land use descriptions should be removed.

To the extent the density descriptors are used, they should at least be defined. It is unclear whether they are more or less restrictive densities than are currently used in the County. Land use regulations should be sufficiently explicit so that a reasonable landowner can understand what is required to comply with the regulations and plan his or her land use accordingly. Local regulations should use clear and concise language, and should define terms so that the reader is left with little doubt as to what is required or intended. As we have stated before, the current Teton County zoning designations are A2.5 and A20. Are the new categories of density contained in the draft Comprehensive Plan A2.5 and A20? Or does the County intend to reduce or change these densities? Is A20 considered "very low" density? Or does "very low" density mean something else? Does the County intend to move to rezone the entire county if this Comprehensive Plan is adopted? These are the types of questions that all landowners will be asking. The lack of definition for these terms will lead to confusion because the density categories are patently vague and ambiguous.

Given the lack of definitions, the Comprehensive Plan should be revised to simply include "residential" in the desired future character land uses described in the Comprehensive Plan, and the other density descriptions contained therein (i.e., "very low density," "low density," "medium-low density," etc.) should be removed. At a minimum, they should be defined.

Wildlife Overlay

In a similar vein, we remain concerned with the application of the County's adopted wildlife overlay, which TCGPR believes infringes upon landowners' property rights because regulation of wildlife is likely outside of a county's police powers to regulate property for the health, safety, and morals of its citizens. The actions of local governing boards must be reasonable, and cannot be arbitrary, capricious, or discriminatory, and must bear a substantial relationship to the public health, safety, morals, and general welfare of its citizens.

Wildlife overlays and their lawfulness, in and of themselves, have not been addressed before the Idaho Supreme Court. VARD cites to the Idaho case of *Cowan v. Fremont County*, 143 Idaho 501, and 148 P.3d 1247 (2006) in support of the use of wildlife overlays in Teton County.[5] However, in *Cowan*, the overlay itself was not challenged, but the County's discretion of awarding a score of zero for wildlife habitat was challenged. See *Cowan*, 143 Idaho 519 ("Cowan argues that the score of zero for wildlife habitat was error."). The issue of whether or not a wildlife overlay is a proper exercise of the County's power remains an open question because it was not challenged by the appellant in *Cowan*. We should note further that Fremont County's ordinance and Teton County's ordinance on this issue are different and are applied differently. In Fremont County, wildlife is one component of a development's overall score. Teton County's ordinance is much more broad, and could prevent development on the wildlife issue alone.

TCGPR's concern is perhaps best demonstrated with the comments from a newspaper article published by the Teton Valley News in September of 2009, which is attached at Exhibit 3. The article summarizes the advocacy of an Idaho Department of Fish and Game Wildlife Biologist, who determined that the habitat assessment relative to that development was "grossly incomplete." As we have explained before, IDFG should not take a position either for or against a project, which was apparently done in the instance described in the article (prior to the adoption of IDFG's new policy) where IDFG felt that the developer should have performed studies on the wintering habitat of mule deer and sharp-tailed grouse. This is not technical information that advises the process, rather, it is commentary from IDFG's on the work performed. Injecting these issues into zoning decisions only further diminishes property rights.

We do not dispute the fact that the County should plan for natural resources because it is one of the categories they are to plan for, but it is limited to an analysis of uses of these resources. *See* Idaho Code § 67-6508(f) ("An analysis of the uses of rivers and other water, forests, range, soils, harbors, fisheries, wildlife, minerals, thermal waters, beaches, water sheds,

[5] VARD also cites to a district court case of *Cove Springs Development, Inc. v. Blaine County* in support of this contention, but the opinion is not available online, and we are not able to review it. We note, however, that the decision was not appealed to the Idaho Supreme Court.

and shorelines."). But this does not grant the County a blanket authorization to assume the role of wildlife managers. The individuals comprising TCGPR are conservation-minded landholders, who care for and are concerned about wildlife. The concern of TCGPR is that the Comprehensive Plan and its associated wildlife overlay go too far and diminish property rights. The wildlife overlay allows the urban residents of Teton County to benefit at the expense of a rural few who happen to own property away from the cities of Driggs, Victor, and Tetonia. By limiting development in this manner, the County will remove the incentive for County landholders to enter into conservation easement agreements with entities such as the Teton Regional Land Trust ("TRLT"). The Comprehensive Plan expressly supports "the preservation of open space, farmland, natural beauty, and critical environmental areas," Comprehensive Plan at 46, as well as acknowledging that there are voluntary options to preserve such lands on page 71 of the Comprehensive Plan through conservation easements, purchase or donation of development rights, and open space purchases.

If the County wants to conserve and encourage the preservation of agriculture and habitat, there must be an economic incentive for the landowner to participate. By reducing development density, which the Comprehensive Plan clearly now attempts to do under its land use description and wildlife overlay provisions, the value of the baseline appraisal necessary for a conservation easement decreases, and the process is no longer economically viable. In a no-win situation for farmers—who have historically struggled to make farming work in the County, as acknowledged by the Comprehensive Plan[6]—not only are they supposed to continue to make agriculture work in an area with a short growing season and increased fertilizer and fuel costs, but the expectation now is to have them do it without the possibility of a conservation easement to fund that work into the future. The more wealthy urban citizens benefit, at no cost to them, while the farming and ranching continues to struggle on. This does not promote a sense of community.

As we have explained before, the County should move away from a top-down regulation scheme to protect open space and habitat, and opt for a bottom-up voluntary process to protect these lands. This is what the NRCS and TRLT have done, and they have been effective in doing so. This is the model that Teton County should adopt—a voluntary approach to wildlife conservation that balances the rights of property owners with those that live in Teton Valley and enjoy its wildlife and open spaces. Current homeowners should not be entitled to enjoy open space and habitat protection entirely at the expense of those landowners who own open space and habitat and who may elect to subdivide their property in the future.

In short, the most recent version of the Comprehensive Plan states expressly that with different land types the overlays should be used to limit development. For example, under the

[6] "Teton County has traditionally relied on agriculture as its economic base, although this was never an easy way to make a living. At an elevation of over 6,000 feet, the area has a very short growing season and crops are currently limited to barely, seed potatoes, and several forms of grains." *Comprehensive Plan* at 53.

Foothills designation, it states: "Development limited by overlays and development guidelines to protect natural resources." This language should be removed from the most recent version. In its place, the Comprehensive Plan should adopt and encourage private partnerships with landowners to mitigate impacts to wildlife in the development process.[7]

That a recommendation from the Planning and Zoning Commission of the Comprehensive Plan be delayed for 6 months to receive comments on the recent significant changes to the Comprehensive Plan, as well as review and comment on the Idaho Department of Fish and Game publication *A Summary of Key Fish and Wildlife Resources of Low Elevation Lands in Teton County, Idaho.*

Finally, given the significant changes that are in the latest version of the Comprehensive Plan, it would be well to allow time for further comment and discussion on this new direction. The Comprehensive Planning process has been ongoing for two years, and yet we are seeing significant changes at the last minute. More time should be allowed for review and comment from the public, and TCGPR suggests a period of six (6) months.

Additionally, we have seen for the first time the IDFG document entitled *A Summary of Key Fish and Wildlife Resources of Low Elevation Lands in Teton County, Idaho*. Yet, we cannot find any reference to this document in the Comprehensive Plan itself, and it is unclear what this document's relevance is to the Comprehensive Plan. Whatever it is, this is obviously a document that will support the County's actions, and no time has been allotted to review and comment on it. A time period of an additional six (6) months would be appropriate to review it and provide technical comments to IDFG.

We appreciate your consideration of the above comments, and the associated attached documents. In summary, we request the following:

1. Remove the key action of "Reduce potential supply of residential lots by 75%."

2. As we have requested previously, the Comprehensive Plan should be revised to simply include "residential" in the desired future character land uses for Rural Agriculture, Mixed Agriculture/Wetland, Mixed Agricultural/Rural Neighborhood, and Foothills, and the other density descriptions contained therein (i.e., "very low density," "low density," "medium-low density," etc.) should be removed.

[7] This is mentioned in the Comprehensive Plan, which lists as a goal a desire to develop means to compensate private property owners for large parcels of open space. However, greater emphasis should be placed on this goal throughout the Comprehensive Plan, and should replace discussion of the wildlife overlay.

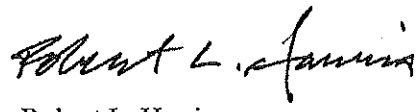
3. As we have requested previously, provisions should be added to the Comprehensive Plan stating that wildlife are only to be regulated by the Idaho Department of Fish & Game, and not by Teton County and its wildlife overlay. This would support the eventual removal of the wildlife overlay from the County's current zoning ordinance. The Comprehensive Plan should adopt and encourage partnerships with landowners to mitigate impacts to wildlife in the development process, and not penalize landowners who did not develop their land in the 1990s and 2000s.

4. That a recommendation from the Planning and Zoning Commission of the Comprehensive Plan be delayed for 6 months to receive comments on the recent significant changes to the Comprehensive Plan, as well as review and comment on the Idaho Department of Fish and Game publication *A Summary of Key Fish and Wildlife Resources of Low Elevation Lands in Teton County, Idaho*.

As we have explained above, we presume the real impact of the Comprehensive Plan will be delineated with the promulgation of zoning ordinances associated with it, which is why we believe the comments weare providing must be taken into account now. Please do not forget about the property rights that landowners have.

Should you have any questions regarding these comments, please have a member of your planning and zoning department give me a call at 523-0620.

Best Regards,



Robert L. Harris
Holden, Kidwell, Hahn & Crapo, PLLC

Enclosures

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April 20th DRAFT

EXHIBIT 1

economic development

Key Actions	*Participants*	*Timing*
• Develop new marketing, branding and signage materials. Design and install gateway signage and landscape treatments; wayfinding master plan; wayfinding sign installation.	• Chamber of Commerce; Teton Valley Business Development Center	3
• Mitigate the economic impact of non-viable subdivisions.	• County; property owners	3
• Zone changes to reflect the Framework Map and encourage development of quality growth neighborhoods adjacent to existing communities and reduce density in sensitive rural areas.	• County Planning	I
• Strengthen zoning ordinances to allow live-work and home based businesses.	• County Planning	2
• Require development proposals to be accompanied by relevant market research and due diligence that justify viability of the project and consider off-site impacts.	• County Planning	I
• Incentivize utilization of existing business park locations.	• County Planning	3
• Promote official "Buy Local" campaign for the Teton Valley.	• Chamber of Commerce; Teton Valley Business Development Center	2
• Unify the Marketing, Job Retention, and Recruitment Programs.	• Chamber of Commerce; Teton Valley Business Development Center; Cities of Driggs, Victor and Tetonia	2
• Create effective economic development entities.	• Chamber of Commerce; Teton Valley Business Development Center	3
• Work with the City of Driggs airport for business-related opportunities.	• Teton Aviation Center; Chamber of Commerce; Teton Valley Business Development Center	3
• Coordinate with the City of Driggs airport for business-related opportunities, local landowners and businesses.	• Chamber of Commerce; Teton Valley Business Development Center	3

Timing: O=Ongoing; I=Immediate; 2 = Within 2 Years; 3 = Within 3 Years; 5 = 5 or More Years

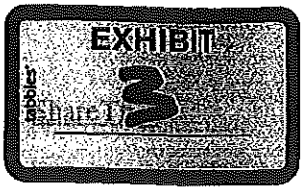
May 16th DRAFT

EXHIBIT 2

economic development

Key Actions	*Participants*	*Timing*
• Develop new marketing, branding and signage materials. Design and install gateway signage and landscape treatments; wayfinding master plan; wayfinding sign installation.	• Chamber of Commerce; Teton Valley Business Development Center, Teton Valley Marketing Alliance	3
• Preserve and enhance recreational opportunities	• County Planning; Non-profit organizations	O
• Mitigate the economic impact of non-viable subdivisions.	• County; property owners	3
• Zone changes to reflect the Framework Map and encourage development of quality growth neighborhoods adjacent to existing communities and reduce density in sensitive rural areas.	• County Planning	I
• Reduce future potential supply of residential lots by 75%.	• County Planning	I
• Prioritize existing commercial and manufacturing land to reach a goal of 60/40% commercial/residential tax base.	• County Planning ; City of Driggs; City of Victor; City of Tetonia	3
• Require development proposals to be accompanied by relevant market research and due diligence that justify viability of the project and consider off-site impacts.	• County Planning	I
• Incentivize utilization of existing business park locations.	• County Planning	3
• Promote official "Buy Local" campaign for the Teton Valley.	• Chamber of Commerce; Teton Valley Business Development Center, Teton Valley Marketing Alliance	2
• Provide technical assistance to local businesses.	• Teton Valley Business Development Center	I
• Unify the Marketing, Job Retention, and Recruitment Programs.	• Chamber of Commerce; Teton Valley Business Development Center; Cities of Driggs, Victor and Tetonia	2
• Strengthen zoning ordinances to allow live-work and home-based businesses.	• County Planning	2
• Create effective economic development entities.	• Chamber of Commerce; Teton Valley Business Development Center	3
• Hire an economic development coordinator.	• Teton Valley Business Development Center; County; Chamber of Commerce; Fremont County; Madison County	I

Timing: O=Ongoing; I=Immediate; 2 = Within 2 Years; 3 = Within 3 Years; 5 = Within 5 Years; 5+ = 5 or More Years



P&Z tackles wildlife
September 09, 2009
By Hope Strong

New ordinance has county considering initial precedent

One of the largest proposed developments on the north end of Teton County came back to the county Planning and Zoning Commission with a fraction of units and challenging a newly adopted wildlife ordinance that may need further rehashing.

J Lazy H was the original development on the bench west of Felt that consisted of 5,432 acres with 842 units. Jeff Russell, who represented Hoopes Green LLC in the project, has attempted to keep the project alive through a new proposal, Canyon Farms. Canyon Farms, however, created a stir Tuesday evening as debate ensued over its location in and around Teton County's Wildlife Overlay.

"We didn't predict the market very well the first time around," Russell told the P&Z Commission Tuesday night regarding J Lazy H. "It's hard to say what's coming next."

Representing investors, Jeff Klausmann, one of the architects of the Wildlife Overlay Map, spoke on behalf of Canyon Farms, a 15-lot subdivision on 348 acres located directly north of the fi rst phase of the River Rim subdivision. The developer sought preliminary approval for a standard subdivision on ground zoned A-20, but the P&Z Commission continued the matter after struggling to interpret its Wildlife Overlay.

Rob Cavallaro, Wildlife Biologist for Idaho Fish and Game and another who helped draft the Wildlife Map, was adamant that the county acknowledge the spirit of the Wildlife Overlay, suggesting that the decision with Canyon Farms could likely set a precedent for future interpretation of the ordinance.

"Our goal is not to stop or slow down this project," Cavallaro said. "We are concerned with the bigger picture.

Interpretation here is paramount. We can all agree that Hoopes Green has done a lot of good work, but the question is not whether this is a good subdivision. If this doesn't meet the criteria, I don't know what will."

The criteria Cavallaro referred to was the point in question for the P&Z Commission and ultimately for this and any other developer attempting to navigate wildlife considerations in the future. Codicils in the Wildlife Overlay that took the burden of further analysis off a developer include language suggesting that land previously disturbed would fall into a different category. Whether or not traditional farm ground was considered "disturbed" was ambiguous. Likewise, clarification seemed necessary as to the scope of the Wildlife Overlay. The P&Z Commission struggled with the question of whether or not land "immediately adjacent" needed to be taken into consideration.

Russell had written in favor of the Wildlife Overlay on June 11, 2008 during a P&Z hearing with regard to the county's proposed PUD ordinance.

"Why will people buy lots in my project? Why will they come to Teton County? Why will they come here and not elsewhere?"

Russell's letter asked. "For him," Matt Landis answered, "The one thing that sets Teton Valley apart

from other small mountain towns in the west is the wealth of wildlife found in here, and urged the P&Z to continue with their efforts to protect this aspect of the valley."

"It seems these guys are bending over backwards," P&Z Commissioner Kent Wagener said on Tuesday night. "They're going out of their way to make a good subdivision."

"It doesn't matter if it's a good subdivision or a bad subdivision," P&Z Commissioner Jeff Carter responded. "The standard is the ordinance."

While Russell told the Commission that he has tried diligently to follow the county's ordinance with regard to wildlife, Cavallaro held fast to the belief that the habitat assessment done on the property by Intermountain Aquatics while accurate, was grossly incomplete by not considering critical transitional wintering habitat of mule deer and sharp-tail grouse in the canyon of the Teton River located in proximity to the proposed development.

"The assessment is incomplete because it doesn't consider indirect impact," Cavallaro said with regard to language in the Wildlife Overlay suggesting the need to identify indicator species and indicator habitat on property surrounding a development.

As the rubber hit the road with Teton County's new ordinance, P&Z Commissioners were concerned that a wildlife habitat assessment needed to be further fleshed out with a more extensive natural resource analysis on areas surrounding the proposed Canyon Farms Subdivision. To that end, the P&Z Commission voted to continue the matter in order that the developer work with Idaho Fish and Game to conduct a further review of the wildlife on the bench. Commissioner Wagener voted against the continuance with the belief that the developer had fully complied with the county's new ordinance.

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

June 27, 2012

To: Teton County Planning and Zoning Commission

Re: Teton County Comprehensive Plan Draft

Please accept the following comments on the proposed draft of the Teton County Comprehensive Plan, on the behalf of Friends of the Teton River (FTR). FTR is a nonprofit organization dedicated to understanding and improving ground and surface water and fisheries resources in the Teton Basin, including the Teton River, its tributaries and wetlands. FTR furthers this mission by conducting scientific research about the Teton Watershed, using this research to enhance and protect local water resources, and communicating this information to the public.

Our comments below address the following specific concerns: 1) protection of riparian (stream) corridors and habitat; 2) protection of ground (drinking) and surface (stream) water quality; 3) protection of ground and surface water quantity; 4) recreational use of water.

1) Protection of waterway corridors and habitat

Protection of Teton Valley's waterway corridors (including the riparian areas, floodplains, and wetlands bordering the Teton River and its tributaries) is of vital importance to Teton County's economic vitality and long-term sustainability. Protection of waterway corridors reduces the potential for costly property damage and property loss due to flooding and stream erosion, enhances property values, promotes tourism, and protects Teton Valley's valuable wildlife and fishery.

Additionally, protection of waterway corridors may help to reduce impacts to Teton County businesses if Yellowstone cutthroat trout (YCT) are listed under the Federal Endangered Species Act. YCT populations continue to decline throughout their native range in the Yellowstone region, and are listed as Species of Concern in Idaho, Montana, and Wyoming. Should YCT be placed under federal regulation, significant restrictions may be applied to agricultural and residential water use, recreational fishing, and/or stream corridor development, which could have detrimental effects on the local economy. Protection of Teton County's waterway corridors, which provide critical YCT habitat, may help to delay or even prevent Federal listing, and/or to reduce negative impacts to the community should YCT be listed. To that end, it is in the County's best interest to provide voluntary, community-supported protection for riparian areas via the Comprehensive Plan.

- **FTR recommends that the Planning and Zoning Commission provide highly rigorous protection for sensitive waterway corridors. FTR believes this protection can be achieved either through a water resource overlay or through zoning, provided that the end result is riparian buffers, low density development in riparian areas, retention of riparian vegetation, and restriction of development within floodplains.**

2) Protection of Water Quality

Maintaining safe, high quality *drinking* water in Teton County is an area of strong concern to residents, visitors, natural resource experts, and governmental agencies. Data collected by the Idaho Department of Environmental Quality, Friends of the Teton River, and others indicate that ground water in portions of Teton County is close to or already in exceedance of acceptable thresholds for water quality, especially for nitrates. FTR believes it is necessary to implement protective measures to ensure clean drinking water for current and future generations.

Additionally, threats to *surface* water quality in the upper Teton River and its tributaries have been documented over the past several decades. These surface water quality impairments can affect human safety and recreation as well as fish and wildlife. In 1998, the U.S. Environmental Protection Agency designated the upper Teton River and many of its tributaries as not meeting water quality standards due to excessive nutrients, temperature and sedimentation under section 303(d) of the Federal Clean Water Act. Water quality testing by Friends of the Teton River (ongoing since 2001) and the Idaho Department of Environmental Quality (IDEQ) has continued to show high levels of water quality.

- **We recommend that the Planning and Zoning Commission approve, without change, those portions of the Comprehensive Plan that provide protection for ground water quality and adequate treatment of wastewater.**
- **We recommend that the Planning and Zoning Commission approve, without change, those portions of the Comprehensive Plan that provide protection for surface water quality and adequate treatment of storm water.**

3) Protection of Water Quantity

Research conducted by Dr. Rob Van Kirk (formerly of Idaho State University and now at Humboldt State University) under a US Department of Agriculture-funded study indicates that flowing water in irrigation canals in spring and early summer, combined with water flowing in natural streams during late summer, serves an important role in recharging the groundwater aquifer. This increased groundwater input provides water for domestic and public water system wells, as well as providing additional supplies of late-season irrigation water for agricultural producers. This increased groundwater input has also enhanced fish, wildlife, and wetland resources throughout the valley. Additionally, water flowing in streams is important for maintaining Teton County's economically valuable fishing tourism industry, and has been shown to increase property values while also reducing the detrimental effects of Endangered Species listing.

- **We recommend that the Planning and Zoning Commission approve, without change, those portions of the Comprehensive Plan that support and facilitate voluntary water transactions, water conservation strategies, and groundwater recharge strategies for the benefit of native trout, agricultural users, residential and public water supply wells, and future development needs.**

4) Recreational use of water

Public comment throughout the Comprehensive Plan process indicates that recreation on and around the Teton River and its tributaries is an important part of the economy and lifestyle for Teton County residents. At the same time, there is a strong recognition of the need to balance recreational use with the protection of sensitive wildlife habitat in and around these same streams.

- **We recommend that the Planning and Zoning Commission approve, without change, those portions of the Comprehensive Plan that support maintaining and improving existing public river access, and that support the creation of new access when it's consistent with natural resource conservation goals.**

In conclusion, FTR believes that the highly participatory public process through which the draft Comprehensive Plan was created recognizes that Teton County's water resources are some of our greatest assets. We strongly encourage the Teton County Planning and Zoning Commission to follow the community's lead in protecting our valley's valuable water resources by approving the Comprehensive Plan draft. Please do not hesitate to contact us if you have any additional questions or need clarification on any of the above recommendations.

Sincerely,

Adonia Ripple

Adonia Ripple, Executive Director
Friends of the Teton River

Valley Advocates for Responsible Development

July 2, 2012

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

RE: Comments on the Final Draft of the Comprehensive Plan

Dear Commissioners:

Out of respect for the intense and sustained public effort that has gone into creating the Draft Plan over the past 25 months, this letter is limited to the top five most critical changes that were recently made by the Planning & Zoning Commission to the draft of the Comprehensive Plan that is up for public hearing.

- **Page 55 - Please maintain the Economic Development Sub-Committee's unanimous recommendation to reduce the future potential supply of residential lots by 75%.** As a member of the Economic Development Sub-committee, we crafted that unanimous recommendation based on the GIS department's recent population projections for the valley and realistic assumptions about growth in the county over the next ten years. There is an existing supply of just under 8,000 platted vacant lots in Teton County, but the undeveloped land in the unincorporated county is currently zoned to still create an additional 26,000 lots.[1] Since 1990, Teton County has experienced a growth rate of over 5%, but even if growth continues at this accelerated rate, the existing and future supply of real estate inventory still exceeds demand. Reducing future supply is the most significant step that local government can take to protect private property rights. One of the biggest weaknesses in the old Comp Plan was that is lacked any concrete goals that linked the supply of lots to realistic demand. According to GIS mapping, the 75% reduction in supply (ie: 6,500 future potential lots) can be achieved many ways, such as uniform zoning that does not exceed 20-acres in size, or tiered zoning. This goal is specific, it is bold, and it is precisely what the new Plan needs to succeed.

- **Page 61 – "Density" is a much more transparent, accurate descriptor than "impacts".** In the Draft Plan, the Planning & Zoning Commission recently altered the Waterways Corridor language that was recommended by the Natural Resources Sub-Committee to say that development "impacts" rather than "density" should be reduced for lands that fall within that overlay. If there is one thing that the old Comp Plan taught us all, a good Plan says what it means.

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[1] *See,* Economic Development Sub-Committee minutes, May 3, 2012. *See also,* Teton County GIS Map "Potential Additional A-20 and A-2.5 lots" map, created April, 2012, and Teton County Subdivision Report, February 2012.

285 E Little Ave, PO Box 1164, Driggs, Idaho 83422
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Changing the word "density" and replacing it with "impacts" does not necessarily change the meaning of the Plan, but it more vague. Perhaps both words can be utilized.

- **Page 61 - Please uphold the Natural Resources Committee's original recommendation regarding strengthening the wildlife overlay.** As stated above, a good Comp Plan says what it means, and means what it says.

- **Page 27 - "Heavy" industrial could be eliminated or changed to "Medium" industrial.** The very recent addition of "Heavy" industrial to the land use categories was not envisioned by any of the Sub-Committees, but was a very late addition to the Draft Plan through the most recent series of open house meetings. According to the American Planning Association, "Heavy industrial" is typically defined as:

  > Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides, or other hazardous materials in the manufacturing or other process.

  The lack of support from both Victor and Driggs for allowing those uses within their impact areas may be a good reason to strike "Heavy Industrial" from the Plan altogether and replace that language with a more appropriate designation such as "Medium Industrial" that would cover a range of activities like asphalt plants and other similar uses which produce moderate external impacts.

- **Page 27 – Seek guidance from the Cities on the inclusion of the limited neighborhood commercial in the "town neighborhoods".** This is a major issue that the cities should have significant input into. There is no reason to encourage further residential development and commercial expansion within the areas of impact until the cities have experienced significant infill and can no longer serve those needs within the city limits.

The old Comp Plan failed because it did not set goals or provide concrete guidance for achieving those goals. Making these changes will add specificity and benchmarks needed to translate this Comp Plan into action. Thank you once again for all of your hard work in the service of our community.

Anna Trentadue
VARD Program Director, Staff Attorney

285 E Little Ave, PO Box 1164, Driggs, Idaho 83422
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Dear Teton County P&Z Commission,

Thank you for all your hard work so far in drafting our community's comprehensive plan. I have a few comments on the plan that I would like to share with you and the County Commissioners.

I applaud the level of detail that each of the committees have put into the plan. I understand that the maps are an overview. I have seen that there are some comments to remove the distressed subdivision maps in the plan, but I disagree. As a community, we need to know what is platted and on the ground now, learn from the past, and plan for a more sustainable future for the Valley. This means that we need to accept "the good, the bad, and the ugly" and learn from what has worked well and not so well in our own community, as well as other similar communities. Please keep the map(s) and the level of detail that took months to achieve.

I disagree that the word "preserve" needs to be taken out of the agricultural heritage vision statement in Chapter 5. The committee worked for months to develop their ideas and goals, as well as the language for the plan. To "nurture" doesn't really make sense to me and this is overly captious criticism.

I believe that the industrial areas (shown on the Framework map) need to be clarified. While it makes sense to have light industrial areas near Victor and Driggs, the heavy industrial uses should be limited to the area north of Driggs by the airport (where other "heavy" uses are currently designated).

I also believe that the Plan needs to address the oversupply of residential lots. The oversupply creates an economic burden on our economy and are unmarketable. It could potentially take decades to develop as currently platted (there is well-researched data supporting this). This hurts land owners the most and drives down the value of land. As a community, we should strive to level supply and demand, and direct future growth in city limits, NOT in the county, which should be designated rural. This would have many economic benefits to local businesses, decrease the costs of goods and services, and would help to encourage vibrant downtown areas.

Last, wildlife and open space are incredibly important for our area (these qualities were outlined as important by the community at the start of the Comprehensive Planning process in 2010). This is a huge reason why people decide to live and visit the West, so we should be proud of our natural and wildlife resources and encourage protection and conservation of these resources. Thus, the wildlife overlay is of utmost importance to ensure wildlife resources remain and are healthy for future generations. The wildlife, scenic views, open space, and recreational opportunities bring tremendous economic value to our area. We need to ensure that we can enjoy abundant wildlife populations, and clean air and water not only for the economic benefits, but also for the cultural, health, and ecological benefits. Likewise, enforcing the State noxious weed laws should be encouraged, as well as reclamation of "distressed" subdivisions. The distressed subdivisions with piles of debris and disturbed land are clearly exacerbating the spread of noxious weeds and are harmful to native vegetation and farmland, not to mention an eye-sore.

Thank you again for all your hard work and your willingness to hear from the public, and thank you for considering my comments.

Sincerely,
Jennifer Werlin
Victor, ID
****

Comments on the Proposed Comp Plan from Laura Piquet:

1) The failing economy of the valley is NOT because there are too many subdivisions available. Think about it, in 2009, the prices of property were at their height. There was availability of property every where you looked. The economy went flat because the stock market went into the toilet. The big money people pulled back and quit investing. If the buyer wants a piece of property bad enough, he will pay almost anything to get it. Some of you are upset that the excessive subdivisions are reducing your ability to sell at a good price, but you want to steal our development rights and devalue our property. Why are your needs greater than ours? Let the market determine what is selling and what is not. Set a few limitations on what can be developed but don't strangle us. Don't force anything larger than A20.
2) You say you want to protect the pristine wetlands yet we have a next door neighbor who is planning on ripping off all the top soil on his wetland property and plant some type of feed for "wildlife." It seems like to me the topsoil that God put on that wetland property has been there since the beginning of time and He knew what would grow there and what wildlife it will support. This neighbor said he is doing it to attract the ruffled grouse. Really? Well Ruffled Grouse live in the mountains, not in the wetlands and what he is doing should be illegal. I bet if any of us locals tried that we'd go to jail. He said he plans to feed the moose. Really? The moose are already feeding on that property and ours during certain times of the year. Why does he have to change the top soil and the vegetation to accomplish what God has already provided?He says he has a grant. Really, You mean the taxpayer are paying this rich landowner to destroy wetlands. Egads! I guess you can do anything if you have money, right?
3) One size doesn't fit all! It depends on what and where you are trying to develop. I hope that there are going to be options to sell a few small lots, if desired to keep the farmer going in a serious financial situation, but it would not require him to sell off huge parcels of his farm ground.
4) Clustering is good but is it the only way? Can development be spaced out? Some people don't want to live in clusters. They want to live in rural areas, on small parcels, in less populated areas, in solitude. Some of us don't want close neighbors.
5) What if the farmer choses not to farm anymore, is he going to have sell his property to another farmer? What if the purchaser doesn't want to farm, and he wants to allow the property to go back to nature? How will that support your rural heritage program?
6) Weed management is important but if there are going to be large parcels, or viewsheds of property that are not going to be farmed but are allowed to go back to nature, there could be serious fire hazards. Tall grasses or weeds are a tinder box

and they won't stay green by themselves. Who will irrigate them if the farmer goes away?

7) Beauty is in the eyes of the beholder. Who gets to decide what the architectural design of an area should look like? Maybe my idea is different that yours. Who should get to decide which one is best?
8) Why does the private landowner have to furnish your view? You aren't furnishing mine. Yet you are planning to force landowners to have viewsheds of open space so that you can have corridors of open space to be able to see what you want to see. How is this fair. You want a view, buy it. You want open space, buy it.
9) Family Lot Splits. You can't just split ground to give to your kids if they are planning to farm. Most of us do not have farms that big that each of them can farm or that all of the could farm it together. The farm won't support that. They idea was to give our kids some of our ground as their legacy. Some of them might farm. Most of them won't. So does that mean you can't give your kids some of your belongings when you die, or your business, unless they are going to do what you do for living?
10) The Teton River is a small, fragile river that you are planning on soliciting tourists to come to. By September of this year, unless we get some good rains, the river will look like a pee stream. Having all of that use on the river will destroy it. The wildlife and the fisheries won't hold up to the demand. The constant influx of people floating it will be damaging. You talk about protecting dark skies. How about protecting the Teton River from too many people?
11) 75% reduction of subdivided properties? Sounds like a no growth plan. That isn't fair to the property owners who didn't subdivide in 2008. You are going to prevent additional subdivisions until your sells, is that it? This plan is all one-sided. It is all about you. What about the people who own the ground?

11) Open space tax was taken out of the Rural Heritage committee. You added it back in tonight yet you won't let anyone change the other committees' decisions. Landowners shouldn't be expected to pay tax on their ground to maintain open space.

****

We have participated in the meetings and the surveys during the development of the 2020 Comp Plan and believe that the current version is good. Any further attempts by those seeking to eliminate major protections e.g. wildlife overlays etc. would seriously weaken the plan. We strongly encourage the board to reject any further attempts to water down the plan. Thank you for your efforts on behalf of Teton County.

Jim and Ellen Rein

Victor

****

My name is Kim Carlson. I live in Targhee Ranch close to Teton Creek. Please, please protect the wildlife corridors and wetlands of this valley. I often walk down to what is now "Red Tail" subdivision, ironic name.... There are bear, moose, red tail hawks and deer that I have seen down there. When I moved here this area was protected all along the Teton Creek corridor, Vinnie Scott, who represented our subdivision in the 80's was instrumental in protecting this corridor. When I was on the board of Targhee Ranch, my friend and neighbor, Leon Lederman and I approached the town on this as Targhee Ridge

development was being platted, look at the minutes for this transaction, they had been deleted when we approached the town on this when Jack Webb was planning his develpment right along the road. We were in the process of getting a lawyer when the new board decided against it... so, what happened? How can we ever be sure anything is protected in this valley? The rivers and creeks need total protection, total! IF this means the county needs to purchase these corridors then do it . Thank you,
Kim Carlson, Driggs , Idaho
I have often thought a wildlife park all along Teton Creek from Driggs to State Line Road would be a wonderful benefit to the community, a path perhaps, away from the game trails ,for winter and summer use for the public and the animals, no motors....a lottery wish of mine.

****

Dear P&Z:

Faith, Family and Freedom are very important to Teton County. It is our heritage and it is one of the things that makes this a special place to live.
Our forefathers sacrificed greatly to live here and care for the land so that they could pass it on to their children. I feel the only way that we have
been able to keep farming is through the blessings of a God in Heaven that has tempered the elements at times so that we could harvest a
crop, to be able to pay the bills. Families have been taught hard work and also values. Let this document show how important Faith, Family
and Freedom are to this Valley. I don't see any plan for churches in this plan. Let is be known that churches are important to the fabric
of this community.
Also, on Page 55 of this Plan it says: Reduce future potential supply of residential lots by 75%.
What does this mean? I thought, and it has been talked about reducing the current supply of lots. This is a very serious
statement. You are saying you are going to Reduce Future Potential Supply. Does this mean in the next 5 years,
the next 10 years, the next 15 years. This is a very broad and scary statement. You are saying NO development and
I would like to know for how many years? This statement needs to be stricken from the plan.

Marlene Robson,
Felt, ID 83424
****

Planning and Zoning Commission,

In the final hours that you can receive comments, I thought I should submit mine. First, THANK YOU for the work you have put into this. People are wary of regulations, but we need guidelines to protect our natural resources, character, and property values. I also appreciate the open process with which you

have created the plan. I am sure that you hear more comments from those who are disgruntled. For the most part, I approve of the plan and support its implementation wholeheartedly.

The aspects of the plan that are most important to me are: conservation of natural resources, including clean water and wildlife, protection of open space (and returning of platted lands to agriculture when possible), support for trails and recreation, and development of transportation infrastructure that values and supports pedestrians, cyclists and public transportation. I believe in protecting and supporting these values, even when it restricts property rights. Let's not create our own "Tragedy of the Commons" in the name of property rights and freedoms. That model has already failed in communities around the world.

My concerns lie with the plan bending too far for economic development and property owners. Our waters are too precious for heavy industry, and sites designated as such should be farther from streams. Development should be encouraged in towns, and restricted (even more than is already outlined in the plan) outside of towns. Anything else will lead our county to look like the corridor between Denver and Boulder, Colorado, an eyesore to all who travel it. Transportation should keep pedestrians and cyclists in mind first, public transportation second, and finally, motorists.

Thanks for all that you do, and good luck with the completion of the plan. It will surely be an improvement, and an important step in preserving the things our community values.

Sincerely,

Tanya Anderson
Victor
****
P & Z comments 7/2/12

Chapter 5: 1. why have live/work units been removed from town neighborhoods? They seem to be appropriate to me.

ED 4.8 You apparently want to promote both high and low density development neighborhoods near the cities- which one is it? Or both?

NROR 3.5.1 recreation district: NO NEW DISTRICTS OR TAXES! This is an amenity, an extra, the icing on the cake. The tax method should be reserved for county ESSENTIALS! We already have too many districts, we need to let some of the levys expire, kill the mosquito district, etc.
Depend on the NATURAL RESOURCES we already have. Avoid the built environment and projects which create new money-pits for the taxpayers. Also, avoid even grant-funded projects which consume lots of money without producing any public benefit- the local operators are not sufficiently sophisticated to run the programs without wasting a lot of the money. –ie the highly contested project in Driggs which has apparently already pissed away $300K!
"Amenities" should be funded by those who want them, use them, and can afford to pay for them.

We have too many essential public needs to fund already! And roads, schools, etc need to come first.
TAXES are for ESSENTIALS!
DONATIONS promote AMENITIES.

Ch6 –Implementation
Intro: You talk about "quality of life" a lot, and increasing it to attract new people.
For the local resident, being able to earn an adequate living locally is very important in the quality of life equation, and new costs piled on top of lack of local work, and high fuel costs to commute to places where there is work will be a killer. You want us to "invest" in more "amenities" when we first need to get our own house in order: control municipal utility costs; reduce waste in government spending; improve schools; fix the roads right, so you don't need to patch them every year; and so on. FIRST: we need to improve the local economy; amenities come much later, when excess funds are available.

Branding and marketing: this is a private sector activity, not the job of a county government!

Economic Development: good thing you have changed the "participants" list a lot to show that these jobs are done by non-profit outfits, not county government!

Recreation: planning for the future is good, even a recreation master plan, but implementation needs to wait until the economy is much, much better and local incomes have risen a LOT! A Rec center is NOT affordable for such a small population. A few small, well-planned facilities located in the cities, and built with grants and donations, and not requiring a lot of yearly maintenence may be a good way to start. Ie- the new Victor band shell, and the ice rink.

OVERALL: THINK SMALL, THINK FRUGAL! Think about planning for the needs of the present citizens (jobs, affordable cost of living, low taxes) first, plan for growth that does NOT burden the local residents more!
The dreamers get to pay their own way.....
Charles Woodward Victor, ID 83455
****
Angie,

I am writing to ask two different questions. First of all, on page 55 of the new version of the comprehensive plan, it says that the lots in the valley will be reduced by 75%. This was never part of the process. I would like to ask that this be removed. This document that we worked so long and hard at putting together keeps changing. Who put this in and when, and why was it allowed? How were they allowed to change the document without going through the public process?

This is very alarming to me, and I would like to get to the bottom of this.

Thanks,
Kerry Buxton

****

Angie,

Some comments on the new draft for Economic Development:

Pg. 34, 4.5

I don't like demands, the comp plan is a recommendation not demands. The change to "Prohibit" was not what the sub committee stated. Leave as stated by sub-committee

Pg.34, 4.8

Don't like the change, leave as sub committee stated

Pg. 55

"Where are we now" Reduce land values do to over supply-leave as sub committee stated, didn't the P&Z like the low acreages! We as a committee did!

"Participants" was changed to non-profits, not all non profits work for economic development, leave as sub committee stated

"Key actions" Reduce potential supply of residential lots (this was Anna's presentation to sub committee) but no vote on adding this statement to Key actions, take out

I'm very disappointed on the changes, why did, we as a sub-committee, spend almost a year to write our document and then have someone else change it! (this has been going on since the onset of meetings) We wanted to be positive and encouraging, not demanding. The comp plan is a plan, not law.

Lynda Skujins

****

I would like to clarify that as reflected in our May 3rd minutes, which we unanimously adopted on June 18th, reduction in future supply was a recommendation crafted by our subcommittee at the behest of the core committee. We were asked by the core committee to make specific density recommendations, and that particular language was what our committee came up with. It was not just a presentation by me, but rather, a discussion within the subcommittee in order to determine what specific language we wanted included in our recommendation. One detail that the minutes do not reflect is that this specific recommendation was read out loud several times as we revised the language before it was approved and then submitted to the core committee.

Anna Trentadue

****

In regards to the comprehensive plan

It is important to let property owners decide what to do with their land. Our land has been in the family for 100 years. It is not right for goverment to tell any one what to do with their land. We want our cxhildren to be able to build on OUR land and their children to enjoy the same pleasure with the land. We has land owners pay our taxes and maintance fees onour land. Please leave big land owners alone and let the land owners decide what is best for their land and what they are doing with THEIR land

Cory and Katie Murdock

****

To whom it May concern,

I am writing to support the Comprehensive Plan that encourages quality growth and meaningful open space in the Valley.
To have a Valley that attracts people and maintains the quality of life and the value of property we need to focus on a few key areas. If we try and do everything for everybody we will ultimately lose the quality of what we have.

Here I am thinking of the idea of allowing heavy industrial developments near our population centers. This is not an area that would benefit by heavy industrial activity. There are plenty of light industries that will be attracted to the area as long as it maintains its quality.

To this end all efforts to strengthen the wildlife habitat and natural hazard overlays and to reduce development density in our very sensitive river corridors is very important.
Efforts should be made to keep the west side of the Valley with an agricultural focus. Development and density should be in and near the town centers on the east side of the Valley.

Also to truly recover from the real estate crash of 2008 all subdivisions that have not been developed within two years should be repealed. If the developers want to continue they need to reapply under what ever new regulations exist at the time of their new application.

Thank you for all the work and time you have put into this process.
Sincerely,
Marilyn Couch
Victor, ID. 83455

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Comments for the July 10 Public Hearing for Teton Valley 2020 (aka Comp Plan)
Submitted by Alice Stevenson

Honorable Planning and Zoning Commissioners,

I have a lot of respect for your commitment to adhere to the intents of the sub- and core committees as you discussed the Comp Plan during your three long work meetings in June. I also thank you for allowing public comments at those meetings, and the fact that you discussed those comments before adjourning, sometimes tweaking the draft from week to week to reflect those comments.

I am deeply saddened by many of the very negative comments I have read on the online surveys (as part of our sub-committee work), as well as comments being submitted during these final stages of the process--comments that are often negative about a large segment of our community, the so-called "newcomers." Newcomers have helped raise the value of real estate and bolstered the local economy. Even though they may have been drawn to Teton Valley by the outstanding natural resources and recreational opportunities, that doesn't mean they don't work hard and add to our community in many ways, including retirees. I think my husband and I are typical--we moved here in 1978 as young adults, with our infant son, because it is a wonderful place to live, work, raise a family, recreate, and eventually retire and live out one's life in the place we love and call home.

Although the animosity against "newcomers" is disheartening, I sincerely believe that the Teton Valley 2020 process has been fair, has represented different viewpoints within our community, and has resulted in a draft that was created by compromise and consensus. I strongly support this Comp Plan, although I do have some specific suggestions and concerns, which are listed below in the order of appearance in the draft.

Thank you for considering the following comments as you work through the draft one last time.

Sincerely,
Alice Stevenson

p. 27 Town Neighborhoods
in the tracked change section near the end of the paragraph:
"…less dense residential uses near the cities would be more desirable than in the far reaches of the County."
I don't think this conveys the intended message! Less dense in the far reaches of the County is certainly desirable, and the far reaches should be less dense than residential uses near the cities. From listening to the PZC's discussions, I know the intent is that town neighborhoods will have a density less than the Cities, but that is not what this says.

Industrial/Research (with live-work now stricken):
Per the definition in the glossary, I think cottage industries would be compatible with live-work. If cottage industries are allowed, then live-work should not be stricken.

p. 29
Foothills, last bullet:
"Development limited by overlays and development guidelines to protect natural resources"
Change limited to regulated, as was done on last bullet for Mixed Ag/Wetland on p. 28

p. 40
policy 4.1
since viewsheds are now included in the list of natural resources in two places earlier in the Comp Plan, it does not need to be listed separately (as it would already be included in "natural resources protection")

p. 50
Transit: the TRPTA acronym is explained here, but not START

p. 52
last par. under Rec. Access
Why is the following sentence needed? People here generally don't like to have Teton Valley compared to Aspen, Sun Valley (aka Ketchum), etc.
"Other areas that have used a place identifier in their branding strategies include Aspen, Steamboat, Vail, Ketchum, Park City and Missoula."

p. 54
Could the following par. be eliminated? It may offend some people and seems unnecessary:
"In general, research has demonstrated that travelers who participate in cultural and heritage -related activities are well-educated and have above-average levels of income. Research also indicates that over half of these types of travelers have postsecondary degrees. This is in comparison to roughly 39 percent of all traveling households."

p. 55, 3rd Key Action in the 2nd Section
Reduce future potential supply of residential lots by 75%.
I encourage you to carefully study a map of the current supply of undeveloped land and figure out what kind of zoning would be required in the different areas (designated in Chapter 5) to accomplish this. Without doing that, I am not sure whether or not I would support this action. This might or might not fit with the density levels suggested for each area (potential zone) in Chapter 5. If it fits with those parts of the Plan, then this statement probably isn't needed. If it is more restrictive than those parts of the Plan, then I would be opposed to this. We don't want a Comp Plan that contains contradictions. Furthermore, we have so many

platted lots already available, that I think market forces combined with the zoning that adheres to the densities envisioned for the different areas on the Framework Map are the best approach.

p. 62
Do we want maintenance and improvement of public land and river access and identification of potential new access locations **only** in the winter? All of this seems to be referring to a Winter Travel Plan:
Create a motorized and non-motorized Winter Travel Plan that includes maintenance and improvement of public land and river access and identifies potential new access locations.

p. 67
2nd section, key action: Will clustering be incentivized, or required? On p. 28, the description of Rural Neighborhoods sounds like clustering will be required, as it also seemed when the PZC discussed protecting viewsheds during your work meetings. The next three areas described on pages 28/29 (Rural Ag, Mixed Ag/Wetlands, Mixed Ag/Rural Neighborhood) call for "provisions for clustering," which does not sound like a requirement. **Please be clear about intent!** I am NOT in favor of clustering if it results in density bonuses! Without density bonuses, I am not sure how clustering would be incentivized. Also, clustering negates some of the benefits of living in the countryside for many people. I think design review that carefully considers where buildings will be placed on a lot can, at least in many cases, give the desired result without clustering. The building envelope allowed on each lot should be chosen (and recorded on the plat) with consideration of viewsheds, topography, vegetation, waterways, wildlife habitat, etc., without necessarily forcing people to live in close proximity to others. For example, if I built a house on 20 acres, I would not want to be forced to build in a corner right next to houses on 3 adjoining 20-acre parcels. But if a subdivision is created with smaller lots (10 acres? 5?), then some clustering would probably be needed to provide meaningful open space in the subdivision, and connect that open space with surrounding platted open spaces.

p. 69, 2nd par.
Shouldn't it say County impact fee regulations, rather than State?

p. 72
In the section on clustering, there is a reference to the current PUD. I would like to see it made very clear somewhere in this Comp Plan that **the current PUD ordinance needs to be thoroughly revamped or eliminated!** Some parts will still be applicable to this Comp Plan, but many will not. Seems like this should be an action item in the implementation charts. Something like: "Review PUD ordinance for compliance with this Comp Plan, and amend or eliminate, as necessary."

p. 72 large lot subdivisions (and related zoning considerations)
I strongly encourage you to keep this option! Personally, I think zoning that tops out at 1 DU per 20 acres (WITH NO DENSITY BONUSES) might be a workable community compromise, even though many western counties require less dense development in their rural areas, such as 1 DU per 35 acres. Much as I personally support that kind of rural density for some areas of our county, I urge you to give strong consideration to the comments made by several Teton Valley farmers/large landowners who have said that they could "live with" 20-acre zoning. I think we have a strong need for additional zones between our current 20-acre and 2.5-acre (and perhaps smaller, near the cities), and I think all of those variations could be accommodated by the area descriptions in chapter 5 (and on the Framework map). That would require some down-zoning, but not as much as if a zone is created that is less dense than 1 DU per 20 acres. Adding an incentive for larger lots would be a wonderful complement to that zoning scenario.

p. 72/73 Family Lot Splits and Short Plats
I strongly urge you to drop Family Lot Splits as an option! The Short Plat option satisfies the need that I have heard expressed by the farmers and can be applied equitably to any landowner in any area or zone. Family Lot Splits have been tried and abandoned in other counties. Do we really want to get into the predicament of quibbling over who is Family? In the Survey Monkey about Land Use Tools, Short Plat was not an option. Many of us who are sympathetic to the plight of the farmers were in favor of Family Lot Splits (or checked "it depends"), but I, for

one, would have opted for Short Plat instead, if that had been an option. We don't need the future conflict that Family Lot Splits will engender. (If you take it out here, also take it out of the Ag Policy section in Chapter 5.)

If you remove Family Lot Splits, you can move much of the rationale for Family Lot Splits into the Short Plat section. The Short Plat can be used to meet the same goals as discussed in the Family Lot Split section, without giving preferential treatment to one group of landowners or opening the door to misuse and/or add'l community conflict.

Glossary
p. 5
Nurture—there are other definitions that I think better fit the use in the Comp Plan, such as "to support and encourage" (from Random House Unabridged Dictionary). Nurture is used in this context in the Comp Plan: Maintain, nurture and enhance the rural character and heritage of Teton Valley.

p. 6
Pathway
Bicycles, snowmobiles and dirt bikes are all vehicles

****

Dear County,

I strongly object to the premise that this comp plan was put together by the people of Teton County. This plan was written by Harmony Design. In talking with Jennifer, it was clear that they got their information from a bigger plan, I believe it was AE Com or A Com out of Colorado. This is not a plan put forth by the people. Could you tell me the name of the book that they kept looking at at the Core-Committe Meeting? It seemed to have all of the meaning of their language in this book. I would like an answer to that question and who wrote it.
We strongly object to the sentence that reads "Reduce future potential supply of residential lots by 75%. This should be stricken from the plan.
Also, I listened to Shawn Hill go on for an awful long time about this View Scape. This sounds like total control over the people living in all of Teton County. It is ridiculous. Is he suggesting that we bull doze everything that happens to get in his line of vision. There is nothing that is taking away from the beauty of the mountains. I find this plan to get more offensive as time goes on. Also, people on the committee could go on forever picking at one work and then when it was time for comments, we were limited on time. Property owners and business owners are the ones that this is going to affect the most. You are not listening to us.

Marlene Robson
****

Dear P&Z Commission,

I am submitting the following comments regarding issues arising out of the current Comp Plan draft. It appears that the P&ZC is getting side-tracked from the task of developing a future-looking Plan to political conflicts over potential future zoning and other micro decisions. The two should be kept

separate and the P&ZC should exercise expertise to complete a consistent Plan that will address the real issues faced by the County.

Two factors affect Teton County's economic malaise that arise directly out of prior county planning errors and dissuade anyone from investment in the Valley. Both relate directly to the need for predictable future planning that supports quality development.

First, any future land development in the County is threatened by the vast number of platted but never-to-be-developed "lots" or "subdivisions" booked during the 2.5-acre free-for-all earlier this century. Land values in Teton Valley depend on uniqueness and quality; foreign (i.e., outside the Valley) money and business will not want to invest with quality funds where that investment cannot be protected against neighboring ill-considered and underfunded projects. Thus it is critical to re-establishing some investment credibility for the Valley that the huge glut of "approved" (but never really even examined) zombie and unimproved subdivisions be vacated and future development conditioned upon meeting current planning standards.

Second, compatibility of uses is critical to encouraging foreign (again, outside the Valley) investment, particularly in businesses that might be attracted to the Valley for its quality of life amenities. Driggs seeks to plan for a compatible "industrial" park geared to today's clean, high paying Internet and intellectual property-based businesses in both potential service and product sectors. The Comp Plan should support these efforts. Yet the creation of a future "heavy industry" zone for dangerous business activities having significant negative externalities on the community directly conflicts with Driggs' intelligent goal. No business owner would consider investing in a green, high-tech or nomadic (i.e., can be performed anywhere on the planet that has communications access) business anywhere near an area where the local planners have expressly provided for businesses throwing off harmful chemicals, toxins, or risks of damage or injury to external properties. The P&ZC needs to use some common sense and make some commitments backed by consistent decisions if the Valley is to get on track.

In both of these respects the current draft Plan falls short of providing necessary leadership and a consistent vision. It doesn't help anyone to send to the BOCC a product that is inconsistent and seeks only to satisfy specific demands from vocal minority interests who really want only higher land values but have no clue how planning creates and supports such values.

In two respects, these vocal minority groups shoot themselves in the foot by proposals that undercut their primary goal (increased land values). Such values are not improved in the Valley by high density (relatively) projects or "freedom" to exploit the landowner's chosen uses. That is a prescription for a slum. Planning, predictability, protection of the Valley's recreational resources, a communication infrastructure and an objective, uncorrupted property tax system are the keys to increasing land values and attracting foreign investment. Without outside money, there will be no increased land values and no new jobs. In the first respect, as originally proposed, development should be encouraged on the east side of the Valley, directly adjacent and east of Hwy 33; this is where infrastructure can be efficiently provided. The west side needs to plan for lower densities (but not necessarily lower values)

and the Comp Plan should recognize that fact of life by specifying those lower densities directly or relative to the east side. In the second respect, planning has to plan for and support the wildlife and natural resources that are the principal recreational amenity for the Valley and hence the prime attraction for outside investment. This necessitates for planning to protect the Teton River and wildlife corridors through planning overlays that have reasonable teeth for future guidance.

The P&ZC needs to make decisions based on the principles that will hold true for the Valley as a whole over the next two decades. The personal motivations of a few landowners who are not familiar with and do not appreciate how important to economic development these basic planning decisions will be should not be a material factor in P&ZC deliberations over the finalization of the Comp Plan. Thank you.

David Axelrod
Victor
****

Dear Planning & Zoning Commission: To provide for the children and young people of the valley, school properties need to be built into neighborhoods going in. We need also a trade school for the young people graduating and for the people working in trades and professions to keep up. Young people are leaving because there are no opportunities for training here in this valley. If they don't leave, they just "drift" or work low paying jobs, or get in trouble.

SARAH E. GIBSON

X Sarah E. Gibson ID 83455 208-709-5357

Signature is required - print your name & address also to be sure that the county will recognize your comments.

MOST Important for our Recreation based Community - Protect the Canyons and Streams of the Teton Canyon System - These Canyons are a National Treasure!

Dear Planning & Zoning Commission:

(1) Preserve the rural character of our Valley

(2) protect scenic views and wildlife habitat and Migration corridors

(3) Development Centers only around already existing Towns.

(4) Teton Valleys enviroment is a magnificent gift - protect for Eternity!

X [signature] ERIC SOYLAND Driggs.

Signature is required - print your name & address also to be sure that the county will recognize your comments.

Dear Planning & Zoning Commission: MARY + I support the Comprehensive plan effort and believe that it is an important document for the future of Teton County. As such we feel that it is vital to listen carefully to the majority of comments made by the participants. Support the goals + values that have been identified through hours + hours of hard work by a cross section of our community. Sandy Mason Mary Mason

X Signature is required – print your name & address also to be sure that the county will recognize your comments.

Dear Planning & Zoning Commission: This Comp Plan is simply the condensed version of Agenda 21. Teton Valley residents have cared for & protected their land for generations & do not need their rights taken away by those who oppose the rights of private property. This plan is not written for private property but rather for public property. It will be opposed in the strongest manner possible.

Linda Robson

X Letonia, Id Linda Robson

Signature is required – print your name & address also to be sure that the county will recognize your comments.

Dear Planning & Zoning Commission: I have been here from the beginning and I think this plan has been nothing but a design to accommodate the Vard group. The plan wants the property owners to provide their pleasures such as trails or paths and open space. You don't realize we have to make a living here and the infastructure is not even address like roads. Our roads you can't even stay on because they are not maintained. We don't need another tax for recreation

X Bonnie Reece, Felt, Id. 83424

Signature is required – print your name & address also to be sure that the county will recognize your comments.

Dear Planning & Zoning Commission: Please abolish the P.U.D. ordinance. It makes zoning pointless. Also, please continue vacating subdivisions that don't perform according to the terms of their development agreement.

Matt Hail Driggs

X Matt Hail

Signature is required – print your name & address also to be sure that the county will recognize your comments.

Dear Planning & Zoning Commission: Please keep in mind as you plan for the future: If you lock up the land so no further development can take place beyond the presently platted developments, the ~~[illegible]~~ Farmer providing the open space now has no value to increase capacity to his property. He can't get a loan to grow his farming operation because his land is locked into ag. & essentially can't be worth much. You'll need to somehow compensate him. Also, as a farming family, the empty lot, uncared for acreages are ~~[illegible]~~ NOT so beautiful if you realize you're looking @ noxious weeds. (Did you notice that nodding thistle field next to the farmer's hay field in VARD's postcard?) Healthy Landscape includes control of weeds. If your plan to acquire property for paths includes eminent domain, ~~[illegible]~~ I consider that unethical -- it's really just theft.

X Susan Allen

Signature is required - print your name & address also to be sure that the county will recognize your comments. Victor ID 83455

Dear Planning & Zoning Commission:

Developers + Committees in charge of approving new developments should have in place a weed management + revegetation plan for their unsold lots, open spaces, + roadsides.

Philip Davis Victor

X

Signature is required - print your name & address also to be sure that the county will recognize your comments.

Dear Planning & Zoning Commission,

I am against the comp. plan as it is written and especially against the Maps & designations referred to there.

Teton Valley is special. It became that way by people being good stewards of their land and looking out for their neighbors. That—that made Teton Valley what it is. ~~It is~~ exactly opposite of Agenda 21. We own our property, have cared for it for generations and will continue to care for and protect it, including our water rights, wildlife and recreational opportunities. We will defend these rights with truth and honor through the strongest means possible.

Teton Valley residents and residents of the state of Idaho will not tolerate this type of regulation.

Brent Robson

Tetonia, Id. 83452

Brent Robson

We are against this New Zoning Plan. 2½ acres are bad enough to be able to sell some property. 20 acres is a weed patch for most!!

Dear Planning & Zoning Commission: You want to know Why do we live here.. We were born here and we liked it the way it Was before everyone moved here because they liked it that way too, but now wants it like where they come from. Before we didn't have a ~~Cemente~~ Cement plant in the scenic corridor, we made the other one move off the road & put a barrier around it. We could sell our property how we wanted but not know and you want to make it harder on us after we have struggled 40 yrs. to pay for it, so we would have something to retire on. Who's ever going to buy 40 acres for 1 house? Gerald & Norma Hansen , Tetonia, Id

X get real Signature is required - print your name & address also to be sure that the county will recognize your comments

Gerald & Norma Hansen

Dear Planning & Zoning Commission: I live in Teton Valley largely because of its preserved natural state, and current balance of residential, agricultural, ecological and commercial spaces. I am extremely saddened when I travel to places like Jackson (just past Wilson on 22 across from Walton Ranch) where pristine agricultural space has been "subdivisioned." Please support the COMP plan; maintain our rural character + ensure responsible future residential + commercial development (large land plots with limited # of housing/buildings, no diversion of natural waterway to allow Teton Valley to continue to be an ecological and recreational paradise for locals + visitors alike. Too much development, or unwise development, would turn us into a place/town that none of us moved here to be in. Thank you.

X [signature]

Signature is required - print your name & address also to be sure that the county will recognize your comments

Kelly Sadovcros - , Driggs, ID 83422

Dear Planning & Zoning Commission: ID State Statutes: 67-6508. Planning duties. It shall be the duty of the planning or planning and zoning commission to conduct a comprehensive planning process designed to prepare, implement, and review and update a comprehensive plan, hereafter referred to as the plan.

This plan does a lot more than review and update a plan. This is a huge broad overhaul and complete change to the current plan.

Property Rights -- An analysis of provisions which may be necessary to ensure that land use policies, restrictions, conditions and fees ***do not violate private property rights***, adversely impact property values or create unnecessary technical limitations on the use of property and analysis as prescribed under the declarations of purpose in chapter 80, title 67, Idaho Code.

This Plan is a taking of Private Property. You have planned this county as if it is a State Park or National Park. Public Property belongs to all of us as citizens of America. We are supposed to be free to use it. Private Property belongs to the deeded owner to take care of and make decisions regarding that property. It is not our County Government's Job to take over the land and place restrictions on it that will adversely impact our property value which is exactly what this PLAN sets out to do. It is all about CONTROL by the Government.

X Gary Robson Gary Robson Felt, ID 83424

Signature is required – print your name & address also to be sure that the county will recognize your comments.

Dear Planning & Zoning Commission:

I farm with my family and we are also owners of a business in Teton County. The cornerstones of our freedom are: Property rights, limited Govt., individual unalienable rights, and the free market. They are not granted or reconciled through Govt. All 4 of these rights are decimated with this plan. This is Oppressive. We can protect our natural resources without losing all of our rights in the process. This plan will give broad and over reaching control to our County Government with no respect to private property rights or rights of the citizens of the community. The Comp Plan should be guide lines not mandates. We do not want to be taxed more to fund recreation centers. More people crowded together produce a lot of CO2. Have you studied this in your plan? Has the State of Idaho mandated that we put a plan into place that decimates and devalues private property rights? Please tell us the answer to that.

X Brandon Robson Brandon Robson Sugar, ID 83448

Signature is required – print your name & address also to be sure that the county will recognize your comments.

Dear Planning & Zoning Commission: _____

This Comp. Plan is not a plan that started with nothing and all of these core committees came up with all of this wonderful language and planning. This plan comes from the top down. Agenda 21 is a comprehensive plan of action adopted by the United Nations System, and apparently our Government. This plan of action is to be taken globally, nationally and locally to affect every area in which humans impact the environment.

1."Agenda 21, the Rio Declaration on Environment and Development, and the Statement of principles for the Sustainable Management of Forests were adopted by more than 178 Governments at the United Nations Conference on Environment and Development (UNCED) held in Rio de Janerio, Brazil, 3 to 14 June 1992" 1. from UN Department of Economic and Social Affairs Division for Sustainable Development.

Sustainable Development, now doesn't that sound familiar. I just watched a meeting that was held in CA and imagine my amazement when that same meeting could have been in Driggs, ID at the Courthouse, which I attended. Different people, but the exact language was used. This plan is in the works and is meant to be taken to every community in the land. I would like to go on the record as saying it is unconstitutional. This is Police Power to zone property. We need more people standing up for the country and against this type of nanny Government. You want to push people into living in one of the three cities. You are treating people as if they are robots. People should be able to choose where they live. I want to know where it says that this plan has to be redone every 10 years. Answer that question for us please. Do not rezone agricultural propery to any larger acreage than it is at the current time. Land owners should be able to sell an acre of land if someone is interested in buying and the land owner is interested in selling.

Marlene Robson Marlene Robson

Felt ID 83424

Dear Planning & Zoning Commission

I received you most recent request for public comment on the Teton County Comprehensive plan and am bitterly disappointed by it and your choosing to totally ignore the issues brought up in the last public comment meetings. This life is a time of testing and choosing and it is so sad you have chosen to do what you have. No wonder at the post office the box if so full of the questions you sent out. It is abundantly clear you have heard nothing of what has been said or written, "don't bother us with the facts, we made up our minds before we began, and only put on the show to satisfy the law we have to." The big reason this is so sad is that when people choose to do the things you have chosen, going against the God given right to choose, and choosing for other people when they have made the attempt to be heard as you requested. Then that kind of action can have dire consequences for those "IN THE KNOW". Things have a way of coming back and biting the very people who figured they were smarter than anyone else. So I wish you good luck and am sorry you wasted so many evenings and afternoons. I really did have better things to do than listen to all the pretend about interest.

Most sincerely and sadly. Julia H. Hibbert

Dear Planning & Zoning Commission: