



# Appendix A: Fremont County AOI Agreements

Report 12-01

Economic Development Clinic  
University of Idaho College of Law

Stephen R. Miller, Director

Students:

Marc Bybee  
Joan Callahan  
Anna Garner  
Jane Gordon  
Nicholas Morgan

**University of Idaho**  
College of Law

## ORDINANCES

- 00-01 Sewer Hook-up Amendment
- 00-02 Henry's Lake Dam
- 00-03 Firearms in the Courthouse
- 00-04 Amending parking lot on a plowed road
- 00-05 Prohibiting overnight camping at the Ora Bridge
- 00-06 Campground facilities at Frome park
- 00-07
- 00-08 Uniform Building Code vol 1,2, and 3
- 02-01 Amending Comprehensive Plan
- 02-02 Amending Development Code
- 02-03 Establishing and Creating L.I.D. District
- 02-04 Amending Ordinance 98-01 – Developers of Sewer Systems  
Also a Summary of Ordinance 02-04
- 03-01 Amending "International Building Code"
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- 03-03 "Off Highway vehicle Act" – safety flag and summary
- 03-04 St. Anthony Area of City Impact Boundaries
- 03-05 Summary of Area of Impact – St. Anthony
- 03-06 thru 03-12 NONE
- 03-13 City of Newdale Area of City Impact Boundaries
- 03-06 Ambulance Services
- 04-01 Off Highway Vehicles-(Waterways) amending 98-04
- 04-02 Self Propelled Vehicles on snow trails
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- 04-05 Vacating a road in Pine Haven Subdivision #3
- 04-06 Vacating a road in Elk Run Subdivision
- 04-07 Fort Henry Mosquito Abatement Dist.
- 04-08 L.I.D.
- 05-01 Last Chance Sewer Extension
- 05-01A Island Park Area of Impact
- 05-02 Planning and Building
- 05-02A Island Park Area of Impact
- 05-03 Change of Landfill Fees
- 05-04 Last Chance Extension L.I.D.
- 05-05 City of Teton Impact Area
- 05-06 Camping and parking at Ora Fishing Access
- 05-07 Pond's Lodge Special Assessment
- 05-08 Amending Teton Impact Map

- 05-09 Adopting Zoning Regulations for the City of Teton
- 05-10 City of Newdale Impact Area
- 05-11 Adopting the Map of Ashton Impact Map
- 05-12 City of Ashton Impact Area

ORDINANCE NO. 2005-01A

AN ORDINANCE ESTABLISHING AN ISLAND PARK AREA OF IMPACT IN THE UNINCORPORATED PORTION OF FREMONT COUNTY SURROUNDING THE CITY OF ISLAND PARK, IDAHO; ADOPTING AN OFFICIAL MAP OF THE ISLAND PARK AREA OF IMPACT; AND, ESTABLISHING THE EFFECTIVE DATE HEREIN.

BE IT HEREBY ORDAINED BY THE GOVERNING BOARD OF THE COUNTY OF FREMONT, as follows:

1. Island Park Area of Impact Boundaries. An area of city impact for the City of Island Park is established within the boundaries illustrated on the Island Park Area of Impact map, attached hereto as Exhibit A, which map is hereby made a part of this ordinance.

2. Effective Date. This ordinance shall be in full force and effect, from and after its passage, all as provided by law.

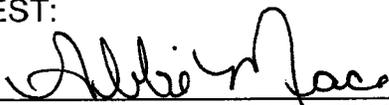
PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY THIS 8<sup>th</sup> DAY OF November, 2004.

BOARD OF COUNTY COMMISSIONERS  
FREMONT COUNTY, IDAHO



BILL FORBUSH, CHAIRMAN

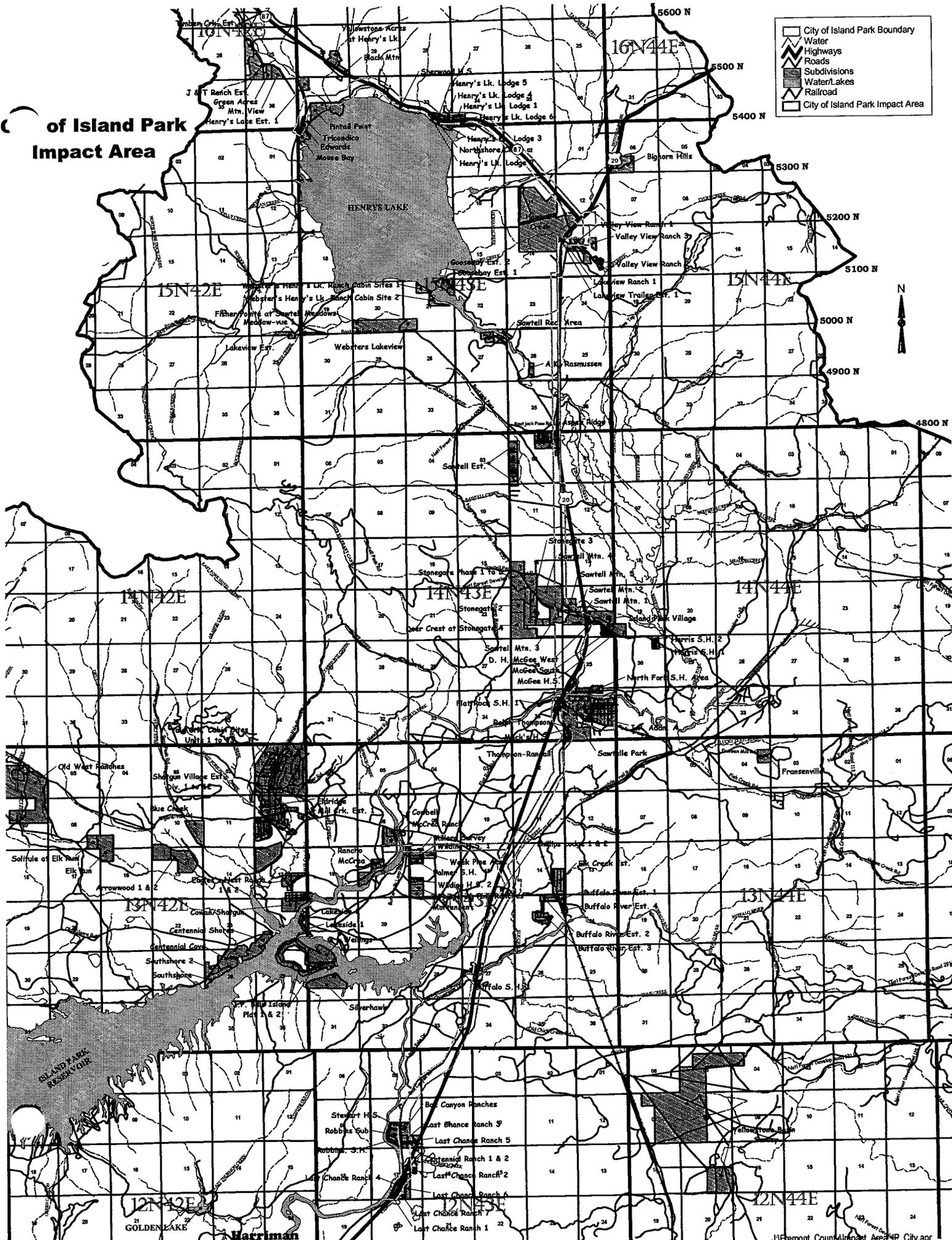
ATTEST:



ABBIE MACE, COUNTY CLERK

# City of Island Park Impact Area

- City of Island Park Boundary
- Water
- Highways
- Roads
- Subdivisions
- Water/Lakes
- Railroad
- City of Island Park Impact Area



SUMMARY OF FREMONT COUNTY ORDINANCE NO. 2005-01A  
AND THE CITY OF ISLAND PARK ORDINANCE NO. 2004-60

Fremont County Ordinance No. 2005-01A, which was adopted by the Board of County Commissioners of Fremont County, Idaho, on the 8<sup>th</sup> day of November, 2004, and the City of Island Park Ordinance No. 2004-60, which was adopted by the Island Park City Council, of Island Park, Fremont County, Idaho, on the 28 day of OCTOBER, 2004 may be summarized for publication as follows:

An ordinance establishing an Island Park Area of Impact in the unincorporated portion of Fremont County surrounding the City of Island Park, Idaho; adopting an official map of the Island Park Area of Impact; and, establishing the effective date herein.

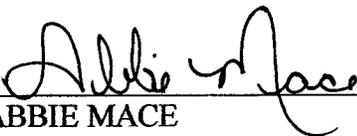
The full text of this ordinance is kept on file at the Fremont County Clerk=s Office and may be reviewed or purchased at the Fremont County Clerk=s Office, located at 151 W. 1<sup>st</sup> N., St. Anthony, Idaho, during regular business hours.

The full text of this ordinance is kept on file at Island Park City Hall, and may be reviewed or purchased at The City of Island Park Clerk=s Office, located at 3416 North Highway 20, Island Park, Idaho, during regular business hours.

CLERK=S STATEMENT

I, Abbie Mace, the County Clerk of Fremont County, Idaho, hereby state that I have read the foregoing Summary of Fremont County Ordinance No. 2005-01A, which summary is true and complete and provides adequate notice to the public.

Dated this 8<sup>th</sup> day of November, 2004.

  
\_\_\_\_\_  
ABBIE MACE  
COUNTY CLERK

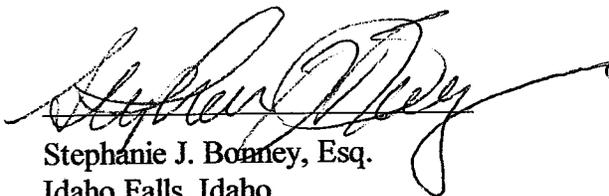
I, Vada Roberts, the Clerk for the City of Island Park, Idaho, hereby state that I have read the foregoing Summary of the City of Island Park Ordinance No. 2004-60, which summary is true and complete and provides adequate notice to the public.

Dated this 28<sup>th</sup> day of October, 2004.

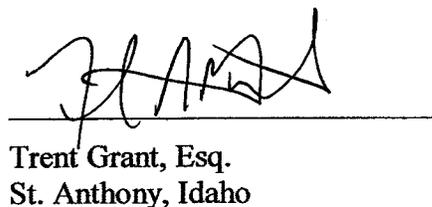
  
\_\_\_\_\_  
VADA ROBERTS  
CITY CLERK



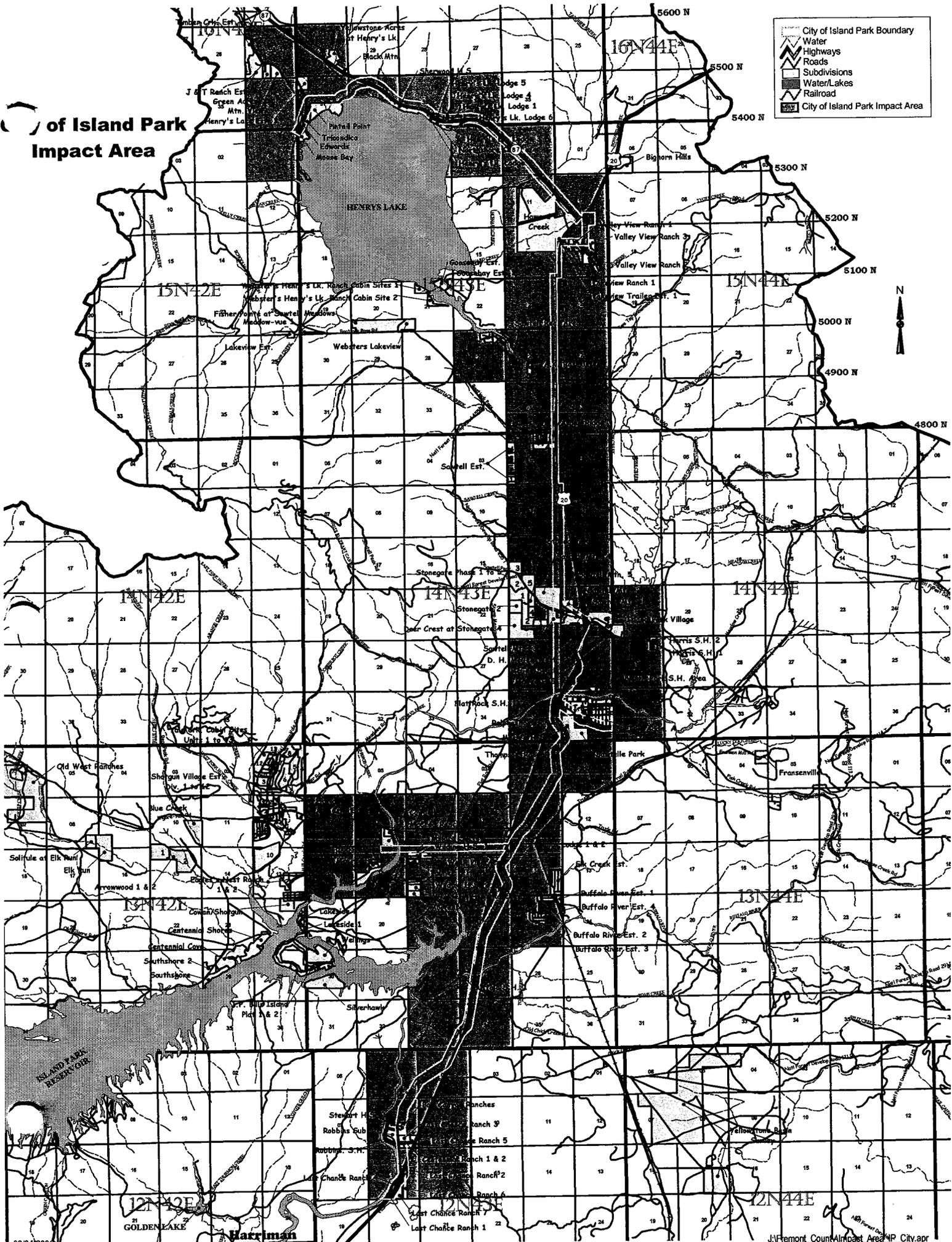
I, Stephanie J. Bonney, as legal advisor to the City of Island Park, Fremont County, Idaho hereby certify that I have read the attached SUMMARY OF THE CITY OF ISLAND PARK ORDINANCE NO. 2004- 100 and that the same is a true and complete summary of this ordinance as passed by the City of Island Park and such summary provides adequate notice to the public.

  
Stephanie J. Bonney, Esq.  
Idaho Falls, Idaho

I, Trent Grant, as legal advisor to the County of Fremont, Idaho hereby certify that I have read the attached SUMMARY OF FREMONT COUNTY ORDINANCE NO. 2005- 01A and that the same is a true and complete summary of this ordinance as passed by the City of Island Park and such summary provides adequate notice to the public.

  
Trent Grant, Esq.  
St. Anthony, Idaho

# City of Island Park Impact Area



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- Highways
- Roads
- Subdivisions
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- Railroad
- City of Island Park Impact Area



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NEWDALE CITY ORDINANCE NO. 2003-01FREMONT COUNTY ORDINANCE NO. 2003-13

AN ORDINANCE ESTABLISHING AN AREA OF CITY IMPACT IN THE UNINCORPORATED PORTION OF FREMONT COUNTY SURROUNDING THE CITY OF NEWDALE, IDAHO; ADOPTING AN OFFICIAL MAP OF THAT AREA OF CITY IMPACT; AND, ESTABLISHING AN EFFECTIVE DATE.

BE IT HEREBY ORDAINED BY THE GOVERNING BOARDS OF THE CITY OF NEWDALE AND THE COUNTY OF FREMONT, as follows:

1. Newdale Area of City Impact Boundaries. An area of city impact for the City of Newdale is established within the boundaries of Fremont County as illustrated on the official area of impact map, attached hereto as Exhibit A with an accompanying legal description, which map is hereby made a part of this ordinance.

2. Effective Date. This ordinance shall be in full force and effect, from and after its passage, all as provided by law.

PASSED AND APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF NEWDALE THIS 1<sup>st</sup> DAY OF October, 2003.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY THIS 11<sup>th</sup> DAY OF August, 2003.

BOARD OF COUNTY COMMISSIONERS  
FREMONT COUNTY, IDAHO

Bill Forbush  
BILL FORBUSH, CHAIRMAN

ATTEST:

Abbie Mace  
ABBIE MACE, COUNTY CLERK

CITY OF NEWDALE, IDAHO

Shayne Hansen  
SHAYNE HANSEN, MAYOR

ATTEST:

Susan Lott  
SUSAN LOTT, CITY CLERK

483 967

**Newdale, Idaho  
Fremont County Impact Zone Boundary**

The following description defines the impact zone for the City of Newdale, Idaho within the confines of Fremont County, Idaho.

Beginning at the north 1/4 corner of section 2, Township 7 North, Range 41 East of the Boise Meridian;

Thence West along the section line and within the right-of-way of Idaho Highway 33 a distance of 8,220 feet, more or less, to a point approximately 300 feet west of the intersection of Fremont County 2700 East and Idaho Highway 33;

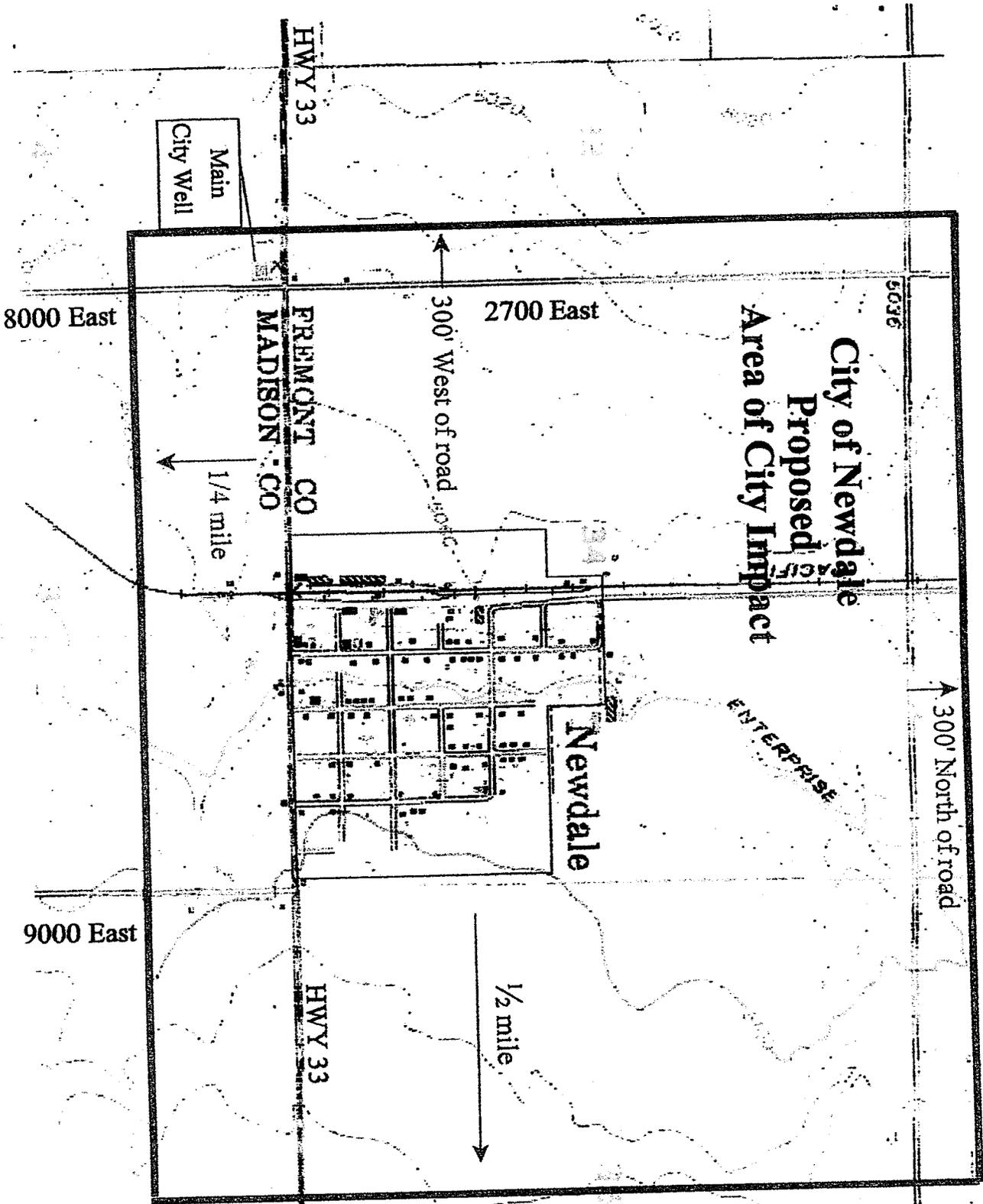
Thence North, paralleling 2700 East, 5,580 feet, more or less, to a point 300 feet west and 200 feet north of the intersection of 2700 East and 100 North;

Thence East, paralleling 100 North, 8,220 feet, more or less, to a point;

Thence South 5,580 feet, more or less, to the point of beginning.

Area encompasses 897 acres, more or less (does not include area within the present city limits of Newdale).

Exhibit A



# DRAFT

Only 56.4% of the 6,890 housing units in 2000 were occupied. Countywide, 34% of the housing stock is for seasonal, recreational, or occasional use. In the Island Park CCD, that proportion increases to 73.7%, nearly three-quarters of the homes there! This shows the degree to which part-year residents affect the local economy. On a busy three-day weekend, the population of the Island Park area could quadruple, not even counting tourists or campers.

By comparison, owner-occupancy is a more normal 68.3% in St Anthony, with seasonal use under 1%. Owner-occupancy is even higher in Newdale, Teton, and Parker, 79.1%, 82.5%, and 86.1% respectively. Rents are very reasonable in the county, with a median gross rent of \$420 in 2000, and rental vacancies were a surprisingly high 15.2% in 2000. This likely explains why BYU-Idaho students have been coming into St Anthony and Ashton.

**Key Point #7: Part-year residents are a large and growing part of northern Fremont County.**

## Housing Assistance Programs

The U.S.D.A. Rural Development agency offers several programs to assist lower income families to purchase or construct affordable homes through low interest loans or payment assistance and to repair and rehabilitate homes through low interest loans and grants. The agency also provides community programs to develop and improve water and wastewater systems and to construct, enlarge, or improve community facilities that provide essential services in rural areas.

U.S.D.A. Rural Development reported that since October 1<sup>st</sup> 2005 they have approved at least 2 requests for loan assistance to purchase or repair single family dwellings in Fremont County, both located in rural areas of the county. Their office received at least 13 requests from Fremont County for assistance during that same period. Their Rexburg office which handles applications from six counties in Eastern Idaho, estimated 14 requests for assistance throughout the area for the 2005 fiscal year with 11 approvals, 7 of which were located in Fremont County.

In addition to working directly with the public, USDA Rural Development provides monies to the Eastern Idaho Community Action Program (E.I.C.A.P.). E.I.C.A.P. offers programs for self help construction and weatherization, and manages affordable rental properties.

E.I.C.A.P. manages eight 1 bedroom, and six 2 bedroom affordable rental units for Senior Citizens in Fremont County in the city of St. Anthony. The non-profit community action agency has also helped in the construction of six units through a Mutual Self Help program in the city of Teton. This program allows people to provide much of the labor in the construction of single family dwellings, reducing construction costs. There are no plans currently for the construction of additional rental units or self help projects. Dixie Campbell director of these programs explained that E.I.C.A.P. typically looks for projects within incorporated areas because of the existing sewer and water infrastructure but this is not the rule and E.I.C.A.P. has assisted in projects outside of cities. The self help program requires at least seven eligible applicants to begin a project.

E.I.C.A.P. also offers weatherization assistance for eligible low-income homeowners. This program provides assistance to improve energy efficiency and health and safety and can reduce the costs of heating and cooling. Brad Simmons, director of the weatherization program described that the bulk of the money used in the program goes towards installing insulation. Average costs for the work are around \$2,800.00 per home.

# DRAFT

Simmons suggested that many homes constructed prior to 1993 could benefit from the program and estimated that 15-20 homes are weatherized by his organization in Fremont County annually.

The Idaho Housing and Finance Association (IHFA) is a self supporting corporation that is also involved in providing affordable rental opportunities, homebuyer education, and low interest mortgage loans for eligible Idaho residents. Under contract with HUD, IHFA administers federal rental assistance programs that help low-income families and elderly or disabled individuals obtain decent, affordable rental housing.

To be eligible for rental assistance, tenants must qualify under HUD income limits and other eligibility criteria. Tenant incomes, allowances and family compositions are all verified and recertified annually by IHFA staff. Tenants under these programs pay 30 percent of their adjusted gross monthly income for rent and utilities. Or, if they can afford it, a family may choose a unit where their portion of rent and utilities may not exceed 40 percent of their monthly adjusted income. As a tenant's income changes, the tenant's rent share changes proportionately.

The demand for rental assistance far exceeds the supply. Applicants are usually placed on waiting lists from two to 24 months, depending on their current housing status and the area of the state. Persons requiring rental assistance can apply at the IHFA Branch Office that serves their region. IHFA branch offices are located in Coeur d'Alene, Lewiston, Twin Falls and Idaho Falls.

## 2.13 Community Design

Historically the *Fremont County Development Code* has included a number of standards for development of different types in terms of, setbacks, road widths and construction standards, provision of utilities, signage, etc. Encouragement of the use of native plant materials for re-vegetation in required buffers as well as the standards for building height and the mitigation of nuisances are derived from the current Policy 13, *Assure Land Use Compatibility as Development Proceeds*. Other policies seek to limit development to appropriate densities based on various characteristics of the landscape and surrounding uses, and to protect visual resources. In general previous versions of the County's comprehensive plan have encouraged a pattern of clustered development resulting in open spaces. Many of the resulting development code standards have been relative standards; encouraged rather than required.

Additional community design standards for landscaping and plant materials outside of required buffers, building design, and construction materials, have not historically been established in the county except in the case of commercial development in visually sensitive areas in the Island Park Planning Area. A document titled *The Island Park Guide to Commercial Development* was created in 1996 to establish construction and site design guidelines for commercial development in the visually sensitive areas of the city of Island Park and the Island Park Planning Area of the county. The city of Island Park subsequently repealed these design guidelines but the County maintained reference to them in its 2003 development code. New policy changes seek to extend the protection of visually sensitive areas making the policy county-wide. Additional standards will be established in the development code to mitigate visual impacts of development in visually sensitive areas throughout the county with direction from consultants from Utah State University. The County contracted with researchers in the Landscape Architecture and Environmental Planning Program at the university to update maps of visually sensitive areas in the county in 2007.

# DRAFT

In some instances a proposed subdivision will introduce its own codes, covenants, and restrictions (CC&Rs) which might designate building materials and establish additional criteria for building design beyond the requirements of the County. These are enforced solely by a homeowners association and not the County. These CC&Rs are generally more restrictive than the County's standards but if they result in less strict standards, the County's standards as outlined in the development code apply. Some exemptions have been included in the Development Code historically because many older subdivisions have densities much greater than the development code has allowed for and County required setbacks may not be feasible.

**2.14 Implementation** – An analysis to determine actions, programs, budgets, ordinances, or other methods including scheduling of public expenditures to provide for the timely execution of the various components of the plan.

Many of the policy statements in Section I of this Comprehensive Plan offer strategies for the implementation of goals and policies. Additional studies, projects, programs, or actions that the Planning and Zoning Commission recommends to fulfill the goals and components of the vision for Fremont County include:

- Establish a Capital Improvements Plan
- Continued and expanded water quality monitoring and reassessment of Water Quality Vulnerability areas.
- Transfer of Development Rights studies on the real estate market to meet requirements of state law (I.C. 67-6515 A.) to implement a TDR system
- Establish an affordable housing program
- Conduct a historical and cultural resources study
- Establish a Fremont County Recreation Plan including mapping of a trails system
- Create an advisory committee, representative of the three planning areas, to analyze existing open space resources and identify open space needs of citizens of county to develop an open space system for the future.
- Create and advisory committee to identify issues, specific to the Island Park Planning Area, related to educational facilities needs, other public facilities, utilities, and services.
- Establish a future acquisitions map designating areas identified by other public agencies for acquisition.
- Adopt Area Master Plans for certain areas of the county which may include but are not limited to the St. Anthony sand dunes area, sections of the U.S. Highway 20 corridor, and towns of Chester and Wilford.

## 2.15 National Interest Electric Transmission Corridors

Two National Interest Electric Transmission Corridors were designated by the the U.S. Department of Energy (DOE) on October 2, 2007. These are located in the Mid-Atlantic and Southwest areas of the US. There are currently no areas identified in Idaho, including Fremont County, for which designations have been suggested by the DOE. Major Transmission lines (>or = 345 kV) travel north through Idaho into Montana to the west of Fremont County. The County will await notification by the public utilities commission concerning the likelihood of a federally designated national interest electric transmission corridor, prior to preparing an analysis showing the existing location and possible routing of high voltage transmission lines, including national interest electric transmission corridors.

## 2.16 The Planning Process

# DRAFT

Efforts to update the Fremont County Comprehensive Plan under a contract with an engineering firm began in 2005 but were halted. In October 2006, Fremont County re-commenced updating of its Comprehensive Plan. Public meetings were held throughout the county to explain the purpose of comprehensive planning, review the existing policies, and take comment on whether these policies were still relevant and whether there were concerns that needed to be addressed through new policy. Initial meetings were held in Island Park on October 24<sup>th</sup>, in St. Anthony on October 26<sup>th</sup>, and in Ashton on November 2<sup>nd</sup>.

Primary concerns that were raised at the Island Park meeting included:

- How can the public push some pressing issues faster than the timeframe of the Comprehensive Plan update process? Specifically the public felt that the County should place a moratorium on further subdivision until a development impact fee ordinance is in place. Legal requirements to meet the criteria for a moratorium and the potential for citizen groups to use the amendment process to modify policies or regulation were discussed.
- Transfers of Development Rights should not be allowed from one critical area to another (e.g. areas identified as water quality vulnerability areas). Transfers should not be allowed from lands that are not able to be developed already due to site conditions such as wetlands.
- The County should provide input into federal/private land exchanges. There is a potential for use of land exchanges as a political pay off rather than as tool for directing development away from critical areas.
- Participation in FEMA's National Flood Insurance program should not encourage development in floodplains.

Comments and discussion at the meeting held in St. Anthony focused on the following issues:

- Differing opinions were expressed related to agricultural land preservation. Land traditionally used for agricultural purposes should be able to be developed so as to maximize profit. Agricultural lands should be preserved to allow surrounding farmers to continue to farm in accordance to "right to farm" laws. Surrounding development should be compatible with existing farming operations. Productive farmland is valuable to the county's economy and farmers can choose to make it profitable through management practices. Fundamentally the question is, "Do we want to protect and preserve productive cropland as the Fremont County Comprehensive Plan was originally written?"
- Discussion of need for transfer of development rights from critical areas to non-critical areas. Specifically, areas with steep slopes, wetlands, and water quality vulnerability should not have more dense development through transfer of development rights. The County needs to make clustering of development higher priority for keeping open space.
- Should our Development Code encourage additional development in the Floodplains through provisions of the FEMA program? Planning staff discussed what it would mean for people with existing FEMA insurance if the County decided to no longer participate in the FEMA insurance program.
- The County needs to work with cities to anticipate infrastructure for development in areas surrounding cities (City Areas of Impact).
- Comments were made to the effect that many of the policies are fine but should be more specific at the implementation level.
- Concerns were discussed about potential impact fees, specifically, Should they apply to smaller subdivisions as well?

# DRAFT

At the Ashton meeting the following comments were presented and discussed:

- The existing plan policies are good and largely adequate, but the County is not able to implement some of the policies because of weak language in the County's Development Code (e.g. wildlife corridors are not sufficiently protected in the Development Code).
- The Land Evaluation Site Assessment system (abbreviated LESA, a system for identifying productive cropland in Fremont County) should be specific to different parts of county and types of agriculture. Concern that grazing lands not protected adequately. The LESA system is not adequate because of potential loopholes.
- Roads and access infrastructure costs of new development need to be paid by developers.
- Visually sensitive areas and wildlife need to be addressed through a county-wide policy because of the potential for land ownership changes (i.e. only mapping private lands for visually sensitive areas and wildlife habitat is insufficient because of the potential for land exchanges placing public lands in private ownership).
- Reduce the number of lots that constitute a large scale development.
- The County should move quickly on some issues the current Development Code doesn't adequately address rather than waiting for the expected length of time for the Comprehensive Plan update process and then the subsequent Development Code update. These include adverse impacts from potential tax costs to the County from new development and loss of critical wildlife habitat. One possibility called for was a moratorium on Class II permits for subdivisions until these changes are made. Other viewpoints stated that we should not "shortchange" the Comprehensive Plan update process by jumping to the Development Code because we can identify important issues through update of data and the public process.

In general much of the public comment affirmed the policies of the existing comprehensive plan but there was a desire for strengthened language in the policies and in the regulations of the *Fremont County Development Code*. Comments from the public on the planning process included encouraging use of the internet to make the existing plan widely available. The public also encouraged the use of public advisory committees as called for in existing policy.

Three additional meetings were held in the same locations early in 2007 to encourage additional public involvement and to confirm the information the County had received from the previous meetings. Continued discussion of the issues brought up at the initial meetings with additional information was lead by planning staff. Additional issues brought up in these meetings included:

- The Plan needs to have code specific to Island Park to deal with special needs such as recreation including snowmobile and ATV use and wildlife. Subdivisions should address ATV and snowmobile routes and access issues.
- Cluster development should be encouraged with lower minimum lot size where clustering is used.
- Provision of low cost housing units for workers in the Island Park area.
- Address concentrated animal feeding operations (CAFO's)
- Have better criteria for mitigating impacts of development in visually sensitive areas.
- Understand the market. Many people coming to the area don't want to build a cabin in the impact areas of cities.
- Property rights must be respected and compensated when there is a loss of economic value equal to the difference between value of the land for farming and the value of the land for development.
- Continue and promote the use of TDR's.
- Adopt policy to connect land use planning goals to infrastructure goals

# DRAFT

- Consider county-wide water quality monitoring program
- Work with surrounding counties to insure that development on boundaries is compatible.
- Subdivision process should address traffic density, congestion, weeds mosquitoes, fire fighting access, and storm water retention.
- School system should be involved in the process.
- Sand dunes should be included in language of policy 22 in maintaining Natural assets of SF Planning Area.

In March of 2008 the Planning and Zoning Commission organized two advisory committees to look more specifically at land use issues in order to help complete a preferred land use map required by Idaho Code 65-6708.e, which states that “A map shall be prepared indicating suitable projected land uses for the jurisdiction.” A current land use map, Map 2.X, was prepared by the county’s GIS department to show current land use patterns in the county.

One advisory committee was tasked with looking at agricultural land issues, and to review and comment on existing policies related to agricultural land uses, and to identify agricultural lands with the best potential for continued agricultural use. The second committee was asked to look at other a number of other land uses including forestry, mineral exploration and extraction, preservation, recreation, housing, commerce, industry, and public facilities, and to make policy recommendations to address these land uses.

Local citizens were selected from a list of volunteers and from individuals recognized as having knowledge of the various land uses. The agricultural committee consisted of two representatives from the Planning and Zoning Commission, Cindy Miller and John Nedrow, and eight local farmers throughout the county: Brant Kerbs, Randy Hillman, Bruce Crapo, Vernyle Staker, Aaron Dalling, J.T. Beech, Laura Pickard, and Hal Harrigfeld Jr. The general land use advisory committee included two representatives from the Planning and Zoning Commission, Steve Pinther and Glen Pond, and nine local citizens: Mike Vickers, Stephen Loosli, Dirk Mace, Matt Lucia, Sid Keller, Steve Trafton, John Harrington, Judy Hobbs, and Mike Parker. Staff from the planning and building department provided assistance to the advisory committees.

Both advisory committees delivered written and oral comments to the planning and zoning commission at a meeting on July 17<sup>th</sup>, 2008. The agricultural Land Use advisory Committee developed maps showing lands most suitable for irrigated and non-irrigated cropland and rangeland with data from the NRCS soil survey’s crop yield estimates and incorporated data from the general land use committee on potential growth areas. The general Land use committees work provided a basis for developing the Preferred Land Use Map, (Map 1.1 and detailed maps 2.9 a-c). Comments from the advisory committees were considered and integrated into the plan. The Planning and Zoning Commission held public hearings in St. Anthony on July 21<sup>st</sup> and July 28<sup>th</sup> in Ashton. Many of the comments affirmed the changes that the Planning and Zoning Commission made. The Planning and Zoning Commission considered all of the public comments and several modifications were made to the plan, including rewording of some policy language which read as regulatory statements, and to the Preferred Land Use map, as a result. On August 11<sup>th</sup>, 2008, the Planning and Zoning Commission directed staff to make these changes and voted to deliver the amended plan to the Board of County Commissioners.

# DRAFT

## APPENDIX A.

### State Protected Rivers in the Henrys Fork Basin

1. Targhee Creek, including West and East Forks: from source to National Forest boundary (12.5 miles) – Natural
2. Henry’s Fork: Big Springs to Island Park Reservoir (11 miles) and the lower 2 miles of Henry’s Lake Outlet – Recreational
3. Henry’s Fork: Island Park Dam to Riverside Campground (16 miles) – Recreational
4. Golden Lake, Silver Lake and Thurman Creek from Golden Lake to mouth (4 miles) - Recreational
5. Henry’s Fork: Riverside Campground to Hatchery Ford (4 miles) – Natural
6. Henry’s Fork: 100 feet upstream of the Hatchery Ford boat ramp to a point 300 feet downstream of the ramp (approximately 400 feet) – Recreational
7. Henry’s Fork: Hatchery Ford boat ramp to National Forest Boundary near Warm River (13 miles) – Natural
8. Henry’s Fork: Forest Boundary near Warm River to Ashton Reservoir (8 miles) – Recreational
9. Henry’s Fork Ashton Dam to Falls River (6 miles) – Recreational
10. Buffalo River – (8 miles) and Elk Creek (1 mile) – Recreational
11. Warm River: Partridge Creek to the Forest Route 153 bridge (approximately ¼ mile) – Natural
12. Warm River: Forest Route 153 bridge area (approximately 200 feet) – Recreational
13. Warm River: Forest Route 153 bridge to Forest Route 154 bridge (7 miles) – Natural
14. Warm River: Forest Route 154 bridge area (approximately 200) – Recreational
15. Warm River: Forest Route 155 bridge to Warm River Campground (7 miles) – Natural
16. Robison Creek: from Yellowstone Park boundary to Forest Route 241 bridge (10 miles) - Natural
17. Robison Creek: Forest Route 241 bridge to mouth (4 miles)- Recreational
18. Rock Creek: form Yellowstone Park boundary to mouth (9 miles)- Recreational
19. Falls River: Idaho border to a point 100 feet upstream of the Yellowstone Diversion Dam (7 miles) – Natural
20. Falls River: from 100 feet upstream of the Yellowstone Diversion Dam to Kirkham Bridge (11 miles) – Recreational
21. Boone Creek: Idaho border to mouth (4 miles) – Natural
22. Conant Creek: Idaho border to National Forest boundary (6 miles) – Natural
23. Conant Creek: National Forest boundary to Conant Creek diversion structure (3 miles) – Recreational
24. Teton River: Trail Creek to Highway 33 (14 miles) – Recreational
25. Teton River: Highway 33 to Felt Dam (11 miles) – Recreational
26. Teton Creek: from the springs to mouth (3 miles) – Recreational
27. Fox Creek: From the springs to mouth (2.5 miles) – Recreational
28. Badger Creek: from the springs to mouth (3 miles) – Recreational
29. Bitch Creek: Idaho Border to the railroad trestle (5 miles) – Natural
30. Bitch Creek: Railroad trestle to Highway 32 (2 miles) – Recreational
31. Bitch Creek: Highway 32 to mouth 7.5 miles (2 miles) – Recreational

# DRAFT

Note that some of the stream reaches identified above are not within the jurisdictional boundaries of Fremont County.

## APPENDIX B.

### Planned Transportation Projects

Fremont County has a number of transportation projects currently in the planning stage. Several are funded through Idaho's Surface Transportation Program (STP). These include:

- ✓ Salem Road Bridge replacement
- ✓ Reconstruction and realignment of Salem Road in conjunction with the Salem Road Bridge replacement
- ✓ Fun Farm Bridge replacement
- ✓ Improvements to the Stanford Field Airport near St. Anthony

Another project to replace the Stone Bridge, near Warm River, is awaiting confirmation of funding.

ITD District 6 has several STP projects planned within Fremont County:

- ✓ US 20, Major Widening, Last Chance to Montana state line (Key No. 08624) Scheduled for 2007, estimated construction cost – \$1,513,000.
- ✓ US 20, Intersection Improvement, Ashton (Key No. 08625) Milepost 360.3 to 361.1, Scheduled for 2009, estimated construction cost – \$2,000,000.
- ✓ US 87, Pavement Rehabilitation, Junction US 20 to Montana State line (Key No. 09388) Line, Milepost 0 to Milepost 9.1, Scheduled for 2007, estimated construction cost – \$1,770,000.
- ✓ US 87, 2 Henry's Lake Fish Passages, Short span replacement (Key No. 09658) Scheduled for 2006, estimated construction cost – \$1,431,000 and \$650,000.
- ✓ US 20, Pavement Rehabilitation, 2 miles north of Ashton (Key No. 10009) Milepost 360.103 to Milepost 364.966, Scheduled for 2006.

The remaining projects shown in **Exhibit 2-1** will be funded by the Fremont County Road and Bridge Department budget.

## ORDINANCES

- 00-01 Sewer Hook-up Amendment
- 00-02 Henry's Lake Dam
- 00-03 Firearms in the Courthouse
- 00-04 Amending parking lot on a plowed road
- 00-05 Prohibiting overnight camping at the Ora Bridge
- 00-06 Campground facilities at Frome park
- 00-07
- 00-08 Uniform Building Code vol 1,2, and 3
- 02-01 Amending Comprehensive Plan
- 02-02 Amending Development Code
- 02-03 Establishing and Creating L.I.D. District
- 02-04 Amending Ordinance 98-01 – Developers of Sewer Systems  
Also a Summary of Ordinance 02-04
- 03-01 Amending "International Building Code"
- 03-02 Amending "Uniform Building Code"
- 03-03 "Off Highway vehicle Act" – safety flag and summary
- 03-04 St. Anthony Area of City Impact Boundaries
- 03-05 Summary of Area of Impact – St. Anthony
- 03-06 thru 03-12 NONE
- 03-13 City of Newdale Area of City Impact Boundaries
- 03-06 Ambulance Services
- 04-01 Off Highway Vehicles-(Waterways) amending 98-04
- 04-02 Self Propelled Vehicles on snow trails
- 04-03 L.I.D.
- 04-04 Creating L.I.D. (Last Chance Extension)
- 04-05 Vacating a road in Pine Haven Subdivision #3
- 04-06 Vacating a road in Elk Run Subdivision
- 04-07 Fort Henry Mosquito Abatement Dist.
- 04-08 L.I.D.
- 05-01 Last Chance Sewer Extension
- 05-01A Island Park Area of Impact
- 05-02 Planning and Building
- 05-02A Island Park Area of Impact
- 05-03 Change of Landfill Fees
- 05-04 Last Chance Extension L.I.D.
- 05-05 City of Teton Impact Area
- 05-06 Camping and parking at Ora Fishing Access
- 05-07 Pond's Lodge Special Assessment
- 05-08 Amending Teton Impact Map

- 05-09 Adopting Zoning Regulations for the City of Teton
- 05-10 City of Newdale Impact Area
- 05-11 Adopting the Map of Ashton Impact Map
- 05-12 City of Ashton Impact Area

ORDINANCE NO. 2003-4

AN ORDINANCE ESTABLISHING AN AREA OF CITY IMPACT IN THE UNINCORPORATED PORTION OF FREMONT COUNTY SURROUNDING THE CITY OF ST. ANTHONY, IDAHO; ADOPTING AN OFFICIAL MAP OF THAT AREA OF CITY IMPACT; AND, ESTABLISHING AN EFFECTIVE DATE.

BE IT HEREBY ORDAINED BY THE GOVERNING BOARDS OF THE CITY OF ST. ANTHONY AND THE COUNTY OF FREMONT, as follows:

1. St. Anthony Area of City Impact Boundaries. An area of city impact for the City of St. Anthony is established within the boundaries illustrated on map, attached hereto as Exhibit A, which map is hereby made a part of this ordinance.

2. Effective Date. This ordinance shall be in full force and effect, from and after its passage, all as provided by law.

PASSED AND APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF ST. ANTHONY THIS 11<sup>th</sup> DAY OF June, 2003.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY THIS 23<sup>rd</sup> DAY OF June, 2003.

BOARD OF COUNTY COMMISSIONERS  
FREMONT COUNTY, IDAHO

Bill Forbush  
BILL FORBUSH, CHAIRMAN

ATTEST:

Abbie Mace  
ABBIE MACE, COUNTY CLERK

CITY OF ST. ANTHONY, IDAHO

Willard D. Beck  
WILLARD D. BECK, MAYOR

ATTEST:

Tacy Stoddard  
TACY STODDARD, CITY CLERK

## ORDINANCES

- 00-01 Sewer Hook-up Amendment
- 00-02 Henry's Lake Dam
- 00-03 Firearms in the Courthouse
- 00-04 Amending parking lot on a plowed road
- 00-05 Prohibiting overnight camping at the Ora Bridge
- 00-06 Campground facilities at Frome park
- 00-07
- 00-08 Uniform Building Code vol 1,2, and 3
- 02-01 Amending Comprehensive Plan
- 02-02 Amending Development Code
- 02-03 Establishing and Creating L.I.D. District
- 02-04 Amending Ordinance 98-01 – Developers of Sewer Systems  
Also a Summary of Ordinance 02-04
- 03-01 Amending "International Building Code"
- 03-02 Amending "Uniform Building Code"
- 03-03 "Off Highway vehicle Act" – safety flag and summary
- 03-04 St. Anthony Area of City Impact Boundaries
- 03-05 Summary of Area of Impact – St. Anthony
- 03-06 thru 03-12 NONE
- 03-13 City of Newdale Area of City Impact Boundaries
- 03-06 Ambulance Services
- 04-01 Off Highway Vehicles-(Waterways) amending 98-04
- 04-02 Self Propelled Vehicles on snow trails
- 04-03 L.I.D.
- 04-04 Creating L.I.D. (Last Chance Extension)
- 04-05 Vacating a road in Pine Haven Subdivision #3
- 04-06 Vacating a road in Elk Run Subdivision
- 04-07 Fort Henry Mosquito Abatement Dist.
- 04-08 L.I.D.
- 05-01 Last Chance Sewer Extension
- 05-01A Island Park Area of Impact
- 05-02 Planning and Building
- 05-02A Island Park Area of Impact
- 05-03 Change of Landfill Fees
- 05-04 Last Chance Extension L.I.D.
- 05-05 City of Teton Impact Area
- 05-06 Camping and parking at Ora Fishing Access
- 05-07 Pond's Lodge Special Assessment
- 05-08 Amending Teton Impact Map

- 05-09 Adopting Zoning Regulations for the City of Teton
- 05-10 City of Newdale Impact Area
- 05-11 Adopting the Map of Ashton Impact Map
- 05-12 City of Ashton Impact Area

TETON CITY ORDINANCE NO.304  
FREMONT COUNTY ORDINANCE NO. 2005-05

AN ORDINANCE ESTABLISHING AN AREA OF CITY IMPACT INTE THE UNINCORPORATED PORTION OF FREMONT COUNTY AND MADISION COUNTIES SURROUNDING THE CITY OF TETION, IDAHO, ADOPTING AN OFFICAL MAP OF THAT AREA AND ESTABLISHING ZOING IN THE AREA OF THE CITY IMPACT.

BE IT HEREBY ORDAINED BY THE GOVERNING BOARDS OF THE CITY OF TETON AND THE COUNTY OF FREMONT, as follows:

1. Teton Area of City Impact. The area of city impact for the City of Teton is established within the boundaries and illustrated on the map, attached hereto as Exhibit A, which map is hereby made a part of this ordinance.

2. Zoning of Area of City Impact. The zoning of area established with the area of impact is established as agriculture (Zone A), highway commercial (Zone HC), and residential (Zone RA) as indicated on the map attached hereto as Exhibit A.

3. Effective Date. This ordinance shall be in full force and effect, from and after its passage, all as provided by law.

PASSED AND APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF TETON THIS 28TH DAY OF October, 2005.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY THIS 28th DAY OF February, 2005.

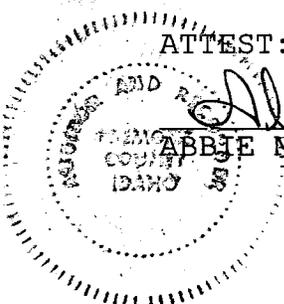
BOARD OF COUNTY COMMISSIONERS  
FREMONT COUNTY, IDAHO

Donald D. Trapp  
CHAIRMAN



ATTEST:

Abbie Mace  
ABBIE MACE, COUNTY CLERK



CITY OF TETON, IDAHO

BRYAN PARKER, MAYOR

493949

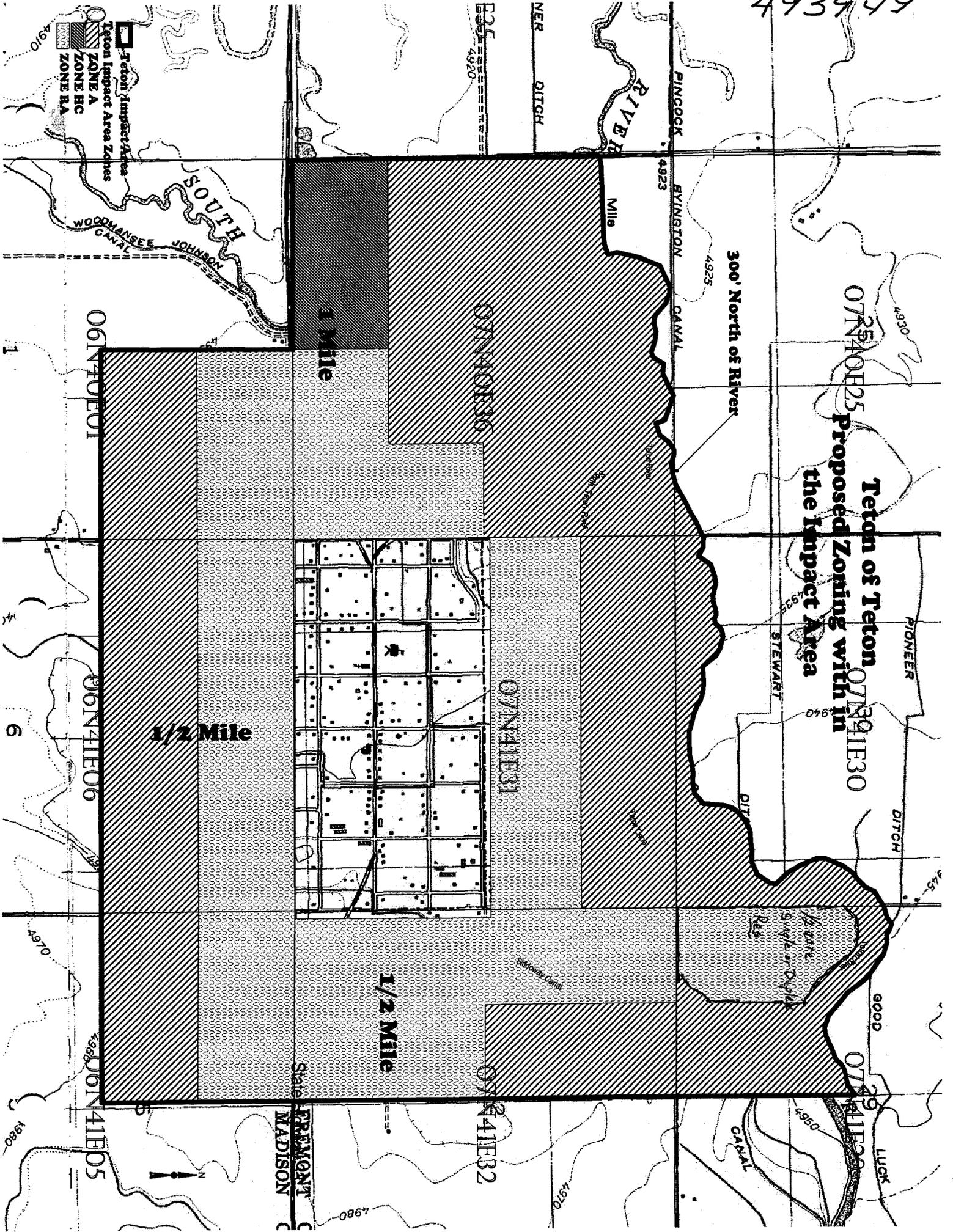
ATTEST:

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JOLYN BRIGGS, CITY CLERK

493949

# Teton of Teton Proposed Zoning with in the Impact Area



Teton Impact Areas  
 Teton Impact Area Zones  
 ZONE A  
 ZONE HC  
 ZONE RA

06N41E01

06N41E06

06N41E05

1 Mile

1/2 Mile

1/2 Mile

07N41E30

07N41E31

07N41E32

300' North of River

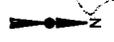
PIONEER

STEWART

DITCH

GOOD

LUCK



## ORDINANCES

- 00-01 Sewer Hook-up Amendment
- 00-02 Henry's Lake Dam
- 00-03 Firearms in the Courthouse
- 00-04 Amending parking lot on a plowed road
- 00-05 Prohibiting overnight camping at the Ora Bridge
- 00-06 Campground facilities at Frome park
- 00-07
- 00-08 Uniform Building Code vol 1,2, and 3
- 02-01 Amending Comprehensive Plan
- 02-02 Amending Development Code
- 02-03 Establishing and Creating L.I.D. District
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Also a Summary of Ordinance 02-04
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- 03-05 Summary of Area of Impact – St. Anthony
- 03-06 thru 03-12 NONE
- 03-13 City of Newdale Area of City Impact Boundaries
- 03-06 Ambulance Services
- 04-01 Off Highway Vehicles-(Waterways) amending 98-04
- 04-02 Self Propelled Vehicles on snow trails
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- 04-04 Creating L.I.D. (Last Chance Extension)
- 04-05 Vacating a road in Pine Haven Subdivision #3
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- 05-02A Island Park Area of Impact
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- 05-08 Amending Teton Impact Map

- 05-09 Adopting Zoning Regulations for the City of Teton
- 05-10 City of Newdale Impact Area
- 05-11 Adopting the Map of Ashton Impact Map
- 05-12 City of Ashton Impact Area

498278

ORDINANCE NO. 2005-11

AN ORDINANCE ESTABLISHING AN AREA OF CITY IMPACT IN THE UNINCORPORATED PORTION OF FREMONT COUNTY SURROUNDING THE CITY OF ASHTON, IDAHO; ADOPTING AN OFFICIAL MAP OF THAT AREA OF CITY IMPACT; AND, ESTABLISHING AN EFFECTIVE DATE.

BE IT HEREBY ORDAINED BY THE GOVERNING BOARDS OF THE CITY OF ASHTON AND THE COUNTY OF FREMONT, as follows:

1. Ashton Area of City Impact Boundaries. An area of city impact for the City of Ashton is established within the boundaries illustrated on map, attached hereto as Exhibit A, which map is hereby made a part of this ordinance.

2. Effective Date. This ordinance shall be in full force and effect, from and after its passage, all as provided by law.

PASSED AND APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF ASHTON THIS 13th DAY OF July, 2005.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY THIS 26th DAY OF September, 2005.

BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO



*Donald B. Tripp*

CHAIRMAN

ATTEST:

*Abbie Mace*  
ABBIE MACE, COUNTY CLERK



CITY OF ASHTON, IDAHO

THEODORE STRONKS, MAYOR

ATTEST:

JONI AMEN, CITY CLERK