

**AMENDED MASTER PLAN  
FOR AREA TWO  
TETON VILLAGE EXPANSION  
PLANNED UNIT DEVELOPMENT  
PLANNED RESORT (PUD 2002-0001)**

REVISED JUNE 6, 2017

APPROVED WITH CONDITIONS BY THE TETON COUNTY  
BOARD OF COUNTY COMMISSIONERS ON JUNE 6, 2017

(ORIGINALLY APPROVED WITH CONDITIONS BY THE TETON  
COUNTY BOARD OF COUNTY COMMISSIONERS ON JULY 12, 2005)

**Form and Content of this Amended Master Plan for Area Two – Teton Village Expansion  
Planned Unit Development – Planned Resort (PUD 2002-0001) (Revised June 6, 2017) Approved  
by Tyler Sinclair, Planning Director, Teton County, Wyoming:**

  
Tyler Sinclair

STATE OF WYOMING    )  
                                  )ss.  
COUNTY OF TETON    )

The foregoing instrument was acknowledged before me by Tyler Sinclair, as the Planning Director of Teton County, Wyoming, this 31 day of July, 2017.

Witness my hand and official seal.



  
\_\_\_\_\_  
Notary Public  
My commission Expires: August 17, 2020

## Table of Contents

Section 1	Project Description
Section 2	Statement of Purpose
Section 3	Consistency with Teton County Resolutions – LDRs
Section 4	Development Program and Land Use Plan
Section 5	Dimensional Limitations Schedule
Section 6	Design Standards
Section 7	Transportation and Demand Management Plan
Section 8	Capital Improvements
Section 9	Area 2 Relationship to the Existing Service Districts and Review Committees
Section 10	Storm Water, Water, and Sewer Management Plan
Section 11	Housing Mitigation Plan
Section 12 (XII)	Area Use Schedule
Section 13	Off Site Impacts
Section 14	Phasing Plan
Section 15	Procedure for Review of Development Proposals by Teton County
Section 16	Conditions of Approval and Standing of Resort Master Plan
Section 17	Amendment of and Minor Deviation from Resort Master Plan

**Table of Contents: Appendices**

A.	Vicinity Map
B.	Area 2 Rendering
C.	Teton Village Expansion Resort Master Plan Map
D.	Primary Components
E.	Environmental Analysis
F.	Proposed Map Amendment for PUD District for Planned Resort
G.	Village Core Design Standards
H.	Teton Village South Residential Community Design Standards and Master Signage Plan
I.	Traffic Plan
J.	Road Sections
K.	Transportation Study
L.	Transit Plan
M.	Trail Plan
N.	Fare Revenue Program Memo
O.	Storm Water Plan
P.	Water Plan
Q.	Sanitary Sewer Plan
R.	Affordable Housing Special Restrictions

S.	Summary of Amendments and Conditions
----	--------------------------------------



## Section 1. Project Description

The location of the project is seen on the Vicinity Map (Appendix A), Area 2 Rendering (Appendix B), and Teton Village Expansion Map (Appendix C).

Area Two PUD of the Teton Village PUD District for Planned Resort ("Area 2") is comprised of two primary areas (Primary Components, Appendix D):

- The Village Core ("Village Core") consists of a mixed-use tract that includes public areas, local and visitor services, commercial space, pathways, condominiums, townhouses, affordable housing and employee housing. For purposes of the Area 2 Resort Master Plan ("Resort Master Plan"), "condominium" means an estate in real property consisting of a separate fee simple interest in an individual airspace unit of a multi-unit property together with an undivided fee simple interest in the common elements (which will include a portion of a lot, parcel, or tract of real property upon which the building(s) are located). For purposes of the Resort Master Plan, "townhouse" means a single-family unit, including the ground beneath the unit and may include a yard, parking areas, and driveways with a single unit going from ground to roof.
- A residential development south of the Teton Village Entrance Road ("Teton Village South Residential Community" or "TVSRC").

In addition, the applicant has voluntarily restricted the density allowed on land adjacent to Area 2. These parcels are shown on the Vicinity Map (Appendix A).

The rezoning encompassing the two primary areas described above is of a size and configuration that reflect the idea of a 'transect' of neighborhood types and densities. This transect is intended to create a spatial gradient moving from a denser, walkable core outwards to areas of houses and non-commercial buildings separated by increasing amounts of public and private open land. Area 2, in following the transect concept, creates a sustainable community through a broad cross-section of housing types and uses that nurture a cross-section of people, leading to community vitality.

Through several years of an ongoing community consultative process, the inclusion of these two primary areas in Area 2 has evolved as the only implementation and regulatory tool that combines the advantages of detailed open land protections, meaningful integration and connectivity between existing and proposed elements, a functionally viable mix of uses, and a harmonious blend of spaces that have the ability to create a memorable and regionally appropriate place.

### Village Core

Although specific sketch plans will be required to further define this area, a description of the Village Core follows. A number of design factors are used in the Village Core to create a vital community, such as providing vertical mixed-uses, mixed-income housing that promotes a year-round population and a variety of people; a series of pathways that provide a diversity of recreational opportunities and encourage walking and biking to conveniences; a compact core



which creates a physical as well as a programmatic critical mass; a transit system that drops off visitors in the middle of that core; street-oriented buildings and uses with parking internal to the blocks so that people, not cars dominate the character of the streets; and parks and plazas that encourage different outdoor activities. Local services such as a grocery store and post office provide the conveniences required by the new and existing residents. The area also includes horse riding facilities, a visitor center, sheriff's substation and non-profit office space. Affordable and employee housing units are located within the Village Core and are within walking distance of the existing amenities and the new services. Ninety-eight free-market units are also planned for the Village Core, all of which are walking distance to the Tram. In addition, up to 30 free-market units located on Townhouse B Sub-Tract in Teton Village South Residential Community may be transferred to the Village Core.

This area contains 10,000 square feet of retail, office, business or other non-residential uses intended primarily to serve the Teton Village Resort ("Local Commercial"). Up to 60,000 square feet of commercial space may be added to the Village Core if it is transferred from the existing Area One PUD of the Teton Village PUD District for Planned Resort ("Area 1"). A transit center containing visitor information space is also planned for this project. Two entrances to Area 1 and Area 2 (which collectively make up the "Teton Village Resort") help alleviate traffic congestion in the peak hours. These amenities tie into and function with the existing Area 1. These elements can be seen in the Area 2 Rendering (Appendix B).

Additional information on the development plan for the Village Core is outlined in Section 4 Development Program and Land Use Plan.

### **Teton Village South Residential Community**

The residential development south of the Teton Village Entrance Road is planned as an extension of the Village Core with decreasing density from the Village Core into the TVSRC. On the west portion of the project, compatible residential products and densities are proposed next to the existing residential development. Roadway, pathway and open land connections move from the Village Core into and throughout the residential development accompanied by native plantings, creeks and ponds. These elements can be seen in the Area 2 Rendering (Appendix B), and are further described below. The Teton Village South Residential Community consists of the following sub-tracts: an approximately 4-acre parcel for townhouses ("Townhouse A Sub-Tract"); an area of approximately 10 acres for townhouses ("Townhouse B Sub-Tract"); an area of approximately 131 acres for single-family residences ("Single-Family Sub-Tract"); an approximately 3-acre parcel for townhouses ("Townhouse C Sub-Tract"); and an approximately 16-acre parcel for townhouses ("Townhouse D Sub-Tract"). Acreages given herein for parcels and use areas are gross approximations meant for concept and sketch plan level considerations only; more precise acreages for the parcels and use areas will be provided on the final development plans for each of the components of Area 2; final acreages for the parcels and use areas will be established by final plats. Additional information on the development plan for Teton Village South Residential Community is outlined in Section 4 Development Program and Land Use Plan.



### Single Family Sub-Tract

The single-family residential development consists of 100 single-family lots ("Single-Family Lot(s)"). The Single Family Sub-Tract extends south and west from the Townhouse B Sub-Tract and Townhouse A Sub-Tract and adjoins the existing south boundary of Area 1 and the Ellen Creek Subdivision. All development within this tract is single-family residential uses. The western-most Single-Family Lots adjoin the open space buffer in the Ellen Creek subdivision. The size of these lots will average approximately 1.25 acres to create a transition to the Ellen Creek subdivision. Transportation choices to this area will include cars, pathways, local transit and an on-call shuttle service.

### Townhouse Sub-Tracts

Thirty-six townhouses are located between Fish Creek and the existing Area 1 condominiums with a pathway connection to the Village Core (Townhouse B Sub-Tract). Up to 30 of the 36 townhouse units located on Townhouse B Sub-Tract may be transferred to any parcel in the Village Core on which free-market units are permitted. Any townhouse units not included as part of the Final Development Permit for Townhouse B Sub-Tract are automatically deemed transferred to the Village Core. Twelve townhouses are located on the south side of the Teton Village Entrance Road (Townhouse A Sub-Tract) framing the open land corridor and the Village Core entry. Almost all of these townhouse units are within easy walking distance of the Village Core and the skiing facilities.

Thirty-four townhouses are located on the southern end of the Teton Village South Residential Community (Townhouse C Sub-Tract and Townhouse D Sub-Tract).

## **Recreational Land, Conservation Easements, and Conservation Lands Outside of the Resort Zone**

In order to mitigate the impacts of Area 2 and to provide certain benefits to the Teton Village Resort, Teton County, and the public, the applicant shall provide open lands consisting of recreational spaces within Area 2 and has provided density restricted lands in the Rural zone located outside of the free-market building envelopes south and east of the resort that are protected by a Conservation Easement Restricting Density. In addition, density shall be limited both within and outside of Area 2. The recreational lands requirement must be fulfilled within Area 2. The restricted lands outside of the free-market building envelopes shall be fulfilled on conservation lands outside of Area 2.

### Conservation Easement Restricting Density

The Conservation Easement Restricting Density restricts density on four separate parcels of land: the Giltner Ranch, the Cheney Tract, East Mangum Tract and the Borgman Meadow (the "Non-PUD Restricted Lands") that adjoin the School Section to the north and to the south. The four parcels total 1,309 acres and are all owned by the applicant. The tract to the south is referred to as the Giltner Ranch and is approximately 1,018 acres. The tracts to the north are referred to as the Cheney Tract and the Borgman Meadow Tract, which are 109 and 42 acres, respectively. The tract to the east is referred to as the East Mangum Tract and is 140 acres. The original Conservation Easement Restricting Density, subject to existing and future amendment, restatement and/or supplementation, was entered into between Snake River Associates and The

Jackson Hole Land Trust on July 26, 2007 and recorded August 8, 2007 and encumbered the four parcels described above, but with slightly different acreages (Book 673 of Photo, pages 937-1054).

#### Conservation Easement Covering Village Core Foreground

A conservation easement prohibiting buildings within three hundred feet of the existing westerly right-of-way line of Highway 390 will cover the lands previously used as horse pasture, as well as the land used for the village park. The original Conservation Easement Covering Village Core Foreground, subject to existing and future amendment, restatement and/or supplementation, was entered into between Snake River Associates and The Jackson Hole Land Trust on July 25, 2007 and recorded August 8, 2007 (Book 673 of Photo, pages 1055-1083).

#### Recreational Lands Requirement

Within Area 2 there shall be a minimum of 1.33 acres of recreational lands that together meet the following requirements (the "Recreational Lands"): provide a park of at least one acre that shall include Fish Creek as an amenity; or provide a village green of at least 0.33 acres; and is designed in concert with the objectives of the Scenic Resource Overlay for Highway 390. The Recreational Lands shall be restricted by the Resort Master Plan approval process itself. At sketch plan approval for each tract that contains Recreational Lands, specific restrictions shall be submitted that conform to the Resort Master Plan.

#### **Notes for Clarity**

For purposes of clarity, the following shall apply with respect to this Resort Master Plan:

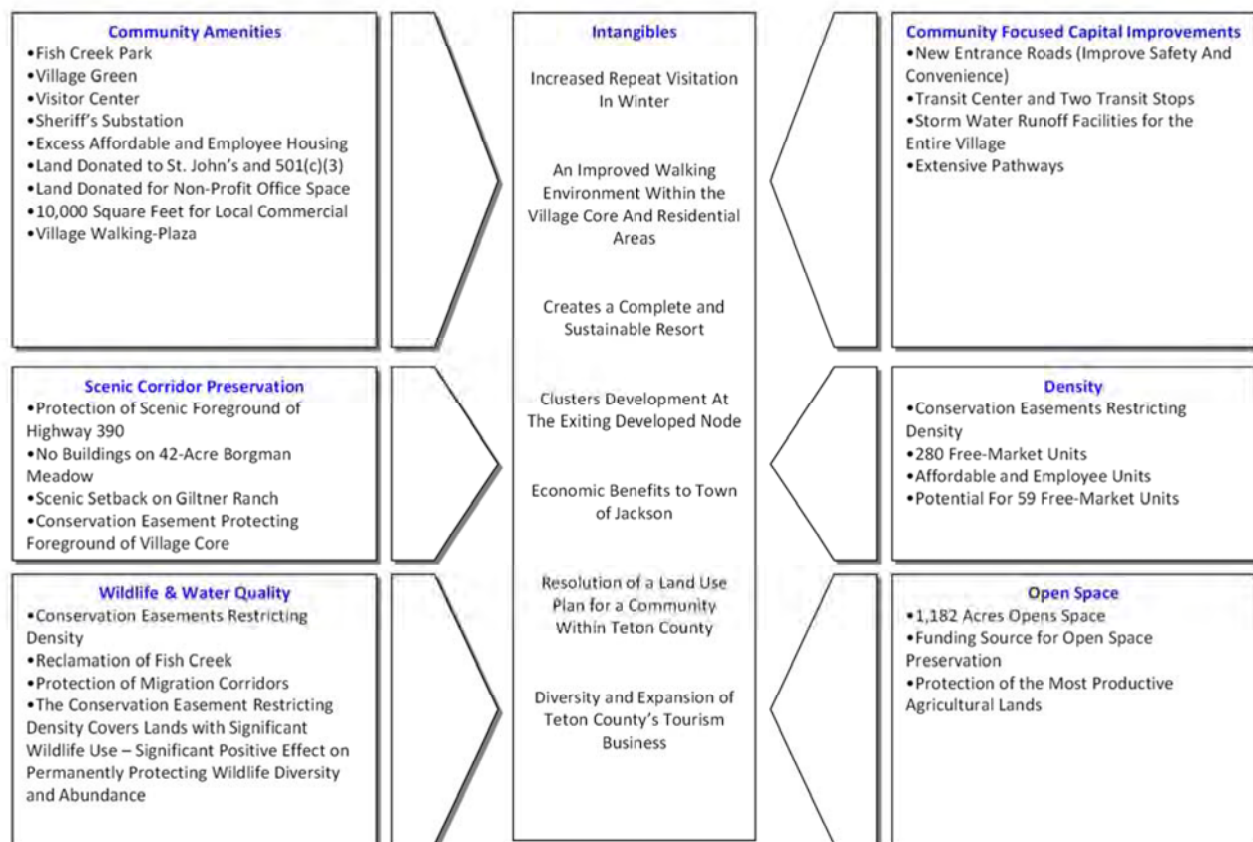
- The term "LDRs" means the 1994 Land Development Regulations version in effect as of July 12, 2005 under which this Resort Master Plan was originally approved and the term "2016 Land Development Regulations" means the 2016 Land Development Regulations version in effect as of November 16, 2016.
- In the 2016 Land Development Regulations, Area 1 is also referred to as Teton Village I of the Teton Village Planned Resort Zone and Area 2 is also referred to as Teton Village II of the Teton Village Planned Resort Zone.



## Section 2. Statement of Purpose

The Resort Master Plan seeks to create a coherent resort community while enhancing the economic, environmental and social attributes of the Teton Village Resort and Teton County. Additional growth immediately adjacent to the existing Area 1 will allow the village to become a complete, sustainable resort community, thereby enhancing the economic viability of the region. The addition of commercial services, extensive pathways, affordable and employee housing, civic services and improved amenities will allow for the completion of the Teton Village Resort as a mixed-use village community. The Resort Master Plan also seeks the protection of the scenic corridor on the west side of Highway 390. The community benefits and other mitigating factors for the free-market development portion of Area 1 are shown on Exhibit 1-1 below.

**EXHIBIT 1-1: COMMUNITY BENEFIT**



### Plan Goals

The purpose of the Resort Master Plan is to provide for and guide the commercial, residential and recreational development of Area 2. As proposed, the Resort Master Plan is designed to achieve the following major goals:

- Maximize the Teton Village Resort's potential contribution to the quality of life and economic sustainability of the greater Jackson Hole community.

- Provide an enhanced vacation experience to visitors to the Teton Village Resort during the summer, winter and shoulder seasons.
- Create a sense of place and village atmosphere at the Teton Village Resort.
- Provide an efficient arrangement of housing opportunities, supporting commercial and an amenity package at a scale and program size, which will fit physically, environmentally and economically with the expansion and improvement of the Teton Village Resort.
- Create a clear identity and character for the Teton Village Resort.
- Create an economically viable commercial area for local needs – local commercial.
- Create two new Teton County roads entering the Teton Village Resort: a primary entrance as an extension of McCollister Drive and a secondary entrance providing additional access for the most intensely developed area.
- Create a quality transit center that will encourage public transportation.
- Create a seamless transition from the existing village to the expansion area.
- Protect the scenic corridor on the west side of Highway 390.
- Create a funding source for future open space preservation.
- Accomplish all of the above without increasing the potential free-market density in Teton County along Highway 390.

Additionally, in response Section 2180 A. Purpose and Intent of the LDRs:

1. Encourage recreational activities that rely on indigenous natural attributes of the area, contribute to the community's character and economy and have a long-standing, beneficial role in the community.

Cooperative planning and design discussions between the applicant, Jackson Hole Mountain Resort ("JHMR") and the Teton Village Association have created a plan that offers a seamless transition from Area 1 into Area 2. The Resort Master Plan creates a Village Core at the base of the mountain with a village atmosphere and a sense of place. The integration of the expansion area and the existing resort will encourage and promote the various winter recreational activities that are familiar occurrences.

2. Provide flexibility for planning and developing recreational resort facilities in a creative, efficient and coordinated manner in order to provide quality visitor experiences.

It is a major goal of the Resort Master Plan to improve the quality of the guest experience while respecting the natural environment. The cooperative planning between the applicant, the various service districts and JHMR will create a coordinated development.



3. Create a process in which Teton County and the Town of Jackson collaborate with landowners in planning and designing resort master plans that meet community goals and respond to the unique circumstances of the resort area.

The applicant has worked with Teton County throughout the project. After a series of meetings with the planning staff and a series of public workshops, changes and additions to the Resort Master Plan were made in order to address their concerns and suggestions. The applicant's aim is to ensure that this Resort Master Plan addresses all of the significant issues and has the appropriate level of design detail that is satisfactory to the planning staff.

4. Permit resort development that contributes to expanding winter and shoulder economic seasons.

The development of a commercial space and addition of a greater variety of recreational and community activities year round will create a more self-contained, complete resort community. As such, Area 2 will significantly contribute to an expansion of the winter and shoulder economic seasons. In addition, the proposed service areas help support the Teton Village Resort, thereby contributing to the winter economy.

5. Ensure that resort plans incorporate a mix of land use, promote alternative modes of transportation, and provide a pedestrian-oriented community in order to alleviate traffic-related impacts.

A fine-grained network of sidewalks, pedestrian streets, paths and trails have been provided to link neighborhoods to the ski, recreation and riding facilities and neighborhoods to retail and commercial areas. The neighborhood to the south of the Teton Village Entrance Road has been designed to provide strong street and pedestrian connections to the Village Core.

6. Ensure resort plans are consistent with the Comprehensive Plans, and therefore, are beneficial to the community.

The Resort Master Plan meets the community vision, population, economy and growth goals, community character goals, natural and scenic resources goals, affordable housing goals, commercial and resort development goals, community facilities goals, transportation goals, intergovernmental coordination, and agricultural resources of the Comprehensive Plan.

7. Enable long-range planning for infrastructure, capital facilities, and community land use patterns by establishing a level of predictability in the maximum potential size and character of each resort area.

The Resort Master Plan establishes predictability for what can be developed on the land, subject to the application. Separate from the zone district amendment, the applicant proposed and granted in 2007 a Conservation Easement Restricting Density that limits the maximum free-market development on 1,309 acres owned by the applicant. Therefore, the combination of Area 2 and these conservation easements establish the maximum development allowed on approximately 1,517 acres of land accessed by Highway 390. This predictable future includes a reduction in the total potential free-market units from what could have been approved under the LDRs. Due to this predictability, the Wyoming Department of Transportation and Teton County can more accurately predict the future traffic on Highway 390 and also other future infrastructure needs.

8. Ensure a balance is maintained between tourism and community that promotes social diversity but does not cause undesired shifts away from rural, western community character.

The proposal provides a meaningful amount of affordable and employee housing. It also includes local commercial. These factors help create a sense of community. The applicant has organized the proposed land uses so that the more dense uses in the Village Core transition to residential. The entry of the Teton Village Resort will use a saddle house and corrals to enhance the sense of arrival.

9. Produce resort plans that make significant contributions toward protecting attributes of the community that are considered critical to the community's long-term health, welfare, and well being.

The Resort Master Plan strikes a balance within the borders of the proposed development. Area 2 contains 280 free-market housing units while providing significant affordable and employee housing. The Village Core contains local commercial. The Resort Master Plan contributes to the protection of the scenic corridor; it decreases the number of potential free-market homes in Teton County; it enhances trout habitat in Fish Creek; and it helps create a coherent resort community.



### **Section 3. Consistency with Teton County Resolutions – LDRs**

The approval of this Resort Master Plan required a map amendment that expanded an existing Planned Unit Development District for Planned Resort area on the Teton County Zoning Map. In addition, the Resort Master Plan required a text amendment to the LDRs.

#### **Map Amendment**

The map amendment DBA 02-0001 expanded the existing Planned Unit Development District for Planned Resort area for Teton Village on the Teton County Zoning Map. A subsequent map amendment, DBA 09-0003, was approved and is shown on the Map Showing Boundary of PUD District for Planned Resort as Last Amended by District Boundary Amendment DBA 2009-0003, Appendix F.

#### **Text Amendment**

The text amendment to the LDRs consisted of two parts.

- The initial amendment required changes to Section 2180.B.1. This section acknowledged the map amendment as specified above, created the Teton Village Expansion, and allowed for an application as a PUD.
- The second amendment approved the Resort Master Plan.

#### **Amendment Standards and Teton County Plan Goals**

In accordance with Section 5150, D.; amendments to the text of the LDRs or an amendment to the Official Zoning District Map, Teton Village Expansion Master Plan shall be consistent with (i) the purposes of the LDRs, (ii) the Comprehensive Plan, (iii) other provisions of the LDRs and (iv) other Teton County Resolutions. The Resort Master Plan is consistent with all of the above provisions.

The applicant's land adjoining the existing Area 1 has been designated as an expansion area for an existing development node. This application is consistent with that designation in the Comprehensive Plan. And as such, this application is also consistent with the purpose of the LDRs. The purpose of the Comprehensive Plan is to allow development in such a way so as to maintain the community character of Teton County and sub-areas like Teton Village. The Teton Village expansion node is shown on the Teton County 2020 Futures Map.

In accordance with Section 5150, E.; standards for review of amendments to the Official Zoning District Map, an amendment can occur only if one of the following conditions exist: (i) there is a mistake in the Comprehensive Plan or (ii) there have been changes in road locations, other infrastructure, population trends, land committed to development, or other changes that justify the amendments to the Official Zoning Map. In this case, the amendments to the Official Zoning District Map are allowed based on the second condition, "changes...that justify the amendment to the Official Zoning District Map." When the existing Area 1 was approved in 1998, it left many resort needs unresolved. As land within the resort has been committed to development, these

unresolved needs have become critical. These needs include but are not limited to better access roads, workforce housing and resort service areas.

Another change that justifies the amendment is that the applicant's land adjacent to the existing Area 1 has now been committed to development and will be developed in the near future. As it was clear from the Board of County Commissioners ("BOCC") response to the Bowman Road Planned Residential Development, the commissioners felt that the existing zoning does not allow the appropriate kind of development immediately adjacent to the existing Area 1. Therefore, this resort expansion application provides an opportunity to plan the appropriate expansion of this area. In addition, since the Resort zone boundary was set with the adoption of the Comprehensive Plan in 1994, it has become evident that changes in roads and other infrastructure requirements for the resort are necessary and cannot be met within the existing resort boundary. Area 2 allows those existing needs to be addressed.

In accordance with Section 5150, F.; standards for review of amendments to the text of the LDRs may be approved for reasons including: (i) implements the Comprehensive Plan, (ii) better achieves the Comprehensive Plan goals and objectives, (iii) shows that existing LDRs are unreasonable, (iv) responds to State or Federal legislation rendering LDRs obsolete or (v) provides additional flexibility. The Resort Master Plan meets the second, third and fifth standards.

Section 3 Consistency with Teton County Resolutions – Teton County Comprehensive Plan, addresses standard two: how the Resort Master Plan better achieves the goals and objectives of the Comprehensive Plan.

Standard three, unreasonableness of the existing LDRs, is also met. The LDRs preclude the uses necessary for a planned resort development. Only through the rezoning can the expansion node as envisioned by the placement of the Future Development Node on the 2020 Futures Map be met. Expanding the resort district designation is the best mechanism to address the existing spillover onto the applicant's land and to meet the needs of the existing resort.

Area 2 is a perfect example of the provision of additional flexibility, thus meeting standard five. The LDRs were adopted to provide flexibility to owners and developers to find creative development solutions. This flexibility is given so that the community's needs are more fully addressed while allowing developers to have a financially viable program.



## **Section 4. Development Program and Land Use Plan**

The development program and land use plan for Area 2 is designed to control bulk, scale and density while providing some flexibility in the distribution of that density to allow development to respond to specific site conditions and market conditions. The proposed program reflects a build-out potential for 280 free-market units; 10,000 square feet of commercial development in the Village Core; institutional uses; resort support uses; and affordable and employee housing for 365.75 people. Up to 60,000 square feet of commercial space may be added to the Village Core in Area 2 if it is transferred from Area 1.

In total 180 free-market units are available for short-term rental in Area 2, which includes all of the units in the Village Core and all of the units located in Townhouse Sub-Tract A, B, C, and D. For the purposes of the Resort Master Plan, short-term rental means the rental of all or a portion of a house, townhouse, condominium, apartment, or other residence for less than thirty (30) days. Free-market rentals mixed with affordable and employee units will help create a vibrant Village Core and will contribute to the economic vitality of both the Teton Village Resort and the Town of Jackson.

No time-share or fractional product will be permitted, except for within the Townhouse C Sub-Tract and Townhouse D Sub-Tract, which may be developed as whole ownership or fractional product. No more than one hotel is permitted.

The applicant with input from Teton County Weed and Pest and a representative of the University of Wyoming developed and will implement a plan to control noxious weeds and mosquitos on the site.

The Leadership in Energy and Environmental Design (LEED™) Green Building Rating System represents the U.S. Green Building Council's standard for what constitutes a "green building." Developers will be encouraged to follow LEED™ guidelines for the construction of commercial development.

Acreages given hereon for parcels and or use areas are gross approximations meant for concept and sketch plan level considerations only; more precise acreages for the parcels and use areas will be provided on the final development plans for each of the components of Area 2; final acreages for the parcels and use areas will be established by final plats.

A summary of the development program is shown in Exhibit 4-1. A more detailed description of the development program by each of the primary components is outlined in the sub-sections below.

#### EXHIBIT 4-1: DEVELOPMENT PROGRAM SUMMARY

	Village Core	TVSRC
Acreage	43	169
Free-Market Units	98 (see note)	182 (see note)
People in Affordable & Employee Units	365.75 (see note)	0
Local Commercial	10,000	0
Resort Support Uses	YES	YES
Institutional Uses	YES	YES
Other	Village Plaza Village Green	Fish Creek Park

Note: This table does not show the 60,000 square feet of commercial space which may be added to the Village Core in Area 2 if it is transferred from Area 1.

Note: The 365.75 people in affordable and employee units shown in this table does not include the 6.00 people housed off site (Shooting Star Golf Course).

Note: The table does not reflect the fact that up to 30 free-market units located on Townhouse B Sub-Tract may be transferred to the Village Core.

The Area Use Schedule for Area 2 is shown in Exhibit 4-2 below.

## EXHIBIT 4-2: AREA USE SCHEDULE

	Single-Family Sub-Tract	Townhouse Sub-Tracts	Village Core
<b>Residential</b> (see note)			
Conventional Single-Family	Y	Y	Y
Single-Family Subdivision	Y	Y	Y
Multi-Family Residential	N	Y	Y
Multi-Family Affordable	N	N	Y
Employee Units	Y	N	Y
Accessory Residential Unit	Y	N	Y
Home Occupation	Y	Y	Y
Mobile Home Park	N	N	N
Institutional Residential	N	C	C
<b>Non-Residential Agricultural</b>			
Agriculture	Y	Y	Y
<b>Non-Residential Resort Recreational</b>			
Horse riding, Polo	N	N	N
Skiing	Y	Y	N
Dog sled rides	Y	N	N
Fishing	Y	Y	Y
Heli-Ski port	N	N	N
Tennis	Y	Y	Y
Golf	N	N	N
Resort Support	Y	Y	Y
<b>Non-Residential Institutional</b>			
Institutional	N	C	Y
Utilities	C	C	C
Day Care Center, Group	N	N	Y
<b>Non-Residential Commercial</b>			
Restaurant/Bar	N	N	Y
Hotel/Condos w/support services	N	N	Y
Commercial Retail	N	N	Y
Office	N	T	Y
Local Commercial	N	N	Y
Nurseries	T	T	T
Construction Storage/Staging	T	T	T
<b>Non-Residential Industrial</b>			
Maintenance	N	N	N
Gravel processing	C	C	N

Y=Permitted By Right, C=Conditional Use, N=Not Permitted, T=Temporary Use, I=Included with Base Use.

Note: Only residential uses are permitted on the Single-Family Sub-Tract, Townhouse A Sub-Tract, Townhouse B Sub-Tract, Townhouse C Sub-Tract, and Townhouse D Sub-Tract located in the Teton Village South Residential Community, except as allowed by the above Area Use Schedule (Exhibit 4-2). Residential uses for the Single-Family Sub-Tract include home occupation, long-term rental, sales and management office and home uses (home business, family day care home, group day care home and cottage industry). Residential uses for the Townhouse A Sub-



Tract, Townhouse B Sub-Tract, Townhouse C Sub-Tract, and Townhouse D Sub-Tract include home occupation, short-term rental, sales and management office and home uses (home business, family day care home, group day care home and cottage industry).

In addition, at the discretion of BOCC, Parcel P uses include infrastructure uses and recreational uses (e.g. tennis courts).

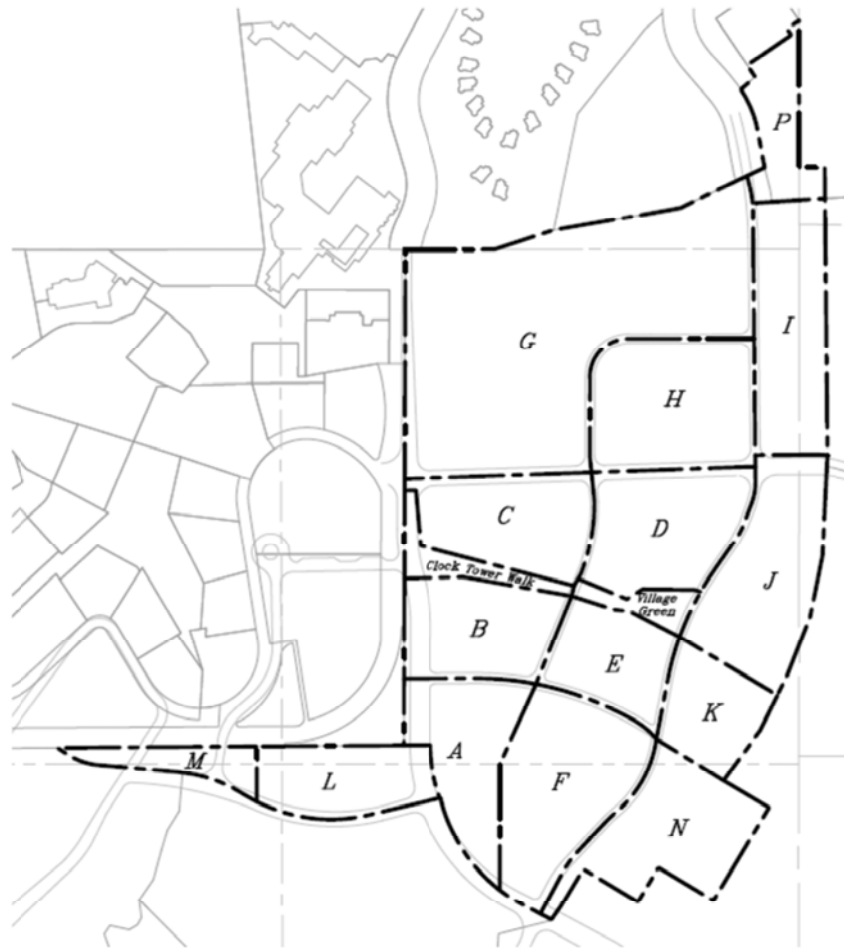
### **Village Core**

The Village Core contains affordable and employee units for 365.75 people, 98 free-market units and 10,000 square feet of Local Commercial space. In addition, up to 30 free-market units located on Townhouse B Sub-Tract in TVSRC may be transferred to the Village Core. Up to 60,000 square feet of commercial space may be added to the Village Core in Area 2 if it is transferred from Area 1. Seventy thousand square feet of commercial space in the Village Core is the maximum amount permitted. The applicant executed a covenant enforceable by the Town of Jackson restricting the Village Core to a maximum of 70,000 square feet of commercial. This deed restriction, subject to existing and future amendment, restatement and/or supplementation, was entered into July 22, 2009 and recorded on October 19, 2009 (Book 742 of Photo, pages 248-253).

The existing village commercial area is fragmented spatially and is further hampered by the relatively steep slopes separating areas of commercial activity. To effectively hold and retain a clientele of local permanent residents as well as seasonal visitors, a flat site adjacent to the existing village containing commercial space is needed. Thirty-five thousand square feet of retail space allows a realistic amount of mercantile diversity to produce synergy and vitality, year round. Thirty-five thousand square feet of office space is large enough to retain residents who need office space in the Village Core, reduce employment-related car trips out of the Village Core and increase Village Core vitality while helping sustain the proposed retail and restaurant development. This amount of space is the minimum necessary to seamlessly tie the new development to the approved development. This location and quantity of commercial space provides the opportunity to create a compact and easily walkable commercial core that is accessible to the existing center.

The Village Core parcels are seen in Exhibit 4-3 below. The location and size of each of these parcels at final development plan approval will be similar, but may not be identical, to their location and size as described in the Resort Master Plan.

#### EXHIBIT 4-3: TETON VILLAGE CORE PARCELS



All of the free-market dwelling units in the Village Core are eligible for short-term rental. Each of the free-market units available for short-term rental can be converted into two hotel, motel or similar lodging units, including hotel suites, that exist as sleeping quarters only and do not contain a kitchen. Average Peak Occupancy ("APO") is the figure used to calculate guest accommodation capacity. A hotel, motel, or similar lodging unit, including hotel suites, that exists as sleeping quarters only, and does not contain other types of living spaces such as a living room or kitchen, shall be assigned an APO of two. A dwelling unit, including those with lock-offs, used for short term rental shall be assigned an APO of four. All other lodging facilities shall be assigned an APO of two. As such, there are 392 APOs in the Village Core. For example, if there are 64 APOs reserved for condominium/hotel units, these could be developed either as a combination of 8 condominium units (4 APOs/unit) and a 16-room hotel (2 APOs/unit) or as a 32-room hotel (2 APOs/unit), or some combination of the condominium and hotel units totaling 64 APOs.

The plaza and surrounding mixed-use space adjacent to the Area 1 (office, retail, restaurant and free-market housing space located in Parcel B and Parcel C) will not be constructed before January 1, 2008.

Approximately 10,500 square feet of institutional uses may be constructed as part of the Village Core. Institutional use storage space is not counted against the 10,500 square feet as long as it



meets all of the following parameters: (1) the storage space is located in a basement (basement means a portion of a building, where the walls extend four feet or less above grade for at least fifty percent of the total perimeter of the building and at no point is more than ten feet above grade); (2) the square footage of the storage space does not exceed the square footage of the first floor; and (3) the design and construction of the storage space meets the storage usage classification as determined by the Teton County Building Department (the storage space shall be classified as storage on the building permit). Institutional uses will include a visitor center, visitor information space, a sheriff's substation, a post office, non-profit office space and other similar uses. Institutional uses also include public and semi-public uses such as public performing space, non-retail oriented visitor centers, non-profit office space, post offices and similar uses; these uses shall not be considered commercial uses.

Resort support uses include facilities that provide amenities or that are utilized to operate the overall resort and may include uses such as daycare facilities, eating areas not specifically associated with an establishment selling food, outdoor eating establishments, Nordic skiing facilities, employee housing, maintenance facilities, offices related to resort operations and similar uses. These uses will include a horse riding facility and are not commercial uses.

#### Use and Program Plan by Parcel

The location of residential units, affordable and employee housing, and commercial space is allocated among 15 parcels within the Village Core. Each parcel has a maximum development program associated with residential units and commercial square footage, allowing flexible development of individual lots while maintaining the same overall limits to development within Area 2. The uses and maximum development by parcel are shown on Exhibit 4-4 and 4-5 below.



**EXHIBIT 4-4: COMMERCIAL, FREE-MARKET, AFFORDABLE AND EMPLOYEE, INSTITUTIONAL  
AND RESORT SUPPORT USE BY PARCEL**

	<b>Commercial</b>	<b>Free-Market</b>	<b>Employee / Affordable</b>	<b>Institutional</b>	<b>Resort Support</b>
Parcel A	YES	NO	See Note	YES	YES
Parcel B	YES	YES	YES	YES	YES
Parcel C	YES	YES	YES	YES	YES
Parcel D	YES	YES	YES	YES	YES
Parcel E	NO	NO	YES	YES	YES
Parcel F	NO	NO	YES	YES	YES
Parcel G	NO	YES	See Note	YES	YES
Parcel H	NO	YES	See Note	YES	YES
Parcel I	YES	NO	YES	YES	YES
Parcel J	NO	YES	YES	YES	YES
Parcel K	NO	YES	See Note	YES	YES
Parcel L	NO	YES	See Note	YES	YES
Parcel M	NO	YES	See Note	YES	YES
Parcel N	YES	NO	See Note	YES	YES
Parcel P	NO	NO	NO	See Note	See Note

Note: The additional affordable and employee housing units required by the Board of County Commissioners in their July 12, 2005 approval of the Resort Master Plan are not shown on the above table; the final location of these units will be determined at the Sketch Plan level.

Note: Although Parcel P lies within the Village Core its outright uses are limited to pathways, driveways and roads; underground utilities together with associated above-ground appurtenances and buildings devoted to utility services; and fences. In addition, at the discretion of the Board of County Commissioners, Parcel P uses include infrastructure uses and recreational uses (e.g. tennis courts).

**EXHIBIT 4-5: MAXIMUM COMMERCIAL AND RESIDENTIAL DEVELOPMENT BY PARCEL**

	<b>Square Feet of Commercial</b>	<b>Number of Free- Market Units</b>	<b>Persons in Affordable/Employee Housing</b>
Parcel A	19,500	0	0.00 (see note)
Parcel B	31,500	20 (see note)	36.25 (see note)
Parcel C	40,300	20 (see note)	53.00 (see note)
Parcel D	14,000	18 (see note)	99.50 (see note)
Parcel E	0	0	85.75 (see note)
Parcel F	0	0	69.75 (see note)
Parcel G	0	83 (see note)	0.00 (see note)
Parcel H	0	32 (see note)	0.00 (see note)
Parcel I	9,000	0	130.00 (see note)
Parcel J	0	20 (see note)	75.00 (see note)
Parcel K	0	19 (see note)	0.00 (see note)
Parcel L	0	24 (see note)	0.00 (see note)
Parcel M	0	25 (see note)	0.00 (see note)
Parcel N	10,000	0	0.00 (see note)
Parcel P	0	0	0.00

Note: The additional affordable and employee housing units required by the Board of County Commissioners in their July 12, 2005 approval of the Resort Master Plan are not included on the above table; the final location of these units will be determined at the Sketch Plan level. If any of the 30 free-market units located on Townhouse B Sub-Tract are transferred to the Village Core, then the Number of Free-Market Units would increase accordingly.

### **Teton Village South Residential Community**

The development plan for the Teton Village South Residential Community includes 182 free market dwelling units on approximately 169 acres of land. This number does not reflect the fact that up to 30 free-market units located on Townhouse B Sub-Tract may be transferred to the Village Core. Acreages given hereon for parcels and use areas are gross approximations meant for concept and sketch plan level considerations only; more precise acreages for the parcels and use areas will be provided on the final development plans for each of the components of Area 2; final acreages for the parcels and use areas will be established by final plats. The development plan for the area contains: 100 Single-Family Lots and 82 townhouse units. This number does not reflect the fact that up to 30 free-market units located on Townhouse B Sub-Tract may be transferred to the Village Core. All Single-Family Lots are permitted an accessory residential unit. All townhouse units are available for short-term rental.

No Single-Family Lot shall be subject to division or subdivision, except that this sentence shall not prohibit the combination of two lots into one lot or boundary adjustments among lots. No rental of a guest house separate from a principal residence is permitted on any Single-Family Lot, except when a guest house is rented as an ARU pursuant to current Teton County Regulations. This restriction will be included in the Declaration of Covenants, Conditions, and Restrictions ("CCRs") for the Single-Family Lots.



## Section 5. Dimensional Limitations Schedule

Design adjustments and modifications to the Resort Master Plan may be submitted to the Planning Director for approval as outlined in Section 17, Amendment of and Minor Deviation from the Resort Master Plan.

### Village Core

Each parcel within the Village Core is defined by a set of dimensional limitations that limit total parcel acreage, Landscape Surface Ratio ("LSR"), gross density, Floor Area Ratio ("FAR"), side yard setback, rear yard setback and maximum building height. These limitations ensure that the overall design has a seamless transition from Area 1 into Area 2. These dimensional limitations gradate height and density from higher at the Village Core to lower at the edge of the development. In addition, these dimensional limitations, in concert with the design standards outlined in Section 6 Design Standards help create a central area at the base of the mountain with a village atmosphere, a sense of place, and a walkable environment. Clock Tower Walk is the plaza located between Parcel B and Parcel C that will connect the Clock Tower to the west edge of Saratoga Road. The dimensional limitations for the Village Core are shown in the exhibits below.

The dimensional limitations in the exhibits below do not account for the additional affordable and employee housing units required by the Board of County Commissioners in their July 12, 2005 approval of the Resort Master Plan. As such, these limitations can vary in accordance with the addition of these units when their location is determined at the sketch plan level.

**EXHIBIT 5-1: AREA RANGE AND MAX HEIGHT**

	<b>Area Range (acres)</b>	<b>Maximum Height (feet) (see note)</b>
Parcel A	(2.2-2.4)	35.0
Parcel B	(2.0-2.4)	50.0
Parcel C	(2.3-2.5)	50.0
Parcel D	(2.5-2.9)	30.0 (see note)
Parcel E	(1.5-2.0)	30.0 (see note)
Parcel F	(3.1—3.5)	30.0
Parcel G	(9.5-10.6)	62.5
Parcel H	(3.0-3.4)	62.5
Parcel I	(2.3-3.3)	30.0
Parcel J	(2.6-3.6)	35.0
Parcel K	(1.3-1.6)	35.0
Parcel L	(1.7-1.9)	50.0
Parcel M	(0.7-0.9)	50.0
Parcel N	(2.5-2.9)	35.0
Parcel P	(1.0 – 1.4)	25.0
Clock Tower Walk	(0.50-0.70)	25.0
Village Green	(0.40-0.60)	20.0

Note: Towers designed as architectural features may be allowed up to a maximum height of 50 feet.

Note: For Parcel D and E a building height up to 50 feet shall be allowed for the area at southwest corner of Parcel D and for area at northwest of Parcel E.

**EXHIBIT 5-2: BASE LSR, MAX GROSS DENSITY, AND FAR**

	<b>LSR</b>	<b>Max Gross Density (du/ac)</b>	<b>FAR</b>
Parcel A	0.23	0.0	0.75
Parcel B	0.11	6.3	1.00
Parcel C	0.14	14.9	1.00
Parcel D	0.25	16.9	1.00
Parcel E	0.24	29.8	1.00
Parcel F	0.32	22.5	0.75
Parcel G	0.60	10.6	1.00
Parcel H	0.51	10.2	1.00
Parcel I	0.37	54.5	1.00
Parcel J	0.37	11.0	0.75
Parcel K	0.51	4.1	0.75
Parcel L	0.43	12.2	1.00
Parcel M	0.54	16.9	1.00
Parcel N	0.57	0.0	0.75
Parcel P	0.37	0.0	0.75
Clock Tower Walk	0.00	0.0	0.25
Village Green	0.90	0.0	0.00

Note: Maximum Gross Density is measured in dwelling units per acre and applies only to purely residential structures and residential units in mixed-use buildings.

Note: The additional affordable and employee housing units required by the Board of County Commissioners in their July 12, 2005 approval of the Resort Master Plan are not included in the above table; as such, LSR and Max Gross Density can vary in accordance with the allocation of these additional affordable and employee persons housed to specific parcels.

Note: Incidental structures such as toilets, shelters, and playground equipment within parks and open spaces are not included in FAR calculations. Floor Area Ratio applies only to commercial office, retail and restaurant uses. FAR does not apply to parking structures or parking levels; basements; elevator shafts, except for the space taken up by the elevator on one floor; or stairways, except for one landing. Basements are excluded from the maximum floor area calculations.



### EXHIBIT 5-3: STREET, SIDE AND REAR YARD SET BACKS

	Street Yard (feet)	Side Yard (feet)	Rear Yard (feet)
Parcel A	10.0 (TV Entrance Road) 10.0 (Tram Line Road)	5.0	5.0
Parcel B	10.0 (Saratoga Road) 10.0 (TV Entrance Road) 12.0 (Clock Tower Walk) 10.0 (Tram Line Road)	7.5 (Fronting Clock Tower Walk) 5.0 (All Others)	5.0
Parcel C	10.0 (Saratoga Road) 10.0 (TV Entrance Road) 3.0 (Clock Tower Walk) 10.0 (Apres Vous Road)	7.5 (Fronting Clock Tower Walk) 5.0 (All Others)	5.0
Parcel D	10.0 (Apres Vous Road) 10.0 (Saratoga Road) 10.0 (Crystal Springs Road) 10.0 (Village Green)	5.0	5.0
Parcel E	10.0 (Saratoga Road) 10.0 (Tram Line Road) 10.0 (Crystal Springs Road)	5.0	5.0
Parcel F	10.0 (Tram Line Road) 10.0 (Crystal Springs Road)	5.0	5.0
Parcel G	12.0 (Apres Vous Road) 15.0 (Saratoga Road) 12.0 (Granite Loop Road)	10.0	15.0
Parcel H	12.0 (Apres Vous Road) 15.0 (Saratoga Road) 15.0 (Granite Loop Road)	10.0	10.0
Parcel I	12.0 (Apres Vous Road) 15.0 (Granite Loop Road)	10.0	20.0
Parcel J	10.0 (Apres Vous Road) 10.0 (Crystal Springs Road)	5.0	10.0
Parcel K	60.0 (Crystal Springs Road)	5.0	25.0
Parcel L	30.0 (Teton Village Road) 15.0 (Village Drive)	5.0	20.0
Parcel M	30.0 (Teton Village Road) 15.0 (Village Drive)	5.0	20.0
Parcel N	40.0 (Crystal Springs Road)	45.0	30.0
Parcel P	10.0 (Granite Loop Road)	5.0	5.0
Clock Tower Walk	10.0 (Crystal Springs Road) 12.0 (Apres Vous Road)	15.0	15.0
Village Green	10.0 (Saratoga Road) 10.0 (Crystal Springs Road)	15.0	15.0

Note: The following are the allowable street yard encroachments: porches, a maximum of 7 feet; bay windows, a maximum of 4 feet; roof overhangs, and eaves a maximum of 2 feet; chimneys and fireplaces, a maximum of 2 feet; steps and handrails a maximum of 7 feet; driveways that serve as parking areas a maximum of 10 feet; fences and railings a maximum of 7 feet or further if required by code; planters and retaining walls no higher than 2 foot 6 inches; pilasters, columns

and other structural elements not related to a porch, a maximum of three feet; signs (wall, projecting and monument), exterior lighting and other similar appurtenances approved by the Planning Director. Public walks or paths, and private walks or paths that cross a street yard and provide access from a public path or walk to a unit or lot have no setback requirement and can encroach fully within the setback. Porches shall not be enclosed to create an interior space. These encroachments apply to all parcels unless stated otherwise.

Note: For street yard, side yard and rear yard setbacks within the Scenic Resources Overlay Zone, all buildings, parking structures and surface parking that may be viewed from Highway 390 must be setback a minimum of 350 feet from the roadway edge. The only exceptions to this 350-foot setback requirement shall be buildings associated with a horse riding facility, which shall either include character-setting architecture or be screened by landscaping.

Note: For street yard, side yard and rear yard setbacks where ground floor levels incorporate one-level residential units, these units shall be buffered from adjacent public right-of-way by porches, balconies, or a minimum of 10 feet wide landscaped buffer for at least 25% of its right-of-way frontages.

Note: For street yard, side yard and rear yard setbacks the category of limited structures includes above-ground appurtenances of below-ground utilities. These shall include wellheads, power, communications, energy, and drainage utility facilities, shall be enclosed in architectural envelopes consistent with the architectural design standards for the project, and shall not be larger than 500 square foot in footprint without review and approval by the governing architectural review committee.

Note: For side yard setbacks the following are allowable encroachments: fences no higher than 6 feet; roof overhangs and eaves, a maximum of 2 feet; chimneys and fireplaces, a maximum of 1 foot.

Note: For rear yard setbacks the following are allowable encroachments: roof overhangs and eaves, a maximum of 2 feet; yard fencing a maximum of 15 feet.

## **Teton Village South Residential Community**

### **Single-Family Lots**

The Single-Family Lots have been individually designed based on views, streams, topography and relationship to other development. Each lot will have a specific building envelope defined on a separate map of survey recorded in the Teton County Clerk's office that will define the setbacks for the lot. As stated in the single-family CCRs there are specific exceptions as to what improvements can extend beyond the building envelope and to what degree. The original CCRs, subject to existing and future amendment, restatement and/or supplementation, were recorded August 8, 2007 (Book 673 of Photo, pages 1145-1165). These exceptions include parking areas, fire pits, patios (including hot tubs and pools situated within or upon such patios), retaining walls, and fences enclosing a vegetable garden, which can extend beyond the building envelope one-half the width of the setback or 15 feet, whichever is less. In addition, eaves, balconies, decks or porches are allowed to extend beyond the building envelope one-half the width of the setback



or 6 feet, whichever is less. Also, temporary fencing anywhere on a lot for construction envelopes and to protect landscaping from deer and moose until it is established is allowed. All improvements allowed in the setback shall be less than 4 feet in height, except special purpose fencing. The setback from Fish Creek will be 50 feet for the portion of Fish Creek south of Bowman Road and 33 feet from Fish Creek north of Bowman Road. These setbacks will be defined by the building envelopes and once determined will become the setback of record. The building envelope for Single-Family Lots adjacent to Fish Creek south of Bowman Road will be 50 feet from the mean high water mark, or from the top of the bank, whichever is farthest from the thread of the stream as measured on July 12, 2006. The building envelope for Single-Family Lots adjacent to Fish Creek north of this road will be 33 feet from the mean high water mark, or from the top of the bank, whichever is farthest from the thread of the stream as measured on July 12, 2006. Although the separate easement regulated by the ACOE described in the Environmental Analysis, Appendix E, subject to existing and future amendment, restatement and/or supplementation, and recorded as that Declaration of Covenant for Stream Project and Buffer Area (Book 663 of Photo, pages 91-11), is measured from the centerline of the creek, defining the setbacks through the building envelopes utilizing mean high water mark or top of the bank ensures that setbacks are consistent with the Teton County LDRs.

In general, the street setback is 50 feet, side setback 30 feet and rear setback is 40 feet, but in some cases the setback are less due to specific design considerations. However, in all cases the building envelope will be at least 50 feet from the existing boundary with Ellen Creek subdivision or Area 1. The minimal LSR will be 0.5. No building shall exceed 30 feet above finished grade, as measured and defined by the LDRs. Due to the irregular shape of the lots an overall Floor Area Ratio is not practical, instead maximum square footage limitations for houses are used. These maximum square footages for each of the lots are shown below.

- Three lots                5,000 Habitable square feet; 6, 450 total square feet
- Seven lots                6,000 Habitable square feet; 7,700 total square feet
- Twenty one lots        7,000 Habitable square feet; 8,850 total square feet
- Sixty nine lots         8,000 Habitable square feet; 10,000 total square feet

Townhouse A Sub-Tract, Townhouse B Sub-Tract, Townhouse C Sub-Tract, Townhouse D Sub-Tract, and Fish Creek Park

The dimensional limitations for Townhouse A Sub-Tract, Townhouse B Sub-Tract, Townhouse C Sub-Tract, Townhouse D Sub-Tract and Fish Creek Park are shown in the Exhibit 5-4 below.

**EXHIBIT 5-4: TOWNHOUSE DIMENSIONAL LIMITATIONS**

	<b>FAR</b>	<b>LSR</b>	<b>Street Setback (feet)</b>	<b>Side Setback (feet)</b>	<b>Rear Setback (feet)</b>	<b>Fish Creek Setback (feet)</b>	<b>Max Height (feet)</b>
Townhouse A Sub-Tract	0.36	0.55	20	10	20	NA	30
Townhouse B Sub-Tract	0.32	0.65	20	NA	(see below)	NA	30
Townhouse C Sub-Tract	0.36	0.55	20	10	30	NA	30
Townhouse D Sub-Tract	0.36	0.55	20	10	30	NA	30
Fish Creek Park	0.00	0.9	(see below)	(see below)	(see below)	NA	20

Note: Basements are excluded from the maximum floor area calculations.

Note: Townhouse B Sub-Tract units will be set back 50 feet from the McCollister Drive right-of-way, the western boundary of the project and from the existing boundary with Ellen Creek subdivision or Area 1.

Note: For Fish Creek Park incidental structures such as toilets, shelters, and playground equipment are not included in FAR calculations.

Note: For Fish Creek Park there is a 10-foot setback from Teton Village Entrance Road, a 10-foot setback from Crystal Springs Road, a 30-foot setback from common lot line with Townhouse A Sub-Tract and a 15 foot setback from other Lot lines.

Note: For Fish Creek Park the category of limited structures, which are allowed in the setbacks, includes above-ground appurtenances of below-ground utilities. These shall include wellheads, power, communications, energy, and drainage utility facilities, shall be enclosed in architectural envelopes consistent with the architectural design standards for the project, and shall not be larger than 500 square foot in footprint without review and approval by the governing architectural review committee.

Note: For Townhouse A through D Sub-tracts the following are the allowable encroachments: uncovered decks, unenclosed porches, patios, and balconies may encroach into a street yard setback by not more than six feet; cornices, canopies, eaves, unenclosed porches, balconies, bay windows, chimneys, and similar architectural features may encroach into a side or rear yard setback not more than four feet; patios and uncovered decks may encroach into a rear yard setback not more than six feet; fire escapes may extend into a side or rear yard setback by not more than four feet; above-ground appurtenances of underground utilities such as transformers and utility vaults may encroach into side yard, rear yard and street yard setbacks; and fences and retaining walls are permitted provided they do not exceed six feet in height in side and rear setback areas and four feet in height in street yards.

Note: Impervious surfaces (including roads, driveways, parking areas, sidewalks and pathways) are allowed to encroach into one-half the required setback for primary structures from any property line or road right-of-way (street lot line), except that: no setback shall be required where a driveway must cross a street lot line setback to provide access to the lot; and no setback shall be required within the shared driveway easement from the common property line of the parcels served by the shared driveway easement.



## Section 6. Design Standards

Minor Deviations to the Resort Master Plan may be submitted to the Planning Director for approval as outlined in Section 17, Amendment of and Minor Deviation from Resort Master Plan. The Village Core Design Standards are shown in Appendix G. The master signage plan and overall design standards outlining the design intent for the entire Teton Village South Residential Community are included as Appendix H.

### Single-Family Design Standards

Incorporated within the CCRs for the Single-Family Lots are the design standards. Included in the CCRs is a real estate transfer fee that creates an ongoing and growing funding source for open space preservation. Such a transfer fee is implemented on Single-Family Lots or homes built on these lots in the Single Family Sub-tract of Area 2. The transfer fee will be implemented through the CCRs for these residential units. The timing and size of the transfer fee is seen below.

<b>Date of Disposition</b>	<b>Percentage</b>
During the calendar year 2007	1/7 of 1%
During the calendar year 2008	2/7 of 1%
During the calendar year 2009	3/7 of 1%
During the calendar year 2010	4/7 of 1%
During the calendar year 2011	6/7 of 1%
During the calendar year 2012	6/7 of 1%
On or after 2013	1%

## Section 7. Transportation and Demand Management Plan

### Transportation Facilities and Management

The transportation system is comprised of the roadway network system, pedestrian and pathway system and transit system. The design of the transportation system contributes to the character of the area. Roads, pathways and transit systems affect the quality of life and safety of the residents and visitors.

The Area 2 transportation system supports mode choice, minimizes parking requirements and increases safety for pedestrians and bicyclists. The transportation plan for Area 2 is closely aligned with the transportation goals of Area 1 and incorporates the following goals:

- Provide separate and clearly defined entries to the Teton Village Resort's commercial, residential and parking areas; separate commercial traffic, residential traffic and resort-parking traffic.
- Minimize single-occupancy automobile traffic on Highway 390 by enhancing transit and non-motorized transportation options.
- Minimize parking needs by encouraging internal and external transit ridership and providing a well-connected pathway system.
- Optimize the internal transportation network for automobiles, transit and non-motorized modes with a subtle "grid" of roadways and pathways.
- Promote a strong sense of community through design that emphasizes connectedness rather than separation and exclusion.
- Reduce traffic volumes on the steep section of McCollister Drive by providing an alternative access point for the Michael Drive and Rachel Way residential area.
- Provide a comprehensive pathway and sidewalk system within the residential and mixed-use areas including connections between residential areas and the Village Core.
- Use pathways to connect cul-de-sac and dead-end streets with other cul-de-sac streets and regional pathways.
- Provide pathway connections from the internal pathway system to existing trails, such as the Moose-Wilson Trail and potential trails along Fish Creek Road and the Bridger Teton National Forest.
- Require that employees park at the Stilson parking lot.
- Provide pedestrian connections from adjacent land uses to all transit stops.
- Provide sufficient bike racks in all commercial areas and public facilities.

The proposed roadway alignments are shown in the Traffic Plan, Appendix I. The road system in the Village Core is planned as a modified grid. The redundant nature of this system will provide users with multiple access routes, help minimize overloading of the primary roads, alleviate congestion at the intersections, provide flexibility and choice and enhance opportunities for other travel modes.



The conceptual road sections for the Village Core and mixed-use areas are found in Appendix J. The proposed roadway cross-section plans shall be considered conceptual only and shall be modified, if necessary, to conform to Teton County roadway standards that exist at the time of receipt of applications for appropriate permits from Teton County to construct each roadway. A transportation study and supporting memoranda for Area 2 are included as Appendix K.

#### Teton Village Resort Access

The existing entry to Area 1 (TC 22-06) was abandoned in 2013 and replaced by Apres Vous Road. The new roads include the realigned main entrance road, Teton Village Entrance Road and the north access road, Apres Vous Road. This system gives motorized and non-motorized traffic options for accessing and exiting different areas. At intersections with Highway 390, additional turning-acceleration-deceleration lanes may be built if required by the Wyoming Department of Transportation ("WYDOT").

#### **Transportation Demand Management Strategies**

The purpose of a Transportation Demand Management ("TDM") program is to establish strategies that influence travel mode choice and minimize the use of single-occupant vehicles. These strategies are typically a combination of incentives toward transit and non-motorized modes and disincentives toward single-occupancy vehicles. These TDM strategies are often financially based but can also utilize other management techniques such as marketing and housing.

The primary goal is to reduce traffic congestion by reducing vehicular trips. JHMR has already implemented some strategies as part of Area 1. This proposal will adopt all of the existing strategies, as appropriate, and introduce several new strategies in order to minimize daily automobile trips. The combination and emphasis of these strategies may be altered over time depending upon the results of TDM monitoring.

Commercial properties within Area 2 that are included in the Teton Village Association service area will be subject to the TDM strategies approved in the existing Area 1.

#### Existing Strategies

- Provide season bus passes to employees of any new, approved commercial development. These passes will be provided at no cost to the employees.
- If expanded to include the entire TVA, provide "Carpool Bucks" to employees. This program offers merchandise at participating retailers as a reward for carpooling by employees who cannot access transit. Currently, this program is only available to JHMR employees.
- Require employees who choose to drive, regardless of the above incentives, to park at the Stilson Lot. This shall apply to employees of any new office, retail or restaurant development on lots or tracts that are annexed into TVA. Employees whose work schedules require arriving or departing when transit is not available to the Stilson Lot may be exempt from this requirement.

- Provide free parking at Stilson Ranch, with a free round trip shuttle service to the Teton Village Resort.
- Use marketing and promotion to encourage use of modes of transportation other than automobiles. Information regarding transit and other travel modes will be made available to visitors and residents through the TVA, individual lodging facilities and JHMR marketing. The information will describe the availability of alternative modes of travel, such as bus, shuttle and trails and the lack of need for an automobile.

In addition to the strategies above, the Resort Master Plan will incorporate several additional techniques:

- Except for roads that are designed to standards that accommodate shared use, provide pathways either adjacent to or separate from all roads to facilitate pedestrian access to and from the residential and commercial areas; emphasis will be placed on connecting residential areas to the commercial areas.
- Provide pathway connections to the Rachel Way and Michael Drive residential area.
- Cluster development from a large area and place it adjacent to an existing developed area with public transit.
- Connect Michael Drive to the current Bowman Road to improve traffic flow and optimize transit opportunities for the residential areas.
- Incorporate pedestrian facilities completely into all new development.
- Provide site mail delivery, or home delivery, to minimize trips to and from the Village Core.
- Provide site garbage and recycling pickup areas to minimize trips to and from the Village Core or have home pickup.

Prior to the approval of development plans for areas in Area 2, a construction management plan that specifies operational requirements necessary to mitigate traffic impacts on community roads is required to be submitted to Teton County for review and approval. Mitigation of construction traffic shall be controlled by the approved TDM practices in existence at the time of approval.

At build-out a minimum of 151 employees to be housed in the proposed employee housing units shall be employed by businesses located in Teton Village. Prior to the issuance of Certificates of Occupancy for employee housing units the applicant shall provide a mechanism for monitoring and enforcing this restriction, which shall be approved by the Planning Department.

The transportation study calculates the demands and needs for the Teton Village Resort, Transportation Study (Appendix K).

### **Transportation Demand Management Monitoring**

The TDM program consists of a variety of strategies that may need to be altered over time in order to insure effectiveness. TVA or JHMR monitors the program every summer and winter.



Results are provided to Teton County every two years for their review. That portion of Area 2 that is included in the TVA service area will participate fully in the monitoring program.

## **Village Traffic Plan**

### Roadway Plan

In general, the Teton Village Entrance Road will be the primary entrance to the Teton Village Resort. Locals, delivery vehicles, transit and other commercial traffic will be expected to use Apres Vous Road rather than Teton Village Entrance Road when accessing the Village Core. Crystal Springs North Road and the new Teton Village Entrance Road will be the primary north-south connector routes in the Village Core. Crystal Springs Road will provide the primary north-south connector to the residential areas. These proposed roadway alignments are shown in the Traffic Plan, Appendix I.

The internal and external transit plan for Area 2 is shown on the Transit Plan, Appendix L. TVA and TVISD will determine the ultimate extent of local transit service. On-call transit service will be available to outlying residential areas.

### Trail and Sidewalk Plan

The trails and sidewalks are shown on the Trail Plan, Appendix M. In general, ten-foot wide paved pathways and six-foot wide sidewalks parallel all roads in the Village Core and higher volume roads in the proposed residential areas. Pathways and roads will be shared facilities along the lower volume, local roads such as Bowman Road, Coyote Creek Road, Jensen Canyon Road and Four Pines Road. Walking and horse trails will connect to adjacent national park and national forest lands. An easement shown from the south end of Coyote Creek Road to the Ellen Creek Subdivision open space boundary will allow for a potential future pathway connection to Fish Creek Road. Easements from other landowners will be required before this pathway can be completed. The one-lane local transit and call service road between Jensen Canyon and Bowman Road is also a pathway connection, allowing for an additional, non-automobile connection between the residential areas and the Village Core. As with the road and transit facilities, users have multiple options available.

### Day Skier Plan

Sidewalks are attached to all Village Core roads. There are also Village Core pedestrian routes within the Village Green and along Saratoga Road. Visitors driving into the Teton Village Resort are expected to enter via Teton Village Entrance Road. From Teton Village Entrance Road they may access the lower structured parking at the ski area base via Crystal Springs Road or other parking areas, lodging, and commercial facilities from Teton Village Entrance Road.

## **Parking Program**

### Teton Village South Residential Community

Parking will be provided on each Single-Family Lot and townhouse to comply with the LDRs.

### Village Core

The parking standards for unit type is as shown in the Parking Standards Table Exhibit 7-1, below. The individual developer of each parcel shall be responsible for providing required parking concurrent with the development of each parcel. The Teton County Planning Director shall have the authority upon request by an applicant to reduce the parking standard for a particular development based on information from sources deemed reliable by the Planning Director that demonstrate that a reduced standard is workable based on anticipated parking demand and the availability of alternative transportation services. For residential uses not listed in Exhibit 7-1 the parking requirement shall be determined by the Teton County Planning Director based on the parking requirements for that use in Exhibit 7-1 determined by the Planning Director to be most similar to the use that is not listed, subject to the authority of the Planning Director to vary those standards as set forth above. For Commercial uses other than those listed in Exhibit 7-1, the parking requirement shall be determined by the Teton County Planning Director based on the parking requirements for that use determined by the Planning Director to be most similar to a use in Exhibit 7-1. If no use listed in Exhibit 7-1 is determined appropriately similar, the Planning Director will make the similar use determination based on parking requirements as listed in the LDRs, subject to the authority of the Planning Director to vary those standards as set forth above.

**EXHIBIT 7-1: PARKING STANDARDS TABLE**

	<b>Parking Ratio</b>
<b>Commercial</b>	
Retail-Grocery	6 per 1,000 SQF
Retail-Non Grocery	5 per 1,000 SQF
Office (includes non-profit)	3.3 per 1,000 SQF
Post Office	5 per 1,000 SQF
Visitor Center, Horse Riding Center and Other Institutional	3.3 per 1,000 SQF
<b>Residential Units</b>	
Dorm-Style Units and Small Studio Units (less than 450 SQF)	1.00 per Unit
Large Studio Units (450 SQF and larger) and Studio-One Units	1.25 per Unit
One-Bedroom Unit	1.75 per Unit
Two and Three Bedroom Unit	2.50 per Unit
Single-Family, Stand-Alone Units, Townhouse Units	2.00 per Unit



### **Loading Program**

All structures, or complex of structures, within Area 2, which have a gross floor area of 5,000 square feet or more and which contain uses that require deliveries or shipments shall provide off-street loading facilities in accordance with the LDRs.

### **Public Transportation**

The Resort Master Plan will support the START system in several concrete ways. First, in cooperation with JHMR and the applicant, TVA will provide a transit center within walking distance of the lifts.

Second, the applicant, with input from START Transit Administrator, has proposed a series of short-term and long-term actions to improve the START system.

- Apply up to \$40,000 toward construction of two new START transit stop shelters, one in the Town of Jackson and one in the Teton Village Resort. These funds should be more than sufficient to fund the construction of two standard covered shelters. This was paid by the applicant in July 2007.
- Contribute \$10,000 toward a public education program focused on increasing ridership - utilizing newspapers, radio, theaters, the Chamber of Commerce, promotional events, educational brochures and targeting new residents. This was paid by the applicant in July 2007.
- Levy a fee each time a building permit is issued on property (office space, retail space and free-market residential units) within Area 2 – \$360 for single-family detached units and \$325 for all other residential structures. The impact fee for the non-residential units will be \$1,483 per 1,000 square feet of office space and \$1,148 per 1,000 square feet of restaurant and retail space. The impact fee does not apply to non-profit office space. The impact fees are quoted in 2005 dollars; the price will grow annually at the rate of inflation as measured by the CPI-U Denver-Boulder, Colorado as published by the U.S. Department of Labor. The fee is collected by Teton County as part of the building permit application process.
- Levy a fee to help meet the cost of Town of Jackson transportation needs arising from short-term rental units; upon first application to participate in short-term rental, the owner shall pay a fee to the Town of Jackson of \$5,000 for START. If said unit is re-sold, a buyer desiring to participate in the short term rental program shall pay a fee of \$5,000 to the Town of Jackson for START. An inflation factor shall be included in calculation of this requirement above the base amount. The Denver CPI shall be used as the inflation factor
- Implement the fare revenue program designed by the applicant and the START Transit Administrator as outlined in the signed memo included in Appendix N.

## **Section 8. Capital Improvements**

Generally, the applicant will construct on-site public infrastructure required to serve Area 2. Through agreements with TVA, JHMR, TVISD, the United States Postal Service ("USPS") and Teton County, certain additional improvements will be made. Descriptions of these capital improvements, their timing and the agent making the improvements are listed below. In each case, the applicant's responsibility for the transfer of land, the granting of an easement or monetary contribution is contingent upon the execution of an agreement with the agent making the improvement. Further information on conceptual arrangement between the applicant and third parties are included in Section 9 Area 2 Relationship to the Existing Service Districts and Review Committees.

### Fish Creek Park

Fish Creek Park runs south of Teton Village Entrance Road. Fish Creek Park will be improved and transferred to TVA in a fully-improved condition immediately after the construction of residential or retail units on Parcel L and the south side of Parcel A. Thereafter, TVA will be permanently responsible for maintenance, repair and operations of and liability for Fish Creek Park.

### Teton Village Entrance Road and Associated Pathway

The applicant granted a right-of-way across Area 2 to Teton County for the new entrance road, Teton Village Entrance Road.

### Post Office

USPS currently leases its building in Area 1. Once that lease is ended, the applicant agrees to lease land to USPS, which will build the post office building in conformance with the Village Core Design Standards, Appendix G. The applicant will select a local architect to ensure that the architecture is consistent with the design standards. The construction and timing of construction of the post office will be at the discretion of the USPS.

### Reclamation of Fish Creek

As part of the Resort Master Plan, Fish Creek was restored to a more natural, meandering alignment, providing improved fish habitat. Additional ponds and water features were created from the existing irrigation ditches east of Fish Creek and small tributaries west of Fish Creek. The restoration plan for Fish Creek is outlined in the environmental analysis included in Appendix E.

### Single-Family Lot Roads and Associated Pathways

The roads and pathways associated with the Single-Family Sub-tract (Four Pines Road, Crystal Springs Road, Coyote Creek Road and Jensen Canyon Road) were constructed by the applicant in 2009. New Bowman Road, including the reclamation of the old Bowman Road, will be constructed no later than two years after final approval is received from the BOCC for the final plat on the first Townhouse B Sub-Tract unit or Single-Family Lot accessed by Bowman Road. The TVISD will maintain these roads once they are constructed and Area 2 is included within the boundaries of the TVISD.



### Transit Center

The applicant will provide land for a transit center. It is expected that the applicant will transfer to JHMR a parcel of land within Area 2. Thereafter, JHMR would transfer to TVA a similarly-sized parcel, located in Area 1, upon which a transit center ("Transit Center") would be constructed, with possible additional commercial space located within or wrapped around the Transit Center if desired by Teton County. After soliciting information and advice from START as to the optimal location and design, the applicant, JHMR and TVA will propose the exact location of the Transit Center in a joint sketch plan for review and approval by Teton County. If it were determined that the Transit Center should not be located on JHMR lands, the applicant would not transfer land to JHMR for the Transit Center but would rather transfer the land to TVA. The applicant will transfer the land for a transit center to either JHMR or TVA no later than two years after approval from the BOCC for the first final plat for any office, retail or free-market housing on all parcels in the Village Core, excluding Parcel I. Institutional space such as visitor center, sheriff's substation, post office, non-profit office space and other such uses and Resort Support space are not considered "office, retail or free market housing".

It is expected that the Transit Center would include a locker facility and 1,000 square feet of visitor information space.

The Certificate of Occupancy for the Transit Center shall be issued at or prior to any Certificate of Occupancy for any development located on Parcel B, Parcel C or Parcel E. The location, access road alignment to, configuration and design of the Transit Center site shall be subject to acceptance by Teton County and START, through the Planning Director.

Profits generated by the commercial space associated with the Transit Center, if built, would go towards the funding of START operating expenses. The construction, operation and maintenance of the Transit Center will be the responsibility of TVA.

### Transit Stops and Public Education Program

The applicant provided START \$40,000 toward the construction of two new START transit stop shelters. One of these transit stops is to be located in the Town of Jackson and one is to be located in the Teton Village Resort. The exact timing and location of these stops will be at the discretion of START. Funds provided to START were with the intention to support two new transit stops; however, there is no binding obligation by START to use these funds for that sole purpose. The applicant contributed \$10,000 toward a public education program focused on increasing ridership.

### Underground Utilities

New underground utilities (propane, telephone, cable television and power) will reach the property through the existing facilities in Area 1 and, with the exception of access points such as pedestals, valves and manholes, will be buried. The new utilities will generally be located within the road right-of-way to simplify maintenance and will be built in tandem with the development.

All utilities will be installed prior to or in conjunction with road construction. Any existing utilities that conflict with proposed uses will be relocated, removed or abandoned in place. The utility companies will own and maintain their respective equipment that will be located in either road



right-of-way or utility easements that will be granted by the applicant. The specifics of utility design and installation are typically outlined at the next development plan level. The applicant will provide detail after the conceptual design has been approved.

#### Village Green

The Village Green is a park located within the Village Core and is surrounded by residential and commercial buildings. Improvements to the Village Green will be constructed at the same time as adjacent buildings on the southern side of Parcel D and northern side of Parcel E are completed. Once the Village Green is fully improved, the applicant will grant TVA a use easement for the Village Green. Upon receiving the easement for the Village Green, TVA will be solely responsible for the maintenance, operation and security of the Village Green and shall keep it in good order and condition.

#### Village Roads and Associated Pathways

The applicant will be responsible for the construction of the following roads: Apres Vous East Road, Tram Line Road, Saratoga Road North, Saratoga Road South, Crystal Springs Road, Teton Village Entrance Road (between the southwestern most condominiums). Pathways associated with these roads will be constructed at the same time as their corresponding roads. Roads will be constructed pursuant to the Phasing Plan.

The applicant, TVA or Teton County, will build the roads and pathways associated with the Village Core. In general, pathways are built at the same time and by the same party as the corresponding roads. Apres Vous Road was built in 2013. Tram Line Road will be built by the applicant; the timing to build Tram Line Road will be determined at the discretion of the Board of County Commissioners during sketch plan approval for any of the following parcels: A, B, E, and F. The requirement and timing for the applicant to provide to Teton County an easement (up to 60-feet wide) for access from the Tram Line Road alignment east of Crystal Springs Road to the southwest corner of the exaction parcel will be determined at the discretion of the Board of County Commissioners upon the first of the following to occur: (1) the construction of Tram Line Road is required by the Resort Master Plan; (2) a building permit is issued by Teton County for either Parcel K or Parcel N; or (3) a determination by the Board of County Commissioners that a connection is warranted by the development of a school, park, or fire house on the exaction parcel. This access may be in the form of an access road, driveway, and/or non-motorized pathway. The County Attorney shall review and approve the easement prior to recordation. The County shall be responsible for constructing any access improvements within the easement, although if the applicant desires to construct a portion of the access at the time of development of Parcel K or Parcel N, they may do so in coordination with Teton County. Saratoga Road North will be built by the applicant as soon as free-market units lying adjacent to this road on Parcel G and Parcel H are built. Saratoga South Road will be built by the applicant as soon as certain commercial space, affordable units or employee units along the west side of the road on the east side of Parcel C and Parcel B are built. The applicant will build Crystal Springs Road (north of intersection with Teton Village Entrance Road) as soon as certain free-market units, affordable units, employee units, commercial space or institutional space lying adjacent to this road on Parcel J, Parcel K, the east side of Parcel E, the west side of Parcel N, and the east side of Parcel F are built. Crystal Springs Road will be built as soon as the new post office or local convenience grocery store is built. The applicant will build Teton Village Entrance Road Connector between



the southwestern most condominiums as soon as any of the free-market units lying adjacent to this road are built on Parcel L and Parcel M. Completed roads and associated pathways will be dedicated to TVA, which will then be responsible for the maintenance of all Village Core roads and associated pathways, except for Teton Village Entrance Road from Highway 390 to the boundary of the residential improvement and service district, which will be the maintenance responsibility of Teton County. A total of 0.33 acres of the Apres Vous Road dedication will be counted toward the applicant's mandatory dedication of land pursuant to the LDRs, Division 49500.

#### Visitor Center and Sheriff's Substation Site

The applicant will transfer land associated with the Visitor Center and Sheriff's Substation Site to TVA and Teton County, respectively. The applicant will transfer this land in fee to TVA and Teton County no later than three years after approval is received from the BOCC for the first final plat for any office, retail or free-market housing on all parcels in the Village Core, excluding Parcel I. Institutional space such as visitor center, sheriff's substation, post office, non-profit office space and other such uses and Resort Support space are not considered "office, retail or free market housing". TVA and Teton County will be responsible for constructing, operating and maintaining their respective facilities. The Sheriff's Substation Site shall be allowed to accommodate other Teton County needs as deemed appropriate by the BOCC (e.g. Search and Rescue, Jackson Hole Fire/EMS). The timing of construction of these facilities is at the discretion of TVA and Teton County. The acreage associated with the sheriff's substation site will be counted toward the applicant's mandatory dedication of land pursuant to the LDRs, Division 49500.

#### Teton Village Fire District Site

Although neither the Teton County Planning and Development Department nor the applicant received any official request by the Teton Village Fire District ("Fire District") for one acre of land, the applicant will commit to a one-acre set-aside for the Teton Village Fire District if it is needed. Land will be committed to potential use by the Teton Village Fire District up until submittal of the sketch plan application to Teton County for the Village Core. Since decisions involving fire protection services have a community wide impact, it is important that both the Teton Village Fire District and the BOCC are involved in decisions related to the potential use of this land. If the Teton Village Fire District and the BOCC both agree that this land is needed for additional fire services, then up to one acre of land (the exact acreage should be agreed upon by the Teton Village Fire District and the BOCC) will be transferred to the Teton Village Fire District before final development plan approval for the Village Core. This exaction land may be subtracted from the 12-acre village park land.

## **Section 9. Area 2 Relationship to the Existing Service Districts and Review Committees**

There will be no new improvement or service districts created as part of this proposal.

Area 2 will be included within the boundaries of the improvement or service districts that currently serve Area 1, including the TVWSD, the Fire District, TVA and TVISD. That portion of Area 2 within these improvement and service districts is referred to below as the "District Area." While the boundaries of TVWSD and the Fire District will be expanded to include the entire District Area, the boundaries of TVA and TVISD will be expanded as follows: all of the land within the District Area north of Teton Village Entrance Road, with the exception of Parcels J and K, will be annexed into TVA and all of the land within the District Area south of Teton Village Entrance Road, plus Parcels J and K, will be annexed into TVISD. TVWS and the Fire District annexed the District Area in 2007.

Homeowners associations will be and have been created to provide lands not annexed by TVA or TVISD with the services that the improvement and service district provides until the property is annexed. When annexed the TVA and TVISD will provide the same services to those portions of the District Area within its service boundary that it provides to other areas within its service boundary. Except as outlined and excluded in the Resort Master Plan (e.g. Transit Center, Visitor Center), the applicant is responsible for construction of Area 2 improvements. Within the Village Core, commercial activity in the area between curb lines shall be controlled by TVA and activity in the area from the building line to the curb line shall be controlled by the owner of the lot.

The TVAC is a private entity that was created by and is regulated by the private CCRs that cover Area 1. The Granite Ridge Design Review Committee is a similar private entity covering the Granite Ridge single-family area. Area 2 will have three design review committees, which, collectively will have authority over the entire Area 2, in accordance with the recorded CCRs for Area 2: the Village Core Committee, the South Residential Townhouse and Golf Cabin Committee, and the Single-Family Lots Committee. Each of the Design Review Committees shall have five members. Two of the five members shall be a member common to each of the Design Review Committees: one of the two shall be a licensed architect and the other an appointee by TVAC. The purpose of the TVAC common member and the architect common member is to institutionalize the communication and understanding among all the committees. The Design Review Committees will be given a list of non-palatable plants and encouraged to adopt landscape designs that do not attract moose and elk during the winter months. The goal is to merge the Village Core Committee and the TVAC within 10 years.



## **Section 10. Storm Water, Water, and Sewer Management Plan**

### Storm Water

Storm water flows from the development will be controlled to limit the runoff rate to the predevelopment discharge for the 10 year and 100 year storm events. Storm water areas to be managed include the existing commercial area, Village Core and Teton Village South Residential Community. As such the storm water management plan described below incorporates the existing Area 1 storm water.

The existing commercial area within Area 1 was served by a storm water detention pond that was located more than 1,000 feet south of the Teton Village Entrance Road in an area that is now the Teton Village South Residential Community. The detention pond was relocated to the north side of the Teton Village South Residential Community immediately south of Teton Village Entrance Road in Fish Creek Park. The conveyance swale used prior to the relocation of the pond was filled in and abandoned. Storm water from the Area 1 commercial area has been re-directed to a new pond by a series of gravity-flow pipes. The replacement detention pond provides a comparable area and function to the original pond and was installed in 2007 and subsequently enlarged in 2013.

The proposed mixed-use area will utilize the vegetated swales and numerous small interception ponds. The concept is to retain storm water as close to the source as practicable, rather than transporting it to a central detention area. This method of managing storm water will efficiently utilize the highly permeable soils allowing infiltration to occur. Additionally, it is possible to use vegetation to improve storm water quality. The locations of storm water ponds are shown in the Storm Water Plan, Appendix O. If needed, substantial open space area is available to the east where additional storm water facilities could be located.

Storm water runoff from the residential areas is expected to be minimal. The predominantly flat slopes and the highly permeable soils will keep storm water volumes to a minimum. Individual lots should utilize sheet flow to open areas where infiltration will occur. Storm water will be most effectively managed by retaining it on each lot. In locations where storm water leaves the lot, it will be directed to the edge of the right-of-way where it will percolate into the highly permeable cobblestone soils. Where required, storm water volumes will be detained within the right-of-way or in available areas before being discharged to open areas via vegetated swales. Detention ponds and flow along vegetated swales will limit the runoff rate allowing for sediment capture and improving storm water quality.

During construction and while revegetation efforts are underway, temporary straw bale barriers and silt fences will be constructed and maintained to capture storm water sediments prior to discharging to the creek. The project reclamation effort will include reestablishing plant cover over disturbed soil surfaces to minimize the transport of sediment into Fish Creek.

Throughout the site the grading plan utilizes site grading and landscape berms that will help disperse and lengthen storm water flow paths and, in turn, minimize or eliminate storm water. Storm water flows that are concentrated at road culverts will utilize detention basins to increase the runoff's time of concentration and limit the runoff rate allowing for sediment capture. Storm

water will be dispersed and percolated as much as possible or directed to grassy swales. Various storm water management techniques will be utilized as storm water moves through the site in order to buffer Fish Creek and preserve its water quality.

#### Water and Sewer

Pursuant to a 1993 agreement with the applicant, the TVWSD provides water supply and wastewater treatment for Area 2. The water supply system for Area 2 is depicted in the Water Plan, Appendix P. In 2009 a transmission main was installed that connects Area 2 water supply system to the existing TVWSD distribution network. This new water main accommodates a future connection near the existing water supply wells. The new water mains within Area 2 will connect to the existing TVWSD system at several points, improving flows within the existing network. Fire hydrants will be spaced at a maximum distance of 500 feet, in accordance with the Teton County Fire regulations. The water distribution system design will be reviewed and approved by the Wyoming Department of Environmental Quality and TVWSD.

The existing TVWSD wastewater treatment plant, which has sufficient capacity, will treat all sewage collected from Area 2. The wastewater collection system is depicted at Sanitary Sewer Plan, Appendix Q. The wastewater collection system design will be reviewed and approved by the Wyoming Department of Environmental Quality and the TVWSD.



## Section 11. Housing Mitigation Plan

The applicant's Housing Mitigation Plan offers four significant benefits to Teton County. First, the quantity of persons housed in employee and affordable housing in the Housing Mitigation Plan exceeds the total persons required to be housed under the guidelines. Second, by establishing two new categories of affordable housing it offers housing to residents who are priced out of market housing, but earn too much to be eligible for Category I, II, and III affordable housing. Third, the affordable and employee housing units are integrated into the Village Core to create a healthy, year-round community. Fourth, a variety of housing types meet the diverse affordable and employee needs of the community.

The LDRs provide guidelines for affordable housing standards for residential and commercial developments. However, in a PUD for Planned Resort, the LDRs provide flexibility in developing an affordable housing plan in order to appropriately address the needs of the community and the impacts of the development. Section 2180.A.2. of the LDRs states that the intent of the PUD for Planned Resort is to "provide flexibility for planning and developing recreational resort facilities in a creative, efficient and coordinated manner in order to provide quality visitor experiences." Section 2180.C.1.a. of the LDRs state that standards for review are set in order "to allow for flexibility and creativity in the master plan and discretionary review thereof." Section 2180.D.1.b. states that "the applicant for a Planned Resort master plan may propose, and the Board of County Commissioners may approve, alternative standards for development that are consistent with the purpose and intent of this Section." This flexibility allows the plan to incorporate factors specific to the resort development, enables the plan to address the greatest housing needs in the area, and supports the ability to be creative in addressing underlying community needs.

Although the Housing Mitigation Plan meets the requirements of the LDRs it deviates in a positive manner to incorporate factors specific to the resort development in order to address the greatest housing needs in the area. These deviations to the requirements are outlined below:

- Excess employee housing is provided, exceeding the guidelines 203%.
- Excess affordable housing is provided for residents who are priced out of market housing, but earn too much to be eligible for Category I, II, and III affordable housing.
- Excess affordable housing is provided through land donations to 501 (c) (3) non-profit organizations.
- Affordable and employee housing is located onsite instead of the historical 20% requirement.

A summary of the persons required to be housed in affordable and employee housing according to the guidelines and the persons housed in affordable and employee housing in the Resort Master Plan are shown in Exhibit 11-1 below.

**EXHIBIT 11-1: PEOPLE HOUSED REQUIRED AND PROVIDED**

	Required (people housed)	Provided (people housed)	Excess Provided
Affordable	110.4	220.5	100%
Employee	49.9	151.25	203%
<b>Total</b>	<b>160.3</b>	<b>371.75</b>	<b>132%</b>

**Affordable and Employee Housing Standards for PUD District for Planned Resort**  
**Commercial Employee Requirement**

The employee housing requirement generated from the commercial space is shown in Exhibit 11-2 below.

**EXHIBIT 11-2: VILLAGE CORE COMMERCIAL EMPLOYEE HOUSING GENERATED**

	Square Feet	Multiplier Per 1,000 SQF	Employee Requirement (people housed)
Office	35,000	.03	1.1
Retail	31,500	.05	1.6
Restaurant/Bar	3,500	1.01	3.5
<b>Total</b>			<b>6.2</b>

Condominiums and Townhouses

Of the 98 units in the Village Core 78 generate an employee housing requirement and 20 generate an affordable housing requirement. Of the 82 townhouses in the Teton Village South Residential Community 48 generate an affordable housing requirement (Townhouse B Sub-Tract and Townhouse A Sub-Tract) and 34 generate an employee housing requirement (Townhouse C Sub-Tract and Townhouse D Sub-Tract).

The employee housing requirement was calculated using the category “other short-term rental” from table 49640.A of the LDRs. The free-market units generating employee housing requirements have a requirement of 0.13 employees housed per bedroom.

Since the number of bedrooms per condominium is not determined until sketch plan, an estimate of the number of bedrooms per unit must be calculated. Section 49440.A. of the LDRs states that comparable developments should be used to arrive at an estimate. The most recent comparable developments at Area 1 are the Teton Mountain Lodge, the Residences at Snake River Lodge and Spa, Crystal Springs and Residences at Four Seasons. The average number of bedrooms for these developments is 1.8. To be conservative, however, it is assumed that each of the proposed condominiums averages three bedrooms per unit.

Teton County’s “Analysis of Number of Bedrooms by Floor Area for Primary Residence (SFD) Building Permit Data Years 1995-2003” does not apply to townhouses. Therefore, the number of bedrooms is estimated at three per townhouse, except for the Townhouse B Sub-Tract units that are estimated at four per unit. This conforms to comparable townhouse developments in Area 1.



There are 98 free-market units proposed for the Village Core; it is assumed in the Housing Mitigation Plan that 91 of these units are condominiums and 7 are townhouse units. However, there is no such requirement. Each of the 98 free-market units can either be a townhouse unit or a condominium unit.

The employee housing requirement generated from the condominiums and townhouses is shown in Exhibit 11-3 below.

**EXHIBIT 11-3: CONDOMINIUM AND TOWNHOUSE EMPLOYEE HOUSING GENERATED**

	Estimated Bedrooms	Units	Multiplier	Employee Requirement (people housed)
Condominiums (Village Core)	3	78	.13	30.4
Townhouses (TVSRC)	3	34	.13	13.3
<b>Total</b>				<b>43.7</b>

The affordable housing requirement generated from the condominiums and townhouses is shown in Exhibit 11-4 below.

**EXHIBIT 11-4: CONDOMINIUM AND TOWNHOUSE AFFORDABLE HOUSING GENERATED**

	Estimated Bedrooms	Units	Persons Housed In Free Market	Affordable Requirement (people housed)
Townhouse B Sub-Tract Units	4	36	135	23.6
Townhouse A Sub-Tract Units	3	12	36	6.3
Condominiums / Townhouses (Village Core)	3	20	60	10.5
<b>Total @ 15% People House</b>				<b>40.4</b>

Single-Family Lots

The Single-Family Sub-tract is composed of 100 market units of various sizes, which are restricted by the single-family CCRs. The total number of persons living in the single-family residential area is 400 persons, creating an affordable housing requirement of 70 persons ( $400 \times 1.175 - 400.5 = 70$ ). The persons housed by the Single-Family Sub-tract are derived by assuming that each lot owner will build the maximum amount of floor area allowed by the CCRs and cross-referencing this number against Table 49440.A, "Number of Persons Housed per Unit," in the LDRs. The estimated number of bedrooms for the single-family unit size was derived from Teton County's "Analysis of Number of Bedrooms by Floor Area for Primary Residence (SFD) Building Permit Data Years 1995-2003."

Total Affordable and Employee Housing Requirement

Based on the guidelines the requirement for Area 2 is 160.3 total persons housed. This requirement is divided into affordable housing for 110.4 persons and employee housing for 49.9 persons.

### **Customized Affordable Housing Plan**

The Housing Mitigation Plan houses a minimum of 371.75 people, 131% greater than the requirement of approximately 160.3 people. Throughout the Housing Mitigation Plan the number of persons housed is based on Table 49440.A, "Number of Persons Housed per Unit" as shown in the third printing October 2002 version of the LDRs. Affordable housing is provided in the traditional categories (Category I, II and III) as well as in two new categories: Employment Based Category IV and Employment Based Category V. The affordable and employee housing units will either be provided by the applicant or provided by 501 (c) (3) organizations on land donated to the organization by the applicant. Except for two units, affordable and employee housing is located on-site.

### **Affordable Housing Provided**

The applicant will house a minimum of 220.5 people in no fewer than 100 affordable housing units, spread across Category I, Category II, Category III, Employment Based Category IV and Employment Based Category V. The Employment Based category addresses the needs of residents who are unable to afford free market housing, but earn too much to be eligible for traditional affordable housing.

A total of 110.5 people will be housed in the traditional affordable housing categories (Category I, Category II and Category III). This is the baseline affordable housing requirement. This baseline requirement is shown in Exhibit 11-5 below.

**EXHIBIT 11-5: BASELINE REQUIREMENT**

	<b>Persons Housed</b>
Category I	31.75
Category II	30.75
Category III	48.00
<b>Total</b>	<b>110.50</b>

Initially, 50% of the people in the affordable housing units above this 110.5 baseline requirement may be developed as Employment Based affordable housing at the option of the developer. This percentage is subject to periodic review and consideration of a request for an increase in percentage by the BOCC based upon updates to the County Housing Needs Assessment, with consultation to the BOCC by the Teton County Housing Authority or the appropriate governmental housing entity or housing department authorized by the Board of County Commissioners ("Housing Authority"). As such, initially a minimum of 55.0 of the remaining 110.0 persons housed in affordable housing units must be housed in traditional affordable housing categories and up to 55.0 of the remaining persons housed in affordable housing units may be housed in Employment Based affordable housing units.

The affordable housing units will either be provided by the applicant or provided by 501 (c) (3) organizations on land donated to the organization by the applicant. The applicant will provide affordable housing units for a minimum of 110.5 people. The applicant will donate land within the Village Core to the St. John's Medical Center to house 35.5 persons in affordable housing. The applicant will donate land within the Village Core to a qualifying 501 (c) (3) to house 28.0



persons in affordable housing. Affordable housing units will either be provided by the applicant or provided by 501 (c) (3) organizations on land donated by the applicant for 13.5 people. The method that these affordable housing units are provided will be at the discretion of the applicant.

The summary of the total required persons in affordable housing by category and type is shown in Exhibit 11-6 below.

#### **EXHIBIT 11-6: AFFORDABLE HOUSING TABULAR SUMMARY**

	<b>Persons Housed</b>
Affordable Category I	31.75
Affordable Category II	30.75
Affordable Category III	48.00
Affordable Employment Based IV	18.00
Affordable Employment Based V	15.00
Land Donated to SJMC   Traditional Categories I, II, III	35.50
Land Donated to 501 (c)(3)   Traditional Categories I, II, III	19.50
Land Donated to 501 (c)(3)   Employment Based IV, V	8.50
Land Donated or Additional Units   Employment Based IV, V	13.50
<b>Total</b>	<b>220.50</b>

The number of persons housed on Land Donated to 501 (c) (3) and Land Donated or Additional Units may be higher than the minimum number of persons to be housed shown above on the chart.

The maximum sales price per unit in 2004 was based on category and number of bedroom and is shown in Exhibit 11-7 below. The maximum sales prices were provided by the Director of the Housing Authority. Subsequent adjustments to these maximum sales prices can, at the request of the applicant, be made by the TCHA at the time of unit sales following changes in the median family income. It is important to note that the prices listed in Exhibit 11-7 are maximum sales prices of the affordable units in 2004 dollars. The applicant will consult with the Housing Authority to garner advice in appropriately pricing the units at the time of their sale. With input from this organization the applicant will be able to accurately price the units, ensuring that the prices are relevant and attractive to potential affordable homebuyers.

#### **EXHIBIT 11-7: MAXIMUM SALES PRICE FOR 2004**

	<b>Category I</b>	<b>Category II</b>	<b>Category III</b>	<b>Employment Category IV</b>	<b>Employment Category V</b>
1 Bedroom	\$100,000	\$130,000	\$162,000	\$192,000	\$249,000
2 Bedroom	\$115,000	\$151,000	\$186,000	\$224,000	\$285,000
3 Bedroom	\$130,000	\$170,000	\$212,000	\$252,500	\$295,000
4 Bedroom	\$149,500	\$195,000	\$240,000	\$286,000	\$365,000

#### **Employee Housing Provided**

The applicant will house a minimum of 151.25 people in employee housing. It is expected that these units will serve a wide variety of workers, including seasonal and year-round employees.

### **Location, Partnerships, and Marketing**

All employee and affordable housing except two employee housing units will be provided on-site. It shall be the applicant's responsibility to provide employee and affordable housing pursuant to the Housing Mitigation Plan. If the applicant transfers any land in the proposed development to a third party, the housing requirement related to that portion of the development shall remain the responsibility of the applicant unless the requirement is explicitly transferred to another party by a transfer approved by the Teton County Board of County Commissioners. Although the applicant will be responsible for ensuring that all affordable and employee units are developed, some of the actual construction and ownership of the units may be taken on by third parties. This responsibility does not apply to the actual financing or construction of employee and affordable housing on land donated by the applicant to St. John's Medical Center and to 501(c)(3) organizations. In those instances, the only obligation the applicant has pursuant to the Resort Master Plan is the donation of land to such entities for such entities to use and develop as employee and affordable housing.

All of the units developed by St. John's Medical Center are planned to be Category I affordable housing. These units will be permanently restricted to St. John's Medical Center employees. St. John's Medical Center will be responsible for repurchasing these affordable units from employees that move and reselling them to other St. John's Medical Center employees. Appropriate restrictions will be placed on the units by St. John's Medical Center to ensure that they remain affordable and that no onerous policies exist toward employees.

The affordable housing units, excluding those housing units constructed on land donated by the applicant for affordable housing and all Employment Based housing units, will be marketed jointly by the Housing Authority and the applicant, subject to approval by the Housing Authority in order that they may ensure that all purchasers meet the required profile of its program.

### **Phasing**

The individual phasing plans for employee housing and affordable housing are described below. The phasing plan ties the affordable and employee housing construction to free-market development.

#### **Phase 1**

The requirement to complete employee housing for a minimum of 40 persons was met in 2012. The certificates of occupancy for 27 employee housing units housing 45.25 persons were received by 2012. The requirement to complete affordable housing for a minimum of 38 persons was met in 2013. The certificates of occupancy for 13 affordable housing units housing 39.00 persons were received in 2013. The total employee and affordable housing units completed and receiving certificates of occupancy by the end of 2013 are shown in Exhibit 11-8 and 11-9 below.



**EXHIBIT 11-8: EMPLOYEE HOUSING COMPLETED (2012)**

	Units	People Per Unit	People Housed
<b>Off Site (Shooting Star Golf Course)</b>			
Two Bedroom	1	2.25	2.25
Four Bedroom	1	3.75	3.75
<b>Parcel I</b>			
Studio	13	1.25	16.25
One Bedrooms	8	1.75	14.00
Two Bedrooms	4	2.25	9.00
<b>Total</b>	<b>27</b>		<b>45.25</b>

**EXHIBIT 11-9: AFFORDABLE HOUSING COMPLETED (2013)**

	Units	People Per Unit	People Housed
<b>Parcel J (Phase 1)</b>			
Three Bedroom	13	3.00	39.00
<b>Total</b>	<b>13</b>		<b>39.00</b>

Phase 2

After 2013 the total cumulative persons housed in either employee and affordable units must equal or exceed the total cumulative requirement generated by the free-market residential units and commercial space constructed. In Phase 2, a certificate of occupancy for a free market residential unit or commercial space will not be issued unless the total cumulative persons housed in employee and affordable units which have received certificates of occupancy equals or exceeds the total cumulative requirement generated by the free-market residential units and commercial space which have received certificates of occupancy.

The total cumulative persons housed is determined by multiplying the persons housed by unit type (Exhibit 11-13) by the corresponding number of each type of affordable and employee housing units that received certificates of occupancy. The total cumulative requirement is determined by multiplying the requirement per unit type (Exhibit 11-10) by the corresponding number of each type of free-market unit that received certificates of occupancy. The required persons housed in affordable or employee units generated for each type of free-market unit is shown in Exhibit 11-10 below.

**EXHIBIT 11-10: PERSONS HOUSED REQUIREMENT**

	Units or Square Feet	Per Unit Requirement	Total Requirement
Commercial Square Footage (Village Core)	10,000 (see note)	0.050	0.5
Condominiums/Townhouses (Village Core)	78	0.390	30.4
Townhouse C and D Sub-Tract Units (TVSRC)	34	0.390	13.3
Single-Family Units (TVSRC)	100	0.700	70.0
Townhouse A Sub-Tract Units (TVSRC)	12	0.525	6.3
Townhouse B Sub-Tract Units (TVSRC)	36	0.656	23.6
Condominiums/Townhouses (Village Core)	20	0.525	10.5
<b>Total Persons Housed</b>			<b>154.6</b>

Note: Unit requirement for square footage based on every 1,000 square feet.

In Phase 2 both affordable or employee housing units contribute to the total cumulative persons housed; as such, either affordable or employee housing can be used to meet the total cumulative requirement.

The following is an illustrative example of Phase 2 calculations. Assuming that certificates of occupancy were received on 92 single-family lots (64.4 people), 12 Townhouse A Sub-Tract Units (6.3 people), 9 Townhouse B Sub-Tract Units (5.9 people), 10 Townhouse C Sub-Tract Units (3.9 people), 24 Townhouse D Sub-Tract Units (9.4 people) and 70 condominiums in the Village Core (27.3 people) there would need to be affordable and employee housing for a total of 117.25 people. This could be met with 69.0 people in affordable housing and 48.25 people in employee housing or any combination of persons in affordable or employee housing that is equal to or greater than 117.25.

### Phase 3

**Phase 3 Employee Housing.** After certificates of occupancy are received on free-market residential units and commercial space that generate a cumulative employee housing requirement of more than 44.2 persons, the applicant shall be responsible for completing the remaining employee housing. On average, the applicant must either receive certificates of occupancy on units or donate land to St. John's Medical Center / 501(c)(3) that house 10 persons per year until employee housing has been met for a cumulative total of 151.25 persons. The applicant is required to bond for the remaining employee housing obligation before it is able to receive final plat on its last 10 unplatted condominium units. The applicant will retain this bonding obligation unless it explicitly transfers the obligation to a third party along with the sale of a minimum of 10 unplatted condominium units. And any sale or transfer of the last 10 unplatted condominium units by the applicant must include the bonding obligation outlined above. The applicant must notify the Director of the Housing Authority and the Director of the Planning and Development Department if the transfer of the bonding obligation occurs. The employee housing requirement for each type of unit is shown in Exhibit 11-11 below.

**EXHIBIT 11-11: EMPLOYEE HOUSING REQUIREMENT**

	<b>Units or Square Feet</b>	<b>Per Unit Requirement</b>	<b>Total Requirement</b>
Office	35,000	0.03	1.1
Retail	31,500	0.05	1.6
Restaurant/Bar	3,500	1.01	3.5
Residential Condos/Townhouses (Village Core)	78	0.390	30.4
Residential Condos/Townhouses (TVSRC)	34	0.390	13.3
<b>Total Persons Housed</b>			<b>49.9</b>

Note: The Employee Housing Requirement table (Exhibit 11-11) assumes that 60,000 square feet of commercial space is transferred from Area 1 to Area 2.

Note: Unit requirement for square footage based on every 1,000 square feet.



Phase 3 Affordable Housing. After certificates of occupancy are received on free-market residential units that generate a cumulative affordable housing requirement of more than 110.4 persons, the applicant shall be responsible for completing the remaining affordable housing. On average, the applicant must receive certificates of occupancy on affordable units that house 10 persons per year until affordable housing has been met for a cumulative total of 220.5 persons. The applicant is required to bond for the remaining affordable housing obligation before it is able to receive final plat on its last seven unplatted free-market units. The applicant will retain this bonding obligation unless it explicitly transfers the obligation to a third party along with the sale of a minimum of seven unplatted free-market units. And any sale or transfer of the last seven unplatted free-market units by the applicant must include the bonding obligation outlined above. The applicant must notify the Director of the Housing Authority and the Director of the Planning and Development Department if the transfer of the bonding obligation occurs. The affordable housing requirement for each type of unit is shown in Exhibit 11-12 below.

#### **EXHIBIT 11-12: AFFORDABLE HOUSING REQUIREMENT**

	<b>Units</b>	<b>Per Unit Requirement</b>	<b>Total Requirement</b>
Single-Family Units (TVSRC)	100	0.700	70.0
Townhouse A Sub-Tract Units (TVSRC)	12	0.525	6.3
Townhouse B Sub-Tract Units (TVSRC)	36	0.656	23.6
Condominiums/Townhouses (Village Core)	20	0.525	10.5
<b>Total Persons Housed</b>			<b>110.4</b>

#### **Allocation of Affordable and Employee Housing to Free-Market Development**

The persons housed in affordable and employee housing built on Parcel I and Parcel J will first be applied to the requirement associated with free-market construction in the TVSRC. Any excess persons housed in affordable and employee housing on Parcel I and Parcel J after meeting the required persons housed in affordable and employee units associated with the free-market residential development in TVSRC shall be applied to the Village Core.

#### **Conceptual Plan, Minimum Sizes, and Persons Housed per Unit**

The affordable and employee housing units will be built using materials and colors that will complement those of the market units. In addition, similar CCRs that govern the market units will be used for the affordable housing units. These guidelines will ensure that the units will be attractive, desirable and compatible with the overall development. The original CCRs for Parcel J affordable housing units were recorded on October 31, 2012.

The minimum unit sizes and persons housed per affordable and employee unit are shown in Exhibit 11-13 below. All units will comply with or exceed all other applicable minimum standards of the Uniform Building Codes and other development codes adopted by Teton County.

#### EXHIBIT 11-13: MINIMUM UNIT SIZES AND PERSONS HOUSED

	Minimum Square Feet	Persons Housed
Dorm-Style or Small Studio	275	1.00
Large Studio or Studio-One	450	1.25
1 Bedroom	600	1.75
2 Bedroom	950	2.25
3 Bedroom	1,200	3.00
4 Bedroom	1,150	3.75

Note: Dorm-style units are a series of bedrooms sharing a living area (employee housing only).

#### Restrictions

##### Affordable Housing

The applicant intends to restrict the initial and subsequent purchase and transfer of each affordable unit to qualified buyers, as defined by the Housing Authority. The purchase of each unit shall be limited exclusively to persons that the Housing Authority deems eligible as qualified buyers. As such, no affordable housing unit may be sold or otherwise transferred to anyone who is not a qualified buyer (except in the case of the death of an owner who passes interest in a unit to a non-qualified beneficiary). The applicant will be responsible for designing and administering the selection process by which the purchasers of the Employment Based housing units as well as the additional units on "Land Donated or Additional Units" are chosen from the pool of qualified applicants. The selection matrix developed by the applicant will favor employees who provide essential services to Teton County.

The maximum allowed resale price for any traditional affordable unit (Category I, Category II, and Category III) shall not exceed the initial sales price plus a percentage increase equal to the percentage increase in the CPI-U Denver-Boulder, Colorado as published by the U.S. Department of Labor to reflect inflation, or its most nearly comparable successor index as determined by the Housing Authority. The maximum allowed resale price for the new Employment Based affordable units shall not exceed the initial sales price plus a percentage increase that would track purchasing power; such as, although not limited to a CPI index.

Subsequent owners of the affordable housing units will be required to give notice to the Housing Authority at least thirty days prior to a sale or transfer of their unit. The owner is also responsible for supplying the Housing Authority with the information it requests concerning the sale or transfer of the unit.

These special restrictions shall constitute covenants running with the affordable housing units and shall be binding on all parties having any title or interest in the units.

A housing compliance and monitoring plan was created and approved by the Planning Director and Development in 2007.



A draft of the proposed restrictions to be placed on the affordable units to ensure they remain affordable and comply with the Housing Authority Guidelines, as amended are included in Appendix R.

#### Employee Housing

The special restrictions related to limits on rent levels, which include language to ensure affordability and to target employees who work at Teton Village Resort, were approved by the Housing Authority, Board of County Commissioners, and Planning Director in 2011. These special restrictions were placed on the employee housing units on Lot 1 and Lot 2 of Parcel I.

#### **Housing Mitigation Standards**

For so long as the Area Two PUD of the Teton Village PUD District for Planned Resort is in compliance with the Housing Mitigation Plan, it shall be deemed to be in compliance with all Teton County affordable and employee housing requirements and shall not be subject to amendments in the Teton County affordable and employee housing regulations.

## **Section 12 (Section XII). Area Use Schedule**

The Section 12 (Section XII) Use Schedule as referenced in the Resort Master Plan and in instruments and plats filed of record has been moved to Section 4.



## Section 13. Off Site Impacts

### Development Exactions

Teton County requires that a developer dedicate land for public use or improvements at a rate of 0.03 acres per housing unit or lot. These development exactions can be provided on site or as a fee in lieu. The applicant will provide all development exactions as transfers in fee in, or grants of easements across, land within Area 2 to Teton County, TVA or TVISD, at times specified in the Phasing Plan. These development exactions represent the dedication of sufficient land to meet the requirement of the LDRs for all development proposed within Area 2, including development by others on land transferred to them by the applicant.

The applicant is providing more acreage than is required by the LDRs because of the need at the Teton Village Resort for parks, roads, pathways, a transit center and a visitor center and sheriff's substation. The applicant is committed to providing these lands for public purposes and will not reserve the excess toward future development.

The Area 2 includes 280 market-rate dwelling units and an estimated 100 affordable housing dwelling units for a total of 380 dwelling units. As such, 11.4 acres of land are required to meet the mandatory land dedications. The applicant is providing approximately 13.34 acres as listed below. If the exaction land does not total 11.4 acre the applicant may substitute land or fee in lieu for transportation purposes.

The exaction land provided is shown in the table below.

**EXHIBIT 13-1: EXACTION LAND PROVIDED**

	<b>Acres</b>
Apres Vous Road	0.33
Sheriff's Substation Site and Visitor Center	0.50
Village Park Including Potential 3.0-Acre School Site and Potential Fire District site	11.7 (offsite exaction)
Transit Center	0.81 (estimate)
<b>Total Estimated Acreage</b>	<b>13.34</b>

The 0.33 net acres provided by Apres Vous Road is calculated by taking the total 2.7-acre easement for Apres Vous Road and subtracting the 2.37 acres of Teton Village County Road easement that was vacated. The 11.7 net acres provided by the Village Park is calculated by taking the 12.25-acre park less the applicable 0.55-acre portion of Apres Vous Road easement within the park.

The exaction land required is determined as follows: (280 Free Market Units + 100 Affordable Units) \* (0.03 Acres / Unit) = 11.4 Acres

## Section 14. Phasing Plan

The phasing plan outlined below is a realistic projection of the development. The phasing plan outlines the timing of and responsible entity for each capital improvement. There exists flexibility within the phasing plan to accommodate vagaries in the build-out of the commercial and free-market residential units. However, the phasing plan is structured such that the infrastructure and capital improvements are linked and timed in a manner that ensures that at each stage of the development, the Teton Village Resort is a well-functioning, connected community.

It is important to note that the utilities are built along the road right-of-way and are associated with construction of roads. In general, pathways are built at the same time as the corresponding roads and are the responsibility of the entity building the road. Completion of the phasing plan and full build-out is expected to take approximately twenty-five years.

### PHASE 1

Resort Element	Functional Phasing	Responsible Entity
Apres Vous Road	Completed in 2013.	The Applicant
TVSRC Roads (excluding Bowman Road)	Completed in 2009.	The Applicant
Teton Village Entrance Road	Completed in 2007.	Teton County, WYDOT and adjoining property owners
Reclamation of Fish Creek	Completed in 2007.	The Applicant
Storm Water Runoff Facilities	Completed in 2007 and enlarged in 2013.	The Applicant
Transfer of Replacement Transit Space	The transfer would take place no later than 3 years after approval is received from the BOCC for the first final plat for any office, retail or free-market housing on all parcels in the Village Core, excluding Parcel I. (Institutional space such as visitor center, visitor information space, sheriff's substation, post office, non-profit office space and other such uses and Resort Support space are not considered "office, retail or free market housing".)	The Applicant and TVA
Transfer of Visitor Center Land	Transfer of land 3 years after approval is received from the BOCC for the first final plat for any commercial or free-market residential development on all parcels in the Village Core, excluding Parcel I. (Institutional space such as visitor center, sheriff's substation, post office, non-profit office space and other such uses and Resort Support space are not considered "office, retail or free market housing".).	The Applicant and TVA
Transfer Sheriff's Sub-Station Land	Transfer of land 3 years after approval is received from the BOCC for the first final plat for any commercial or free-market residential development on all parcels in the Village Core, excluding Parcel I. (Institutional space such as visitor center, sheriff's substation, post office,	The Applicant and TVA



Transfer Fire District Site	non-profit office space and other such uses and Resort Support space are not considered "office, retail or free market housing"). If requested by the Teton Village Fire District and BOCC up to one acre will be transferred to the Teton Village Fire District.	The Applicant, BOCC and Teton Village Fire District
-----------------------------	--	---

## PHASE 2

Resort Element	Functional Phasing	Responsible Entity
New Bowman Road and Reclaim old Bowman Road	Completed no later than 2 years after final plat on the first Townhouse B Sub-Tract unit or Single-Family Lots accessed by Bowman Road.	The Applicant
Teton Village Entry Connector Between the South-Western Most Condominiums	Built as soon as any of the free-market units lying adjacent to this road are built on Parcel L and Parcel M.	The Applicant
Saratoga North Road	Built as soon as free-market units lying adjacent to this road on Parcel G and Parcel H are built.	The Applicant

## PHASE 3

Resort Element	Functional Phasing	Responsible Entity
Fish Creek Park	Completed in 2015. Transferred to TVA immediately after the construction of residential or retail units on Parcel L and the south side of Parcel A.	The Applicant
New Post Office	Land leased to USPS at termination of current lease. Construction at discretion of the United States Post Office.	USPS
Permanent Crystal Springs Road	Built as soon as the new grocery store, gas station and local convenience store are re-located/built.	The Applicant
Crystal Springs Road (north of intersection with Teton Village Entrance Road)	Built as soon as certain free-market units, affordable units, employee units, commercial space or institutional space lying adjacent to this road on Parcel J, Parcel K, the east side of Parcel E, the west side of Parcel N, and the east side of Parcel F are built.	The Applicant
Sheriff's Substation	Built at the discretion of Teton County.	County
Visitor Center	Built at the discretion of TVA.	TVA
Fire House	Built at the discretion of the Teton Village Fire District and BOCC	Teton Village Fire District

## PHASE 4

Resort Element	Functional Phasing	Responsible Entity
Saratoga South Road	Built as soon as certain commercial space, residential units, employee units along the west side of the road on the east side of Parcel C and Parcel B are built.	The Applicant
Tram Line Road	The timing to build Tram Line Road will be determined at the discretion of the Board of County Commissioners during sketch plan	The Applicant

	approval for any of the following parcels: A, B, E, and F.	
Transit Center	Construction timing determined by START in consultation with the applicant's traffic consultant.	TVA
Easement for Tram Line Road to Exaction Land	The requirement and timing for the applicant to provide to Teton County an easement (up to 60-feet wide) for access from the Tram Line Road alignment east of Crystal Springs Road to the southwest corner of the exaction parcel will be determined at the discretion of the Board of County Commissioners upon the first of the following to occur: (1) the construction of Tram Line Road is required by the Resort Master Plan; (2) a building permit is issued by Teton County for either Parcel K or Parcel N; or (3) a determination by the Board of County Commissioners that a connection is warranted by the development of a school, park, or fire house on the exaction parcel. This access may be in the form of an access road, driveway, and/or non-motorized pathway. The County Attorney shall review and approve the easement prior to recordation. The County shall be responsible for constructing any access improvements within the easement, although if the applicant desires to construct a portion of the access at the time of development of Parcel K or Parcel N, they may do so in coordination with Teton County.	The Applicant and County

#### PHASE 5

Resort Element	Functional Phasing	Responsible Entity
Village Green	Built at the same time as adjacent buildings on the southern side of Parcel D and northern side of Parcel E are completed. Transferred to TVA upon completion.	The Applicant



## **Section 15. Procedure for Review of Development Proposals by Teton County**

Unless otherwise noted in Section 15 Procedure for Review of Development Proposals by Teton County, all provisions of the 2016 Land Development Regulations shall apply. In the event of a contradiction between this Resort Master Plan, on the one hand, and the 2016 Land Development Regulations on the other, the Resort Master Plan shall govern.

### **Minor Development Plans**

The following shall be considered Minor Developments:

- Residential. Any residential development of four (4) or fewer dwelling units, not requiring a Conditional Use Permit or subdivision of land.
- Nonresidential. Any non-residential development not requiring a Conditional Use Permit or the subdivision of land, containing 3,450 square feet or less of total floor area, exclusive of floor area for accessory residential units, or, utilities collection and distribution, or any other development that does not include a structure but contains an activity that will occupy land area of 6,000 square feet or less.

### **Teton County Review and Approval**

Development proposals that are considered Minor Developments as defined above shall be reviewed according to the following procedures:

- The only permits that may be required for the physical development of a residential unit on a subdivided lot are a Building Permit, a Grading Permit, and a Sign Permit; the requirement for each permit to be determined by the standards and procedures established by the 2016 Land Development Regulations.
- The only permits that may be required for the development of a non-residential structure containing less than 3,450 square feet are a Building Permit, a Grading Permit, and a Sign Permit; the requirement for each permit to be determined by the standards and procedures established by the 2016 Land Development Regulations.
- A development on an area of less than 6,000 square feet, which does not include a structure requires a Basic Use Permit obtained according to procedures established by the 2016 Land Development Regulations.

### **Intermediate and Major Developments**

Any development that is not considered a Minor Development as defined above, shall be reviewed according to the procedure described in this subsection.

### **Pre-application Conference**

This conference shall take place prior to submitting a sketch plan application to the Teton County Planning Director. The purpose of the pre-application conference is to allow an informal review of the proposal before commitments of time and money have been made. A Pre-application Conference request shall be submitted and processed in accordance with the procedures set

forth in the 2016 Land Development Regulations. At the Pre-application Conference Teton County Department staff shall provide information on the submittal requirements for all phases of the approval process for the proposed development, on issues that should be given special consideration and a preliminary response to the proposal. Within seven days of the Pre-application Conference Teton County Planning Department staff shall provide the applicant with a written pre-application conference summary containing the submittal requirements and information discussed at the conference. Any preliminary comments on the proposal shall be for informational and guidance purposes only and shall in no way bind Teton County or the applicant.

#### Sketch Plan Review and Approval

Public hearings will be held before the Teton County Planning Commission and the BOCC. This review will provide the applicant with the opportunity to discuss the design concept and receive feedback from Teton County and the public before significant amounts of time and money are spent on the design. The following findings must be made in order to approve a sketch plan:

- That the proposal is consistent with the provisions and intent of the Resort Master Plan;
- That the proposed structures and improvements orient to and contribute to the adjoining streets and public spaces;
- That the proposed bulk and scale are appropriate to the site and its surroundings;
- That the proposal utilizes sunlight in its design and, to the maximum extent possible, preserves the solar access of adjacent properties;
- That the structure and improvements are sited and designed to blend into the natural, existing features and profile of the property;
- That the site plan preserves significant, existing trees to the maximum extent possible; and
- That pedestrian circulation has been provided for in accordance with the Resort Master Plan.

The following chart indicates the steps and deadlines required for the review of a Sketch Plan following a pre-application conference. Each step must be completed before moving to the next step.

1.Neighborhood Meeting		A neighborhood meeting is required following the pre-application conference and prior to submittal of the sketch plan application. Notice of the meeting and the format of the meeting shall follow the procedures established by the 2016 Land Development Regulations for neighborhood meetings.
2.Application Submittal	Must occur within 1 year of the pre-application conference	The sketch plan application shall follow the submittal standards set forth in the 2016 Land Development Regulations.  Applicants for sketch plan approval shall submit those items listed as submittal requirements for the sketch plan in the pre-application conference summary unless a waiver of said requirements, or portions thereof, is granted by the Planning Director for good cause shown. The Planning Director shall ensure that only pertinent



		information is required from the applicant, commensurate with the magnitude of the project.
3.Sufficiency Determination	Determination by Teton County Planning Department staff within 14 days of application submittal; should a determination not be provided to the applicant within the 14 days, the application shall be considered sufficient	An application must be declared sufficient prior to its review based on criteria established by the 2016 Land Development Regulations.  Should the application be determined insufficient, a written notice shall be mailed to the applicant specifying the deficiencies. If the applicant fails to correct the deficiencies within 60 days, the application shall be considered withdrawn.
4.Staff Review and Recommendation		Review of the application by Teton County Planning Staff shall be made based on procedural standards established by the 2016 Land Development Regulations.
5.Planning Commission Recommendation	The Planning Commission hearing for review of the application shall occur within 90 days of the determination of sufficiency	The Planning Commission shall review the application at a public hearing and make recommendations regarding the application in accordance with the procedural standards established by the 2016 Land Development Regulations that are specific to Planning Commission Recommendation and to those general to all public hearings.
6.Board of County Commissioners' Decision	The Board of County Commissioners hearing of the application shall occur within 60 days of the Planning Commission recommendation  Findings of Fact and Conclusions of Law shall be made at the next regular BOCC meeting after the meeting at which a decision was rendered	The Board of County Commissioners shall review the application at a public hearing and approve, approve with conditions, or deny the application based on the findings established by this section of the Resort Master Plan. The 2016 Land Development Regulations establish the procedural standards that are specific to the BOCC's decision, that are general to all public hearings and to the standards general to all decisions.

A Sketch Plan shall expire two years after the date of approval, except under one of the following circumstances:

- A sufficient development plan application to implement the sketch plan is submitted and approval of the development plan is being pursued in good faith;
- An approved development plan is being implemented;
- In the case of a phased development, not more than two years has passed since the issuance of a certificate of occupancy for physical development approved by the sketch plan; or
- An alternate expiration date is set through the approval of the sketch plan.

Sketch plan approval permits the submittal of a development plan, it does not permit actual physical development or subdivision of land.

An approved sketch plan may be amended pursuant to the procedural standards established by the 2016 Land Development Regulations.

#### Development Plan Review and Approval

Public Hearing and Notification Not Required. If the submitted development plan is consistent with the approved sketch plan, including conformance with the required sketch plan findings, public notification and a public hearing shall not be required prior to review or approval of the development plan. The Planning Director shall have the authority to approve the development plan if the development plan is consistent with the approved sketch plan and with all provisions of the Resort Master Plan and LDRs.

The Phasing Plan included in the Resort Master Plan is a general guideline for the development of the Teton Village Expansion PUD. Thus, a development plan need not be submitted in accordance with the Phasing Plan, so long as it is consistent with the Resort Master Plan.

*Teton County Planning Directors Review and Approval.* The following chart indicates the steps and deadlines required for the review of a Development Plan following approval of a Sketch Plan. Each step must be completed before moving to the next step.

1.Application Submittal	Must occur within 1 year and 50 weeks of the date of the sketch plan approval	The Development Plan Application shall follow the submittal standards set forth in the 2016 Land Development Regulations.  Applicants for development plan approval shall submit those items listed as submittal requirements for the development plan in the pre-application conference summary unless a waiver of said requirements, or portions thereof, is granted by the Planning Director for good cause shown. The Planning Director shall ensure that only pertinent information is required from the applicant, commensurate with the magnitude of the project.
2.Sufficiency Determination	Determination by Teton County Planning Department staff within 14 days of application submittal; should a determination not be provided to the applicant within the 14 days, the application shall be considered sufficient	An application must be declared sufficient prior to its review based on criteria established by the 2016 Land Development Regulations.  Should the application be determined insufficient, a written notice shall be mailed to the applicant specifying the deficiencies. If the applicant fails to correct the deficiencies within 60 days, the application shall be considered withdrawn.
3.Staff Review and Recommendation		Review of the application by Teton County Planning Staff shall be made based on procedural standards establish by 2016 Land Development Regulations.
4.Planning Director's Decision	Decision within 60 days of sufficiency determination	Based on consistency with the sketch plan as approved, consistency with provisions of the Resort Master Plan



		and applicable provisions of the 2016 Land Development Regulations, the Planning Director shall approve, approve with conditions or deny the development plan. The applicant shall be notified in writing of the decision, findings for the decision, and expiration of the decision within 14 days of the decision.
--	--	--

A grading and erosion control permit application and/or building permit application may be submitted to Teton County and reviewed concurrently with the development plan.

*Appeal of Planning Director's Decision.* The Planning Director's decision with regard to a development plan may be appealed by the applicant to the BOCC within 30 days after receipt of written notice regarding such decision. Such appeal shall be handled by the BOCC in accord with the 2016 Land Development Regulations.

A development plan shall expire 18 months after the date of approval, except under one of the following circumstances. The applicable circumstances shall be established in the notice of decision on the application.

- In the case of physical development, a building permit or building permits for the entire development are issued and the certificates of occupancy for the building permits are issued within three years of issuance of the building permits;
- In the case of a subdivision, a subdivision plat has been recorded with the County Clerk;
- In the case of a phased development, all phases are in compliance with the approved phasing plan, or not more than 18 month has passed since the completion of the previous phase and the current phase is in compliance with an applicable above criteria, or
- An alternate expiration date is set through the approval of the development plan.

An approved development plan may be amended pursuant to the procedural standards established by the 2016 Land Development Regulations.

## **Section 16. Conditions of Approval and Standing of Resort Master Plan**

### **Conditions of Approval**

The document setting forth in full the Conditions of Approval adopted by the Board of County Commissioners on July 12, 2005, as amended is annexed hereto as Appendix S, Summary of Amendments and Conditions. Each of the Conditions of Approval has been incorporated into these Standards and Conditions with the exception of Conditions number 57, 60, 65. These Conditions stand on their own as Conditions of Approval imposed by the Board of County Commissioners.

### **Standing of Resort Master Plan**

Any amendments to the LDRs shall not affect the approval of the Resort Master Plan, or the conditions of approval, provided development within the Teton Village Expansion PUD proceeds in accordance with the Resort Master Plan.



## **Section 17. Amendment of, Minor Deviation from, and Administrative Adjustments to the Resort Master Plan**

### **Major Amendments**

Any landowner within the Teton Village Expansion PUD may apply for amendment to the Resort Master Plan, but only insofar as it affects that landowner's property. The amendment shall be reviewed and acted upon pursuant to the procedures set forth in the LDRs for review and action on a Resort Master Plan. The amendment shall be subject to all applicable standards of the LDRs that are in effect at the time of review of the amendment.

### **Minor Amendments**

Further, Minor Amendments to the Resort Master Plan may also be approved by the Planning Director. The Planning Director shall be required to render a decision on the sufficiency of an application within 14 days of its submittal, and to approve, approve with conditions, or deny an application within 60 days of its being determined sufficient. Minor Amendments shall comply with the following standards:

- The proposed amendment does not increase the total amount of development permitted at the Teton Village Expansion PUD;
- The proposed amendment does not materially affect other property owners at the Teton Village Expansion PUD;
- The proposed amendment is consistent with the purposes of the Planned Unit Development and with the purposes of the approval standards; and
- The proposed amendment is consistent with the Planned Unit Development (PUD-PR) District for Planned Resort Section of the Teton County LDRs.

### **Minor Deviations**

Notwithstanding the foregoing, minor deviations from the Resort Master Plan may be approved by the Planning Director. The Planning Director shall be required to render a decision on the sufficiency of an application within 14 days after its submittal, and to approve, approve with conditions, or deny an application within 60 days of its being determined sufficient

The Property Owner may submit Minor Deviations to the Planning Director that can be approved through administrative procedure without public hearing. However, the Planning Director may elevate the request to public hearing if the Planning Director deems it appropriate.

Minor Deviations fall into two categories:

- those that are from Design Guidelines of either the Village Core or the Teton Village South Residential Community as stated respectively in Appendix G, Village Core Design Standards, and Appendix H, Teton Village South Residential Community Design Standards and Master Signage Plan; and
- those that are from approved Development Plans.

Minor Deviations from Design Guidelines shall comply with the following standards:

- The granting of the deviation allows a creative and positive design solution and the deviation will not adversely affect the intent and purpose of the design principles. The principles for the Village Core are outlined as Design Principles at the beginning of the Village Core Design Standards, Appendix G. The principles for the Teton Village South Residential Community are outlined as Design Objectives of Teton Village South Residential Community Design Standards, Appendix H.
- The design solution proposed by the applicant is as good as or better, given the underlying intent and purpose of the design guidelines, than that provided for in the design guidelines.
- The proposed deviation does not materially impact the health, safety and welfare of other property owners in Area 2.
- Applications for Minor Deviations from Design Guidelines may be submitted to the Planning Director only after they are reviewed and approved by the governing architectural review committee.

Minor deviations from approved Development Plans shall:

- be a result of changes that appear necessary in light of technical or engineering considerations first discovered during development that are not reasonably anticipated during the initial approval process;
- comply with the standards of this Resort Master Plan and not include reductions in the amount of open space set aside or required resource protection, or increases in the amount of building floor area.

### **Administrative Adjustment**

Notwithstanding the foregoing, administrative adjustments from the Resort Master Plan may be approved by the Planning Director. The Planning Director shall be required to render a decision on the sufficiency of an application within 14 days of its submittal, and to approve, approve with conditions, or deny an application within 60 days of its being determined sufficient. An administrative adjustment shall be approved prior to the decision on any permit application dependent upon the administrative adjustment.

The Property Owner may submit Administrative Adjustments to the Planning Director that can be approved through administrative procedure without public hearing. An application may be made for administrative adjustment of the following standards:

- Landscape Surface Ratio may be adjusted up to 20%;
- Structure setbacks, not including setbacks from natural resources, may be adjusted up to 20%;
- Site development setbacks, not including setbacks from natural resources, may be adjusted up to 20%;
- Fencing height and setbacks may be adjusted up to 20%;



- Sidewalk standards may be adjusted to decrease the clear walking zone width from 8 feet to no less than 5 feet;
- Grade of developable slopes may be adjusted up to 20%;
- Wildlife friendly fencing may be adjusted if it meets the following standards of special purpose fencing: the special purpose fencing shall encompass the smallest area necessary to achieve the purpose, special purpose fencing is constructed for a particular use and requires a specific design to accomplish the purpose of the fence, special purpose fencing located in a street yard shall not exceed 4 feet in height, special purpose fencing located in a side or rear yard shall not exceed 6 feet in height, and special purpose fencing is not subject to a setback from property lines;
- Standard plant units may be adjusted if it can be demonstrated that the design intent of the proposed project is compromised by the use of the standard plant units and the alternative proposed meets the objectives of softening and integrating the project into the existing landscape; and
- Street and road standards may be adjusted in order to provide flexibility to the application of these standards and regulations and where exceptions do not materially compromise public safety and in granting an exception the following minimum criterion are considered: potential land uses and traffic volumes to be served by the road at buildout, compatibility with adjacent roadway sections, effect on non-motorized facility users, cumulative effect if an exception to more than one standard is requested, effect of the exception on the safety of residents, motorists and non-motorists, effect on level of service, accident data, potential mitigation measures (including, but not limited to, vehicle turnouts, warning signs, mirrors at curves, guard rails, mandatory plowing or maintenance contracts, etc.) to address excepted standards or regulations, and comparative cost of required standard or regulation versus exception request.

An adjustment to Street and Road Standards shall be considered an exception to the street and road standards, and must also be approved by the Teton County Engineer, who shall document all requests for such exceptions in an Exception Report, which shall include a description of the exception request and relevant standards and regulations, the County Engineer's determination, any required mitigation, and the basis for the approval or the denial. All exception requests shall be stamped by a registered Wyoming Engineer. The County Engineer shall seek comment from the Teton County Road and Levee Superintendent, Fire Chief and Planning Department in determining whether to grant or deny the exception request. The County Engineer shall distribute all completed Exception Reports to the Teton County Road and Levee Superintendent, Fire Chief, the Planning and Development Department, and the applicant.

An administrative adjustment shall be approved upon finding the application:

- Complies with the applicability standards of this standards outlined above;
- Either: a. Compensates for some unusual constraint of the site or proposal that is not shared by landowners generally, or b. better protects natural and scenic resources, or c. better supports the purpose of the Resort zone;

- Is consistent with the purpose of the Resort zone and the desired future character for the area described in the Comprehensive Plan;
- Will not pose a danger to the public health or safety; and
- The site is not subject to a series of incremental administrative adjustments that circumvent the purpose of an administrative adjustment.

Issuance of an administrative adjustment shall not ensure the approval of any other application. The decision on an administrative adjustment cannot be reversed by the Board of County Commissioners through review of an associated permit application. The decision on an administrative adjustment can only be reversed through an appeal pursuant to the appeal of an administrative decision process outlined in the 2016 Land Development Regulations.

An administrative adjustment shall expire one year after the date of approval except under one of the following circumstances: 1. The physical development, use, development option, or subdivision enabled by the administrative adjustment is in review or implementation; or 2. An alternate expiration is set through the approval of the administrative adjustment.