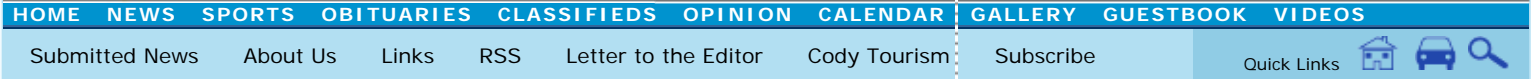




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News

Realtors growl about grizzly overlay zone

By Carole Cloudwalker

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Some Park County real estate agents are unhappy about a proposed Grizzly Bear Overlay Zone - part of new county development standards that soon will be finalized.

A public hearing concerning the standards, which will be conducted by county planners, is scheduled for 6 p.m. Tuesday in the Alternate EOC Room of the courthouse.

The public still will have the opportunity to comment after the hearing, since Assistant County Planner Nikki Burnett says final decisions on planning issues always lie with the county commissioners.

The commissioners also will conduct a public hearing in the future concerning changes to the development standards.

The Grizzly Bear Overlay Zone (or GBO) involves only a portion of proposed changes to the regulations.

The GBO would encompass much of western Park County, following an imaginary line west of Meeteetse and Cody to Yellowstone Park and the Montana state line.

The area encompasses places where major grizzly bear-human confrontations have taken place.

Within the zone, new development - but not established subdivisions and already developed private property - would be subject to a set of stringent rules aimed at preventing bear conflicts.

Newcomers may find the areas to the Montana state line and the Yellowstone Park boundary a "Garden of Eden."

But if the bear zone is approved, this particular Eden would be devoid of apple, plum, apricot and other fruit-bearing trees and shrubs, including buffalo berry, current and gooseberry bushes.

Tara Hodges, the Game and Fish Department's new Bear Wise program coordinator for Park County, says the proposal is patterned after rules G&F established for the Copperleaf Subdivision on the North Fork.

The goal, she said, is to avoid luring bears to areas of human habitation, on the premise that "a fed bear is a dead bear."

Some real estate agents think that argument has a few holes in it.

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Kathy McDonald of American West Realty says the proposed rules and the bear zone itself are onerous, and should even be removed from Copperleaf, rather than added to other areas of the county.

"This is 'Propertyrightsville of the United States,'" McDonald said. "But those rules were imposed to make developers miserable."

She said they were dreamed up "to make Copperleaf go away," but the developers persevered.

"I do think we need rules, but it's pitiful to use grizzly bears (as an excuse) - they're going to de-list them anyway," McDonald added.

"They're looking at the public to fix what is perceived as the problem. But the bears are already here."

McDonald said real estate agents "have got to come out and take a stand," which is what she plans to do Tuesday.

"Absolutely," McDonald said when asked if she will attend the hearing. "This is just another way to lock up the county and throw away the key. You've got to have growth or you'll have death."

She added that there are 153 members of the Park County Board of Realtors, and she e-mailed them about the hearing.

"The key is educating the public," McDonald said of bear-human conflicts. "The key is education, not regulation."

Harold Musser of Musser Sales Co. said changing the county regulations "is just going to affect many people for many things."

He feels the grizzly bear overlay zone is too large and possibly should be limited to the "upper North Fork and upper South Fork," but not areas like Bartlett Lane on the South Fork which he said appear to be included in the perimeter of the zone.

"It's come a little too close into town," Musser said.

He added that proposed subdivision regulation changes concern him as much as the grizzly bear overlay.

"I'm not sure we need more rules if we want to make homes affordable in Cody," Musser said. "It will take longer to get subdivisions through the process, and that will drive up the cost."

Marty Coe of Prudential Brokerage West Real Estate said the bear zone offers "no common sense," especially in light of the likely delisting of grizzlies.

"It's species discrimination," she said. "I'm opposed to the proposed bear overlay district."

She worries that if the district is approved, other species might have their own overlay districts in the future.

"What's next?" she said, fearing a "raccoon overlay district" because of the precedent.

Coe added that "maybe in Copperleaf" the rules should be imposed, but not the entire western portion of the county.

Under terms of the district, the county commissioners or Park County Planning and Zoning Commission must review all development and subdivision applications in the GBO for compliance.

In addition to the no-fruit trees or shrubs stipulation, the residents and developers within the GBO must comply with proper storage of pet and livestock foods (indoors, in bear-resistant containers or behind functional electric fencing).

In addition, bear attractants such as salt, hay, grain, fruit, nuts, chemicals, minerals and garbage may not be left out.



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Construction companies, like homeowners, would be required to follow the rules, and no one would be allowed to "intentionally attract or feed any wild animal."

Bylaws of developments within the GBO also must reflect the regulations, according to the proposal.



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Reader Comments

Florida Native wrote on Oct 14, 2007 7:42 PM:

" Well it seems like common sense would go a long way with this problem and if someone with no common sense wants to live near the bears and not do the things needed then seems like to me they are asking for a visit from Grizzly. Common sense is a wonderful thing . Those without it will soon learn by mistake. Why make new laws and rules for people who already know how to live with bears. Why try and take freedoms from people who have lived there for thier whole lives ? Seem like one more freedom the local Goverment wants to take away. "

cowboy wrote on Oct 5, 2007 4:57 PM:

" just another way for few to tell us what we can do or not to do with our land "

Reality check... wrote on Oct 3, 2007 6:56 PM:

" Firstly- Of course realtors & builders don't want any restrictions of any sort. They snatch up every piece of property that has the potential of being "flipped" or subdivided for a substantial profit before it ever hit's the market. Then inflate the prices of homes & property to sell to whoever has the most money. Secondly...These regulations "would effect new development - but not established subdivisions and already developed private property within the zone". Current property owners should be appreciative that "newbies" who, by all accounts, do not have the common sense to otherwise take these precautions, would be mandated to do so. Since those of us who already live here know the drill, then none of us should have fruit bearing trees & shrubs or leave any sort of bear attractant lying around, right? So what's the problem?? Thirdly...remember why Cody even exists. The reason tourists visit & the majority of the population ("transplants") came here is for the beauty & wildlife. We should welcome any measures that may protect the way of life we try to enjoy and limit the overpopulation of our "rural" sprawl. "

Tom wrote on Oct 3, 2007 9:03 AM:

" The sad part is that the Realtors are just looking at the profits to be made by selling to the people with more money than they know what to do with, and want vacation homes, but want all the conviences of California. They lack the ability to live with the wildlife, they want to see it but not have anything to do with it. They lack responsibility. "

joking wrote on Oct 3, 2007 7:37 AM:

" OK, so who is going to build me a barn to put my supplies for my livestock, oh and what about the fields of alfalfa, do we stop ranching and surviving on the land we were blessed with? I say get over yourself and let those of us who choose to live here in Cody make our own decisions and not have our way of life dictated to us. Those who are stupid about the bears will suffer, those of us who are educated, will live on, survive, and keep our Cody the way it was meant to be, unchanged and still a place where families want to come to live and grow. And hey, while we are at it, why not lower the grizzly hunting license, get control of the overflow, the bears will then live in the wilds, and we will regain the natural balance of grizzly versus man. "

Clarice Ryan wrote on Oct 2, 2007 9:18 PM:

" Actually they should expand grizzly habitat into whole of California as the bear is its state animal and is on the state flag. That state is long overdue for re-introduction of the grizzly bear. Enviros have been reminding everyone for some time that at one time the grizzlies lived on the plains of the Middle-west. Are they now being eased in that direction, little by little east to Cody which is on the edge of the plains???

Clari "

Brad Butler wrote on Oct 2, 2007 1:07 PM:

" No, no, no....You are going about this the wrong way. Make the overlay zone on the eastside of the county. That way they would have to close the Belfry, Powell, Greybull and Meeteetse highways. Then they would have to keep Sylvan Pass open all the way to Jackson Hole during the winter, just like they keep the road open to Cooke City. "

worried wrote on Oct 2, 2007 12:22 PM:

" we are becoming too much like JACKSONHOLE with out the wildlife to run free we are no better place to live than any other big city "

PPL wrote on Oct 2, 2007 8:44 AM:

" Go live somewhere else! Leave Cody alone or live within the rules that make Cody the beautiful place it is. That means WITH the bears. Selfish developers and selfish people. Just NASTY! Go away! Funny, my word verification started with Y2Y! How ironic! "

billybob wrote on Oct 2, 2007 7:15 AM:

" Congratulations commissioners!!!!!! I now know that I will never be able to afford a home in Cody. In your infinite wisdom, this could possibly be the signing of a death warrant for the town of Cody. I hope you have homes in other places as you may need them when Cody becomes the next ghost-town of Wyoming. CRASH!!!!!! Oh! That was my dream breaking. "

Carpenter wrote on Oct 1, 2007 11:24 PM:

" I agree with Retired. We need to grow to survive.The Builders and Realtors need to be heard loud and clear. "

money wrote on Oct 1, 2007 8:45 PM:

" I find it interesting that the opposing comments in the story are from realtors who's underlying concern is obviously their income. It is hard to believe that they really want homes to be more affordable, that would also limit their income, just as they say the overlay zone would. Maybe they can comment on how family safety would make house values increase. "

Jonathan Langer wrote on Oct 1, 2007 6:49 PM:

" There are some 1,000 grizzly bears left in the United States. Probably 350 of which live in Wyoming. This is the last place that grizzly bears live. If you are afraid of living near them, or can't live with the "onerous" restrictions that keep these few grizzlies alive, stay in California, or move to New Jersey, just don't move to Yellowstone. "

retired wrote on Oct 1, 2007 3:17 PM:

" The planners are dreaming up more urban crap.We have too many regulations as it is now.Are we going to have a no horsefly overlay zone next?Maybe we should have a no urban people overlay zone to protect these idiots from themselves.They will only be allowed to live within the city limits and must live in multi-family dwellings--no single units allowed. Planners,and others,who would take away some of the last freedoms from us should move somewhere else if they are not happy here, as it is now.Leave those who are happy here alone. "

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