

**OFFICIAL SUMMARY PROCEEDINGS  
OF THE BOARD OF COUNTY COMMISSIONERS, TETON COUNTY, WYOMING**

The Teton County Board of Commissioners met in special session on **October 10, 2018** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 4:03pm

**ROLL CALL**

County Commission: Mark Newcomb Chair, Natalia Macker Vice Chair, Smokey Rhea, Greg Epstein, and Paul Vogelheim were present.

**MATTERS FROM PLANNING & DEVELOPMENT**

1. Consideration of Natural Resource Protections LDRs

Alex Norton, planning staff presented to the Board for Consideration a presentation of the Draft Natural Resource Protection LDRs. The purpose of this meeting is a question and answer session followed by a public open house.

Next Steps include:

- Proposed Modification Due: October 15
- Table of Proposed Modifications Release: October 19
- Stakeholder Group Meeting: October 24, 2:00pm
  - Continue to October 25, 2:00pm and October 29, 9:00am if needed
- Planning Commission Hearing: October 29, 6:00pm
  - Public Comment to be Taken
  - Continue to October 30, 6:00pm and November 1, 6:00pm if needed
- BCC Hearing: November 13, 3:30pm
  - Public Comment to be taken until at least 5:30pm
  - Continue to November 14, 9:00am if needed
- Revised, Adoption Draft release: December 10
- BCC Adoption Hearing: December 17, 1:30pm
  - Public Comment to be taken

The process began in 2012 with the adoption of the Comp Plan. The three principles we have been working on to preserve and protect the area's ecosystem:

1. Maintaining healthy populations of all native species,
2. Preserve and enhance water and air quality
3. Direct growth out of habitat, scenery and open space (60/40).

Implementation of ecosystem stewardship, 2013 – Vegetation Map completed to enable habitat analysis. 2017 – Focal Species Habitat Mapping completed to understand relative value of habitats across the County. This Update – Tiered Protections and analysis based on updated habitat mapping. Growth management – 2012 – Comp Plan identifies areas inappropriate for growth based on the best available habitat mapping and mapping of existing infrastructure. 2016 – Rural zoning updated to remove 2,400 units of development potential from areas of habitat and open space.

Engage 2017 – Housing Mitigation Requirements Update

- Housing Mitigation Requirements Update
- Town District 3-6 Zoning Update
- Housing Rules and Regulations Update
- Natural Resource Protections Update
- Phase 2 – Policy Questions identified in July 2017
  - o 390 participants, 3 public comment events, 1 survey
- Phase 3 – Policy Direction Provided in December 2017
  - o 250 participants, 2 public comment events, 1 survey, 3 public hearings
- Phase 4 – Implementation of the Policy Direction
  - o 10 stakeholder group meetings, peer-review, 3 public hearings

Stakeholder Draft Proposal

- 3 levels of protection based on relative habitat value
  - o Base-Level Protection:
    - Water/Wetland setbacks
    - Wildlife friendly fencing
    - Wildlife feeding prohibition
  - o Mid-Level Protection
    - Base-Level Protections plus
      - Limits impacts to lowest value habitat on site
      - For Conditional Use Permit review, habitat is primary consideration
      - 2:1 Mitigation for habitat impacted
  - o High-Level Protection
    - Mid-Level Protections plus
      - Limits development to a single development area
      - Most Conditional Uses prohibited
- 3-Step Analysis of relative habitat value
  - o Countywide Habitat Value Map
    - Is entire property low-value habitat, ≤ 3 acres, or in the AC, AR, WC, OP, BP, or PR zones?
      - Yes. Proceed to Base-Level Protections
    - Is there any amount of Mid- or high-value habitat on property?
      - Yes. Proceed to Field Verified Map for further study

- Field Verified Map
  - Will development impact low-value habitat?
    - Yes. Protect with Base-Level Protections
  - Will development impact mid-value habitat OR high-value habitat on a site ≤ 10 acres?
    - Yes. Protect with Mid-Level Protections
  - Will development impact high-value habitat on a site >10 acres?
    - Yes. Proceed to Functional Assessment for further study
- Function Assessment
  - Environmental consultant determines least valuable of high-value habitat. Development is limited to this area
    - High-level protections applied to all areas of disturbance

Policy 1.1.b of the Comp Plan states: Establish a tiered system of protection so that the most critical habitat (based on relative critical value) and movement corridors receive the highest level of protection and site-specific study.

Levels of Protection

- Base: Most important protections that apply everywhere
  - Waterbody and wetland setbacks
  - Wildlife friendly fencing and wildlife feeding
- Mid: Protections that can reduce habitat impact
  - (do not have much practical effect on small lots with large allowances)
  - Direct development to lowest value habitat
  - Require mitigation
- High: Additional protections needed for the most critical habitat
  - Single development area
  - CUP limitations

Implications

	Current	Proposed
Waterbody/Wetland Protections	Apply everywhere	Apply everywhere Updated, more predictable setbacks
Wildlife Friendly Fencing & Wildlife Feeding Prohibited	Fencing applies everywhere Bear-proof trash applies some areas	Fencing applies everywhere Bear-proof trash applies everywhere
Habitat Impact Mitigation	NRO (Natural Resource Overlay)	Mid-Value and High-Value
Location of Development Determined by Habitat	NRO	Mid-Value and High-Value
CUP Limited by Habitat	NRO	High-Value
Clustering into a Single Development Area	n/a	High-Value

Still to do

- Migration corridor and stopover area protection
- updates to the wildlife friendly fencing standards
- A habitat restoration and mitigation banking program
- A fund to pay landowners for preservation and restoration of natural resources

Proposed Modifications to Draft Protections

- Purpose is to create list of potential changes to the draft natural resource protections;
- Individual proposals are due Monday in order to be included in list;
- Staff will compile all proposed modifications and provide analysis and recommendation.
- NRSB and PC will provide a recommendation on each modification.
- The Board will provide direction on each modification

All information regarding this process can be found at the following website:  
[www.engage2017.jacksoncountynv.com/naturalresourceprotections](http://www.engage2017.jacksoncountynv.com/naturalresourceprotections)

Discussion between the Board and staff included Section 8.2.2. of the draft Natural Resource LDRs - Habitat Valuation, fencing and agriculture exemption, how the level of habitat valuation applies, field verified habitat map and environmental review are very similar, cost to the owner, terminology in this process is unique to Teton County, cohesive habitat patches, base mid and high-level protections, focal species habitat map, process of change to the map once adopted, variances, conditional use permits.

There was no public comment.

There was no action taken.

**ADJOURN**

A motion was made by Commissioner Macker and seconded by Commissioner Epstein to adjourn. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 5:00pm.

Respectfully submitted,

Kassie Hansen  
Deputy County Clerk

TETON COUNTY BOARD OF COMMISSIONERS

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Mark Newcomb, Chair

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Natalia D Macker, Vice-Chair

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Greg Epstein

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Paul Vogelheim

ATTEST:

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Kathleen "Smokey" Rhea

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Sherry L. Daigle, County Clerk