AGENDA

Planning and Zoning Commission

May 6, 2026 – REGULAR MEETING

5:30 PM

Please note that at 8:00 p.m., the Commission will evaluate the remainder of the agenda to determine if time constraints will permit the full agenda to be heard at this meeting. All items not heard at this meeting will be postponed to the next regularly scheduled Planning Commission meeting.

NOTICE: THE VIDEO AND AUDIO FOR THIS MEETING ARE STREAMED TO THE PUBLIC VIA THE INTERNET AND MOBILE DEVICES WITH VIEWS THAT ENCOMPASS ALL AREAS, PARTICIPANTS AND AUDIENCE MEMBERS

PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING

1. ZOOM LINK FOR PUBLIC PARTICIPATION

   To join, click link or copy it to your browser

   https://us02web.zoom.us/j/81172445724?pwd=qXSCXMDmlODh6IK9aL8xLLEOgJGWbW.1

   Or join at zoom.com with Webinar ID: **811 7244 5724** and Password: **83001**
2. PLEDGE OF ALLEGIANCE
3. CALL TO ORDER
4. ROLL CALL
5. MATTERS FROM THE PUBLIC
6. APPROVAL OF MINUTES
   - I. April 15, 2026 Planning Commission Meeting Minutes
7. NEW BUSINESS
   - I. PM26-012 Teton Village Master Plan Amendment
   - II. PM26-0008 Text Amendment to LDR Section 5.1.2 - Wildlife Friendly Fencing
   - III. PM25-011 LDR Amendments - Development Impacts
8. MATTERS FROM STAFF
9. ADJOURN

MINUTES
PLANNING AND ZONING COMMISSION
TOWN OF JACKSON, WYOMING
April 15, 2026
UNAPPROVED

The Planning and Zoning Commission met in a regular session on April 15, 2026 in the Town Council Chambers located at 150 E. Pearl Ave. in Jackson, at 5:30 pm. This meeting was held in person and via Zoom.

Upon roll call the following were found to be present:

BOARD: Eliska Garcia, Katie Wilson, Thomas Smits, Steph Wise & Georgie Stanley appeared in person. Megan Jennings appeared via Zoom. Laura Bonich is not present.

STAFF: Tyler Valentine, Andrew Bowen, Ryan Hostetter, Mary Tippetts

MATTERS FROM THE PUBLIC: None.

APPROVAL OF MINUTES:
A motion was made by Commissioner Wilson and seconded by Commissioner Stanley to approve the March 18, 2026, Planning Commission Meeting minutes. Commissioner Bonich called for the vote. The vote showed all in favor and the motion carried.

NEW BUSINESS

I. **PM26-0005 Zoning Map Amendment & Natural Resources Overlay**
II. **PM26-0006 Text Amendment to LDR Sections 5.2.1 (NRO) & 8.2.2 (NRO Process)**
III. **PM26-0007 Text Amendment to LDR Section 5.1.1 - Waterbody & Wetland Buffers**
IV. **PM26-0008Text Amendment to LDR Section 5.1.2 - Wildlife Friendly Fencing**
V. **PM26-0009 Text Amendment Adding 5.1.7 - Retaining Walls.**

STAFF PRESENTATION:
Ryan Hostetter, Joint Long-Range Planner, provides a background of the proposed amendments. These amendments are carrying out policies within the Comprehensive Plan.

The Zoning Map Amendment & Natural Resource Overlay creates a natural resource overlay using a tiered mapping system. The Base Tier involves vegetation types with lower ordinal ranking or fewer types of natural resources and does not include additional NRO specific process requirements. The Mid-Tier does not require an Environmental Professional but may require additional information, and can be elevated if necessary. The High Tier requires an Environmental Analysis unless certain exemptions apply.

Waterbodies & Wetlands amendment revises the definition of streams & ditches, removes references to rivers, ponds, & lakes, maintains the stream buffer distance but increases the wetland buffer distance to 50 feet, and adds items not allowed within buffer areas.

Wildlife Friendly Fencing amendment allows more permeability in known movement areas at the edges of Town, along waterways, and connections between buttes, adds specific prohibited fencing materials, and creates overall design standards, and allows for different options between map tiers.

Retaining Wall amendments create design standards for wildlife permeability.

PUBLIC COMMENT
Amy Cusak with the JH Conservation Alliance addresses the Committee. The Alliance supports the tiered NRO mapping and the amendments in general but believes there should be more permeability for wildlife and larger waterbody setbacks.

Jennifer Evans with Protect Our Water Jackson Hole addresses the Committee. She does not believe the proposed setbacks for wetlands are adequate and believe more should be done to refine the waterbody text amendment.

Renee Sider with JH Wildlife Foundation agrees with other commenters and is concerned about wildlife permeability.

QUESTIONS FOR STAFF:
Affordable Housing exemptions to the Environmental Analysis are clarified.

COMMISSION DISCUSSION:
As to Key Question #1, the Commission supports adopting the new tiered NRO map that integrates all area of Town instead of the current system but is concerned about exemptions.

As to Key Question #2, the Commission supports adoption of a tiered regulatory approach that increases protection and regulatory review/oversight as habitat value increases.

As to Key Question #3, the Commission agrees with staff recommendation that habitat mitigation only be required for High Tier properties greater than one acre.

As to Key Question #4, the Commission agrees with staff recommendation to add further development restrictions to stream buffer areas.

As to Key Questions #5 & #6, the Commission is unsure about proposed changes to fencing and encourages additional work between staff and stakeholders to come to a consensus. The Commission is in favor of wildlife friendly fencing in general but understands the details could be fine-tuned.

As to Key Question #7, the Commission believes that the retaining wall regulations from Teton County are warranted in the Town's urban context.

Commission agrees that PM26-0005 Zoning Map Amendment for the NRO Overlay complies with the criteria required.

Commission agrees that PM26-0006 LDR Sections 5.2.1 (NRO), 8.2.2 (NRO Process) complies with the criteria required, but has recommended changes to the exemptions.

Commissioners are split between leaving the waterbody buffers as is and creating larger buffers.

MOTIONS:
A motion was made by Commissioner Smits and seconded by Commissioner Stanley to recommend approval of Zoning Map Amendment P26-0005 to amend the official Zoning Map and update the Natural Resources Overlay to a Tiered Natural Resources Overlay. Commissioner Smits called for the vote. The vote shows all in favor and the motion carried.

A motion was made by Commissioner Wilson and seconded by Commissioner Stanley to recommend approval of Text Amendment PM26-0006 to amend LDR Sections 5.2.1 (NRO), 8.2.2 (NRO Process) with the discussion regarding the exceptions. Commissioner Smits called for the vote. The vote shows Commissioners Garcia, Smits, Wilson, and Jennings in favor and Commissioners Stanley & Wise opposed; the motion carried 4-2.

A motion was made by Commissioner Wilson and seconded by Commissioner Wise to recommend approval of Text Amendment PM26-0007 to amend LDR Section 5.1.1 - Waterbody and Wetland Buffers. Commissioner Smits called for the vote. The vote shows Commissioners Garcia, Smits, Wilson, Jennings, and Wise in favor and Commissioners Stanley opposed; the motion carried 5-1.

A motion was made by Commissioner Smits and seconded by Commissioner Wilson to recommend approval of Text Amendment PM26-0008 to amend LDR Section 5.1.2 - Wildlife Friendly Fencing. Commissioner Smits called for the vote. The vote shows all opposed and the motion fails. A motion was made by Commissioner Wise and seconded by Commissioner Wilson to recommend continuing this item to the May 6, 2026 regular Planning Commission meeting. Commissioner Smits called for the vote. The vote shows all in favor and the motion carried.

A motion was made by Commissioner Wilson and seconded by Commissioner Garcia to recommend approval of Text Amendment PM26-0009 to add a new section 5.1.7 - Retaining Walls. Commissioner Smits called for the vote. The vote shows all in favor and the motion carried.

MATTERS FROM STAFF:
The May 6 meeting will include the LDR development impacts, the Teton Village Master Plan amendment, and the continued item from today; an appeal of an administrative decision will be heard on May 20.

ADJOURN: A motion was made by Commissioner Wise and seconded by Commissioner Garcia to adjourn the meeting. Commissioner Smits called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 7:54 pm.

minutes:mt

STAFF REPORT

Meeting Date:	May 6, 2026	**Meeting Title:**	Regular
Submitting Department:	Planning Department	**Presenter:**	Chandler Windom and Andrew Bowen
Agenda Item:	Amendments to Teton Village Expansion Resort Master Plan (Area 2) to Provide Civic-Minded Solutions	**Public Comment:**	No

Purpose & Policy Considerations.
Pursuant to LDR Section 4.3.1.E.4, the Town Planning Commission and Town Council shall provide recommendations to the County Planning Commission and Board of County Commissioners on any Planned Resort Master Plan application within the County. This interjurisdictional review is intended to acknowledge the impacts of resort development on neighboring jurisdictions and to facilitate coordinated planning and mitigation of potential impacts.

Recommendation.
Staff do not provide recommendations on these "courtesy" reviews of amendments to County Resort Master Plans.

The LDRs state that the PC does not have a 'voting participation' in the review of a Resort Master Plan amendment, thus no motion is intended. However, the Town Planning Commission is expected to provide any recommendations and comments as appropriate.

Background.
The application proposes text amendments to several sections of the Teton Village Area 2 Master Plan, primarily focused on the commercial core where most undeveloped land remains. The key issues relate to the timing, location, and delivery of the transit center, as well as the overall structure of development exactions. No additional physical development is proposed; instead, the Applicant seeks to modify exaction requirements and voluntarily convey land on an accelerated timeline. Exactions are typically required concurrent with development to mitigate associated impacts and generally involve land dedication or a fee-in-lieu, with improvements constructed later by a public entity.

Analysis.
According to Sec. 4.3.1.E.4 of the Teton County LDRs, each jurisdiction shall receive and consider recommendations from the other jurisdiction when a Planned Resort application is submitted for review or amendment. The text of Sec. 4.3.1.E.4 is as follows:

4. ***"Joint Review by Town and County.*** *The County Planning Commission and the Board of County Commissioners shall receive and consider recommendations from the Town Planning Commission and Town Council regarding any Planned Resort master plan application in the County. For the same purpose, The County Planning Commission and Board of County Commissioners shall make recommendations to the Town Planning Commission and Town Council regarding any Planned Resort master plan application within the Town of Jackson.*

    a. ***Purpose.*** *The purpose of the County's and Town's review of any Planned Resort in the other jurisdiction is to recognize the impact of resorts on neighboring jurisdictions and to provide an opportunity for cooperation in planning and mitigation of potential impacts.*

b. ***Intent.*** *The intent of review is for the Town Planning Commission and Town Council to have an opportunity for review and comment on a proposed Master Plan. The Town's role is advisory only and does not include a voting participation in review of the Planned Resort master plan."*

County Planning Staff's report and the application materials identify several key issues related to the timing, location, and delivery of the transit center. Although a transit center is required, its location remains unresolved between Area 1 and Area 2, and the Applicant has withdrawn a proposal to dedicate specific parcels due to limited stakeholder support. The existing Master Plan links transit center construction to Certificates of Occupancy for unrelated development, which presents implementation challenges, and the Applicant proposes instead to shift this requirement into the Transportation Demand Management program, where delivery would be based on monitored demand. This approach introduces flexibility but reduces certainty regarding when the transit center would be constructed, creating a central policy consideration.

The proposal also addresses the timing of exactions by allowing earlier land dedication rather than directly tying them to development impacts. While this may accelerate delivery of public benefits, it represents a shift from a traditional impact-based framework. The proposed consolidation of the visitor center with the transit center remains dependent on resolving the transit center's location and delivery approach

Overall, the proposal shifts from a prescriptive, trigger-based system to a more flexible, monitoring based approach. The core question is whether this flexibility still ensures that critical infrastructure, particularly the transit center, is delivered in a timely and coordinated manner consistent with the vision for Teton Village.

Town staff conclude that the proposed amendments should not have any significant adverse impacts on the Town of Jackson, as the request is limited to text amendments within the Teton Village Area 2 Master Plan, does not propose additional development intensity, and maintains the overall framework for public infrastructure and exactions, including continued provisions for transit, public safety, and community services.

Public Comment.
At the time of drafting this staff report, no public comment has been received by the Town. Public comment received by the County is attached to this staff report.

Fiscal Impact.
Staff does not foresee any fiscal impact resulting from the proposed amendments.

Staff Impact.
The amount of Staff time to review this Text Amendment, including research and report drafting, is approximately 5 hours.

Attachments and Links.
- Response to Comp Plan District Policy Objectives
- Plan Review Committee Comments
- Public Comment
- PUD2025-0003 Redline
- Draft County Staff Report

Suggested Motion.
I move to direct staff to share with the Town Council the Planning Commissions' comments on this item (PM26-12) as discussed in this May 6, 2026, meeting.

Town Planning Commission - Staff Report

Meeting Date:	May 6, 2026	**Submitting Dept:**	Planning & Building Services
Presenter:	Chandler Windom	**Agent:**	Amberley Baker
Property Owner:	Four Shadows, LLC		
Subject:	PUD2025-0003 Teton Village Resort Expansion (Area 2) Master Plan Amendments		

REQUESTED ACTION

A Planned Unit Development (PUD) application pursuant to the Teton Village Expansion Planned Unit Development Planned Resort Master Plan Section 17, and Sections 8.7.3 and 8.2.13.D of the Teton County Land Development Regulations (LDRs) for amendment to the language of the Teton Village Expansion (i.e. "Area Two") Resort Master Plan. Pursuant to LDR Section 4.3.1.E.4, the Town Planning Commission and Town Council shall provide recommendations to the County Planning Commission and Board of County Commissioners on any Planned Resort Master Plan application within the County.

BACKGROUND/DESCRIPTION

PROJECT DESCRIPTION

The applicant is proposing amendments and updates to several sections of the Teton Village Area 2 Master Plan, with a specific focus on the provision of development exactions for a future Sheriff Substation, Visitor Center and Transit Center.

According to the Procedure for Major Amendments to the Master Plan, an application to amend the language may be submitted by any landowner, "*...but only insofar as it affects that landowner's property.*" The application is submitted on behalf of Four Shadows, LLC (i.e. "Four Shadows"). This entity owns all the undeveloped land within the Teton Village Area 2 commercial core.

EXISTING CONDITIONS

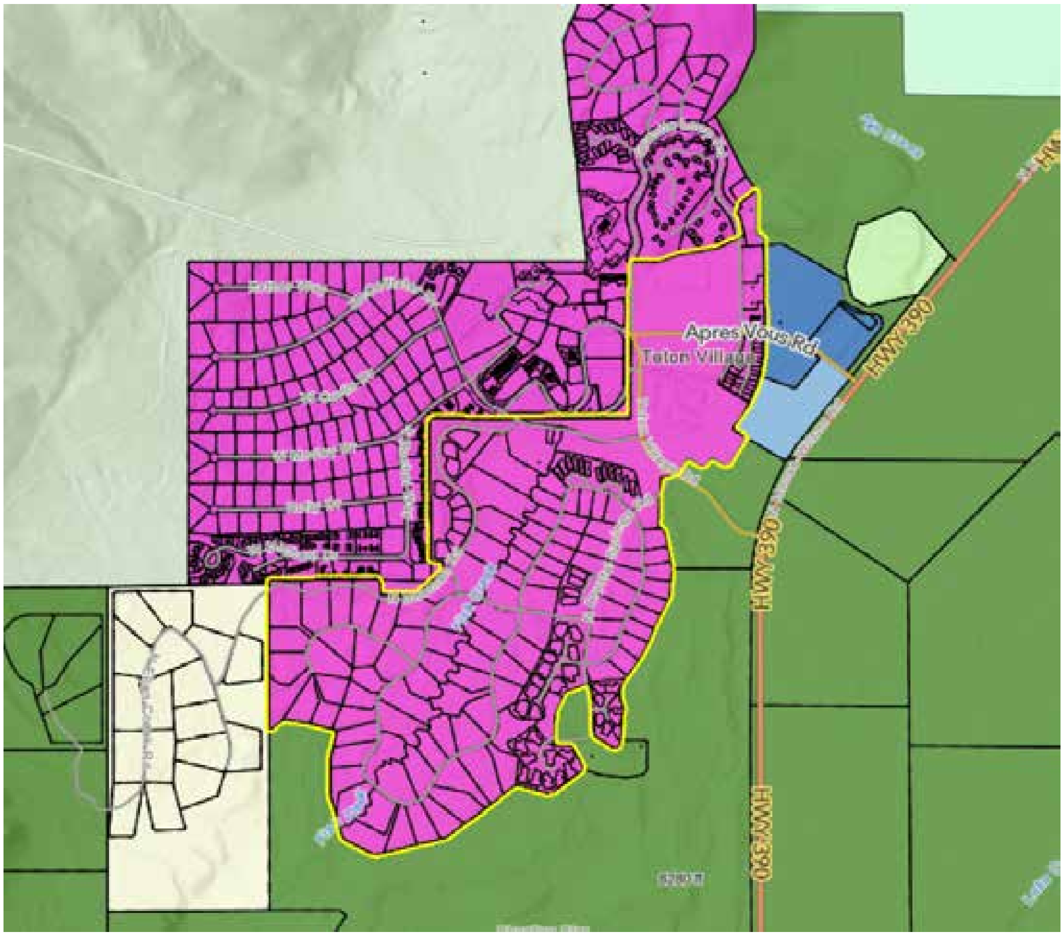
The commercial core of Area 2 subject to many of the amendments is predominantly vacant. There are two temporary use areas, one for construction contractor storage and staging, and one for a landscaping nursery. Existing development in the commercial core includes the commercial building(s) and employee housing on Parcel I adjacent to the Ranch Lot, and the Homesteads at Teton Village, which is a 23-unit affordable and workforce housing subdivision. The Shooting Star subdivision is to the southwest of the commercial core.

LOCATION

All Teton Village Area 2 (including 7715 Granite Loop Road & 3015 W Taminah Road)

Legal Description:	N/A All of Teton Village Area 2 Resort
PIDN:	22-42-16-19-2-00-009, 22-42-16-19-2-03-015, et. al.
Site Size:	~213 acres
Character District:	13- Teton Village
Subarea:	13.1- Teton Village Commercial Core
Zone:	Planned Resort (PR) for Teton Village Area 2
Overlay:	County Lodging, Wildland Urban Interface, Scenic Resources Overlay, Natural Resources Overlay (all tiers)

ZONING VICINITY MAP



SITE MAP OF FOUR SHADOWS PROPERTY

Service ● Excellence ● Collaboration ● Accountability ● Positivity ● Innovation

STAFF ANALYSIS

The application proposes text amendments to several sections of the Teton Village Area 2 Master Plan; however, the changes are focused on the commercial core which contains most of the undeveloped land(s) in Area 2. There are no current proposals for additional physical development, however the applicant is proposing to modify the exaction requirements outlined in the resort Master Plan and then voluntarily provide those exaction lands on an expedited timeline. Typically, exactions are required concurrent with the development that creates the impact to the community that said exaction is intended to mitigate. In most circumstances, an exaction is only the provision of land or a payment fee-in-lieu, whereas the actual improvements are provided by a government entity at a much later date.

When the Teton Village Expansion Resort Master Plan was originally approved by the Board of County Commissioners (PUD2002-0001, amended PUD2017-0001) several public exactions were included in Section 8, Capital Improvements and Section 13, Off Site Impacts. These exactions/improvements include, but are not limited to, privately owned parks, a right-of-way for the Teton Village Road and Pathway, funds for START bus shelters and public education, a transit center, visitor center and sheriff substation site, and possible relocation of the Teton Village Fire District Station. The timing for provision or construction of these capital improvements is described in the Phasing Element Section 14. The locations for the transit center, visitor center and sheriff substation site were not yet determined when this Master Plan language was adopted.

The Master Plan for Area 2 envisions subdividing the Commercial Core into parcels that do not yet exist as separately deeded properties. Below is the map of each parcel described in the Master Plan.

EXHIBIT 4-3: TETON VILLAGE CORE PARCELS

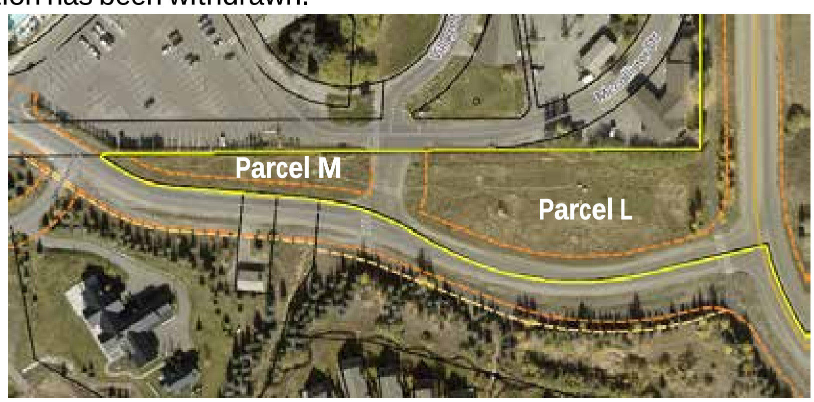
KEY ISSUES

1. When, where, and how does a new transit center get built in Teton Village?

As summarized above, a transit center is described in both the Off-Site Impacts, (i.e. Exactions), Transportation and Demand Management Plan, and Capital Improvement Sections of the current Area 2 Resort Master Plan. Currently, the primary bus stop in Teton Village is located within the Lower Parking Lot ("Tram Lot") within Area 1. This is not necessarily a permanent location, as the Lower Lot is likely to be redeveloped in the future. Therefore, the Area 2 Master Plan, which was approved as an expansion to Area 1 resort, was conditioned to address the transportation needs of the Resort as a whole. A replacement transit center would be needed if the current bus stop, on land currently owned by the Jackson Hole Mountain Resort (Lot 211, LLC), either no longer meets demand or must be relocated due to redevelopment. The ideal location for a bus stop is as close to the Jackson Hole Mountain Resort (JHMR) base as possible and within walking distance of the chairlifts. Therefore, the Area 2 Master Plan envisions an exaction for a Transit Center that may ultimately be built in Area 1. The language which was approved with PUD2002-0001 is as follows.

> *"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* [Teton Village Association] *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 land for a transit center to either JHMR or TVA no later than two years after approval from the BOCC* [Board of County Commissioners] *for the first final plat for any office, retail, or free-market housing on all parcels in the Village Core, excluding Parcel I….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…The construction, operation and maintenance of the Transit Center will be the responsibility of TVA."*

The original PUD2025-0003 application requested confirmation that Parcels L & M, illustrated below, would satisfy the transit center exaction requirement, with amendments, if given directly to the Teton Village Association (TVA). According to the original application, "*Four Shadows' position is that the ultimate use of the exaction land should be at the discretion of the recipient, in this case TVA. Four Shadows' objective is to provide TVA ample land that gives TVA flexibility to carry out its civic initiatives. TVA could build improvements on the land (such as a transit center) or exchange the land for other land in Area 1.*" Through subsequent conversations with the applicant, TVA, and JHMR, that component of the amendment application has been withdrawn.



The Teton Village Association does not support the outright acceptance of Parcels L and M without first exploring other collaborative options for the transit center location. Staff does not recommend that stipulations be placed in the Master Plan for specific lands without clear backing from all parties, so the removal of this language from the amendments is supported. The applicant has instead committed to working within the existing language of the Master Plan to find a proposal for an exaction that would result in a satisfactory transit center location for the Teton Village Association, either in Area 1 or Area 2.

Separately from the provision of specific exaction land, the applicant has expressed concerns with the current language that, once land is granted to the Teton Village Association in either Resort area, there is a connection between Certificate of Occupancy for the transit center to approval of projects on other properties owned by private entities. This could wind up being very complex from a logistical standpoint for either entity to control. Therefore, the applicant would like to strike this sentence from the current exaction language "*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.*"

Instead, the construction of a transit center, in Area 1 or Area 2, is proposed as a strategy of the Transportation Demand Management program, which can then be reviewed and enforced by the Board of County Commissioners. The Area 2 Commerical Core will be included in the same TDM monitoring program subject to Area 1 once there is non-residential development. The applicant provided a revised redline text revisions dated 4/10/26 which suggests the following addition to the Transportation Demand Management Strategies in Section 7:

> TVA constructs a transit center as contemplated in Section 8. If TVA has not commenced the Sketch Plan approval process for the transit center by the time a building permit is issued on Parcel B, Parcel C or Parcel E, then Teton County will review the need for this strategy by taking into account the "measures of effectiveness" presented to Teton County in TVA's then current TDM Monitoring Report.

In this scenario, TVA would be granted the exaction land, but construction of the transit center, if not initiated independently by TVA, would be subject to the outcome of biennial transportation monitoring. The Board of County Commissioners may require alteration of the TDM strategies to ensure effectiveness.

RELATIONSHIP TO THE CHARACTER DISTRICT

- Character District: 13- Teton Village
- Subarea: 13.1 – Teton Village Commercial Core
  - *Classification:* Transitional
  - *Neighborhood Form(s):* Town & Resort/Civic Forms

Existing and Future Desired Characteristics:

Teton Village is a complete neighborhood centered around the base of the Jackson Hole Mountain Resort and associated resort community. Much of the dense development in Teton Village is focused on lodging and visitor-oriented experiences. In the future, there should be a focus on enhancing the village feel through pedestrian connectivity, enhanced public transit, and local community amenities. Development is intended to follow the two Resort Master Plans that govern most of the district, to create a cohesive village resort community. The commercial core is intended to have the most dense/intense mixed-use development, and then residential density gradually decreases into the residential subareas.

Policy Objectives:

This proposal is for amendment of the existing resort master plan. See the attached summary of consistency with the policy objectives.

Subarea Character Defining Features:

Per the Jackson/Teton County Comprehensive Plan, the Teton Village Commercial Core is a transitional complete neighborhood with local and visitor-oriented non-residential uses. There will be a mix of commercial, lodging, and multi-family housing, and the bulk and scale of development should reduce towards the edges of the commercial core and adjacent residential areas. Future development should follow the resort master plan, and the location of transit hubs and the layout of the interconnected complete streets will define circulation in the district. A park or open space should serve as a visual buffer between the resort zone and the highway. As conditioned, the proposal is generally consistent with the character of the Subarea.

RELATIONSHIP TO THE APPLICABLE LAND DEVELOPMENT REGULATIONS

Resort Transportation Element (Section 4.3.1.)

Complies. According to LDR Section 4.3.1.F.8, Standards Applying to All Planned Resorts. Transportation Element, *"The Planned Resort master plan shall have a transportation element to ensure that resort development does not produce an amount of vehicular traffic that undermines the community's character, and endangers the public health, safety and welfare (i.e., noise, air quality and traffic impacts.) The Planned Resort master plan shall provide an optimum mix of automobile, transit, and pathway facilities within the resort; encourage coordination of all resort transportation facilities with the County-wide transportation system; promote design and management, which encourages shifts from single-occupancy vehicle trips to multi-occupancy trips, or other transportation modes; and provide equitable cost sharing for facilities and services."*

This standard, informed by a Traffic Impact Analysis and influenced by a Transportation Demand Management Plan, is partially what led to the current language in Section 7 of the Master Plan which also requires the exaction to the Teton Village Association as described in Section 13 for a future transit center. The subsection titled Public Transportation begins, *"The Resort Master Plan will support the START system in several concrete ways."* The construction of a transit center was one of those concrete strategies to enhance public transportation. Staff supports the addition of a Transportation Demand Management Strategy in Section 7 of the Master Plan related to the transit center. With this new strategy, the process for provision of a new transit center as described in Section 8 (either in Area 1 or Area 2) is still clear and enforceable. The requirement can be dependent on current traffic conditions, which are to be reviewed publicly every two years, and surrounding development, which is how exactions are designed. As suggested in the application for revision, the applicant has no control over when the Teton Village Association can build the transit center once the applicant transfers the land for the exaction.

Development Exactions (Master Plan Section 13)

Complies. The current Section 13 of the Resort Master Plan states, "*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....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.*"

The proposed amendment does not change the amount of expected exaction land. The minimum exactions for Parks and Schools, in accordance with LDR Division 7.5, have already been provided. The visitor center would be relocated to coincide with the future transit center, increasing the size of that exaction provision to 1.05 acres, and the Sheriff Substation would be a separate 0.26 ac site. Below is the amended exhibit proposed by the applicant.

EXHIBIT 13-1: EXACTION LAND PROVIDED

	Acres
Apres Vous Road	0.33
Sheriff's Substation Site ~~and Visitor Center~~	0.~~50~~26
Village Park Including ~~Potential~~ 3.0-Acre School Site and Potential Fire District site	11.7 (offsite exaction)
Transit Center with Visitor Center	~~0.81 (estimate)~~1.05
Total Estimated Acreage	**13.34**

The applicant would also like to codify in the Phasing section that Lot 15 of The Homesteads at Teton Village satisfies the Sheriff substation exaction requirements. Lot 15 is exactly 0.26 acres. Staff recommend approval of the amendments associated with the provision of the Sheriff's substation site. Lot 15 at the Homesteads is a suitable location, near to the landing site for the Teton County Search & Rescue (TCSAR) Helicopter on the Teton County Village Park parcel. The Sheriff's Office does not currently have any facilities on the west bank to provide a base of operations, storage, or parking for deputies and/or TCSAR volunteers responding to calls near Teton Village.

This location for a future Sheriff's substation is supported by the Teton County Sheriff and staff supports repositioning the visitor center with the transit center instead. The Teton Village Association was also expected to build & manage the visitor center, so it is more straightforward for it to be included with the transit center exaction. Lot 15 of the Homesteads was originally slated to be a non-profit office, and the rest of the subdivision contains deed-restricted housing to mitigate for the Shooting Star residential development. Prior to acceptance by Teton County, the applicant would be required to demonstrate that the land is free from encumbrance, including vacating any notes on Plat No. 1323 which may restrict use of the site.

Staff recommend approval of the amendments in Section 13 but would recommend that "(estimate)" remain in the table associated with the Transit Center and Visitor Center exaction. Since no specific land is yet identified it would be prudent that the acreage of that specific exaction would be an estimate. Staff made this edit in the recommended redline attached to the staff report.

Land Uses & Dimensional Limitations (Master Plan Sections 4 & 5)

Complies. The application proposes changes to the use table for all of Area 2, primarily for organizational purposes, to better reflect definitions used both in Teton Village Area 1 and the current LDRs. Staff support these amendments to Exhibit 4-2: Area Use Schedule, shown in the attached redline. In addition, minor modifications to the commercial floor area allowances, dimensional limitations, and allowed uses for some parcels in the commercial core are proposed. Below are excerpts from other sections of the application redline.

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

	Commercial	Free-Market	Employee / Affordable	Institutional	Resort Support
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	YES	See Note	YES	YES
Parcel H	~~NO~~YES	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

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

	Square Feet of Commercial	Number of Free-Market Units	Persons in Affordable/Employee Housing
Parcel A	19,500	0	0.00 (see note)
Parcel B	~~31~~24,500	20 (see note)	36.25 (see note)
Parcel C	~~40~~34,300	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~~17,500	83 (see note)	0.00 (see note)
Parcel H	~~0~~2,500	32 (see note)	0.00 (see note)
Parcel I	~~9,000~~750	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	0.00 (see note)
Parcel M	0	~~25 (see note)~~0	0.00 (see note)
Parcel N	10,000	0	0.00 (see note)
Parcel P	0	0	0.00

The above-described reallocation of commercial floor area between the commercial core parcels does not result in any net increase in Area 2, nor does it change any of the dimensional limitations (i.e. Floor area ratio, height, setbacks) for development on those parcels. There is an amendment proposed in Exhibit 5-2 to decrease the Landscape Surface Ratio on Parcels G and H, consistent with the existing LSR ranges in the Master Plan. The only Area 2 parcel which has existing commercial development is Parcel I, which currently contains 750-sf of built restaurant/office space.

Lastly, amendments are proposed to describe the more recent changes to the LDRs regarding the Natural Resources Overlay (Sec. 5.2.1) and Waterbody and Wetland Setbacks (Sec. 5.1.1) and that those do not apply to the dimensional limitations of this Master Plan. That is an accurate application of the standing of the Master Plan approval, which is subject to the 1998 and 2016 LDRs, respectively, according to the approvals and amendments made at those times. This clarification will help future readers navigate any discrepancies between the Master Plan's unique standards and the then-current LDRs. Staff did recommend inclusion of a 15-foot manmade waterbody setback, which was applied to development in Shooting Star, and the applicant included that suggestion as a requirement in their latest redline.

STAKEHOLDER ANALYSIS

DEPARTMENTAL REVIEWS

The application was sent to the following departments and agencies for review:

- Jackson/Teton County Transportation Manager, Dr. Charlotte Frei (comments attached)
- START Director, Mike Toronto (comments attached)
- Teton County Sheriff, Matt Carr (comments incorporated into this report)
- Teton Village Association, Executive Direction Meghan Quinn (comments attached)

PUBLIC COMMENT

Notice of this hearing was mailed to property owners in the Teton Village Area 2 Master Plan and those within 800 feet of the site on March 24, 2026. A notice was also posted in the Jackson Hole News & Guide on March 25, 2026. A notice was also posted on the site on April 17, 2026.

As of the publishing of this report two public comments have been received by staff, from the Jackson Hole Mountain Resort and the Teton Village Association, which are attached to this report. The applicant has revised their application largely in response to these comments, so please note that no public comments have been received after April 10, 2026, since the application was revised.

A neighborhood meeting was also hosted by the applicant in Teton Village on December 16, 2025. Neighborhood meetings are intended to be held before the submittal of the applicant to inform the public of the impending application and gather initial feedback. A summary of the neighborhood meeting and comments received at that point are attached to the application.

LEGAL REVIEW

Gingery

PLANNING COMMISSION ANALYSIS

This application was presented to the Teton County Planning Commission on April 27, 2026. Due to scheduling constraints this meeting had to occur prior to being presented to the Town Planning Commission. The County Planning Commission heard a presentation from staff, and from the applicant, and heard public comment.

The Planning Commissioners discussed the application and suggested conditions, with questions for staff about the history of the Resort PUD, exaction requirements, and commercial core allowances. The Planning Commission expressed a desire to have updated comments from the Teton Village Association and the Jackson Hole Mountain Resort because the application was revised since the receipt of the attached comments. The Planning Commission voted 4-1 (Commissioner Muromcew opposed) to recommend approval of the application as recommended by the Planning Director, but with one additional condition, which is as follows;

Condition #3: That the following changes be struck from the amendment in Section 7 and Section 8.

> TVA constructs a transit center as contemplated in Section 8. If TVA has not commenced the Sketch Plan approval process for the transit center by the time a building permit is issued on Parcel B, Parcel C or Parcel E, then Teton County will review the need for this strategy by taking into account the "measures of effectiveness" presented to Teton County in TVA's then current TDM Monitoring Report.

> ~~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

RECOMMENDATIONS

PLANNING DIRECTOR RECOMMENDATION

The Planning Director recommends **APPROVAL** of **PUD2025-0003,** for amendments to the Teton Village Expansion Planned Unit Development Planned Resort, with the following conditions, based on the recommended findings below.

1. This approval is subject to the redline dated 4/10/26 attached to this report.
2. Prior to acceptance of Lot 15 of the Homesteads at Teton Village as an exaction by Teton County for the Sheriff Substation, the applicant shall demonstrate that the land is free from encumbrance of use by the Teton County Sheriff, including vacating any notes on Plat No. 1323 which may restrict use of the site.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommends **APPROVAL** of **PUD2025-0003,** for amendments to the Teton Village Expansion Planned Unit Development Planned Resort, with the following conditions, based on the findings recommended by the Planning Director.

1. This approval is subject to the redline dated 4/10/26 attached to this report.
2. Prior to acceptance of Lot 15 of the Homesteads at Teton Village as an exaction by Teton County for the Sheriff Substation, the applicant shall demonstrate that the land is free from encumbrance of use by the Teton County Sheriff, including vacating any notes on Plat No. 1323 which may restrict use of the site.
3. That the following changes be struck from the amendment in Section 7 and Section 8

> TVA constructs a transit center as contemplated in Section 8. If TVA has not commenced the Sketch Plan approval process for the transit center by the time a building permit is issued on Parcel B, Parcel C or Parcel E, then Teton County will review the need for this strategy by taking into account the "measures of effectiveness" presented to Teton County in TVA's then current TDM Monitoring Report.

> ~~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

PLANNING DIRECTOR RECOMMENDED FINDINGS

Pursuant to Section 8.7.3 and 8.2.13.D, the advisability of amending the Official Zoning Map to include a planned unit development classification is a matter committed to the legislative discretion of the Board of County Commissioners and is not controlled by any one factor. In deciding to adopt or deny a proposed planned unit development amendment the Board of County Commissioners shall consider:

1. *The extent to which the PUD enhances the implementation of the desired future character for the land of the proposal beyond what could be achieved by base zoning;*

   Can be made as conditioned. The amendments will help implement the Area 2 Resort Master Plan, specifically for the commercial core, and provide for some exactions prior to the development that would otherwise trigger the requirements. The provision of exactions for various public purposes contributes to the desired future character of the Teton Village Commercial Subarea to become a vibrant, walkable, mixed-use, resort and community center. The transit center is a key component to enhancing this neighborhood with effective and convenient public transportation and reducing traffic impacts on State Highway 390.

2. *The findings for the applicable PUD option found in Article 4 [4.3.1.D. Findings for Approval]*
   1. *Consistency with Comprehensive Plan. The Planned Resort master plan is consistent with the goals and objectives of the Jackson/Teton County Comprehensive Plan.*

      Complies. The amendment proposal is consistent with the Comprehensive Plan as described in this staff report.
   2. *Consistency with Purpose and Intent. The Planned Resort master plan is substantially consistent with the purpose and intent of this Section, as set forth in Section 4.3.1(A).*

      Complies as conditioned. The purpose of the Planned Resort Zone is to provide for a mix of recreational, retail, and service-oriented activities which has a high degree of self-containment and provides economic and other benefits to the community. This amendment provides for flexibility in planning and developing the Teton Village Area 2 Resort. However, certain conditions are required to ensure that resort plans incorporate a mix of land uses, promote alternative modes of transportation, and provide a pedestrian-oriented community to alleviate traffic-related impacts, in accordance with Section 4.3.1.A.5. Resort Master Plans are intended to establish predictability and protect attributes of the community that are critical to the community's long-term health, welfare and wellbeing.
   3. *Affordable Workforce Housing. The Planned Resort master plan ensures a supply of affordable workforce housing that is in accordance with the requirements for housing created by development within the Planned Resort.*

      Complies. There is no amendment to the Affordable Workforce Housing requirements or plan provided in the Master Plan.
   4. *Design Guidelines. The Planned Resort master plan contains design guidelines that:*
      a. *Establish standards for buildings, spaces, signs, and lighting within the Planned Resort;*
      b. *Promote the design concepts set forth in Subsec. F.7; and*
      c. *Establish a method for consistent implementation of the guidelines.*

      Complies. There is no change to the Design Guidelines that currently exist in the Master Plan.
   5. *Transportation Element. The Planned Resort master plan contains a traffic impact analysis and transportation demand management plan that:*
      a. *Promote multimodal forms of transportation that are consistent with the transportation goals of the Jackson/Teton County Comprehensive Plan;*
      b. *Manage the generation of resort related traffic to avoid undermining community character and endangering the public health, safety, and welfare; and*
      c. *Identify an equitable cost sharing plan for transportation facilities and services.*

      Complies as conditioned. The amendment, dated 4/10/26, proposes shifting the requirement for the future construction of a transit center to the Transportation Demand Management program, which aims to promote multimodal forms of transportation. This amendment aims to maintain compliance with the Transportation Element and those findings for equitable planning of transportation facilities and services.

6. *Capital Improvements Plan. The Planned Resort master plan contains a capital improvements plan that ensures infrastructure and essential services will be provided in an efficient and timely manner to accommodate projected resort demands.*

   Complies. The construction of the transit center remains a key component of the Capital Improvements Plan Section 8 of the Master Plan. Even after land is transferred, the transit center construction shall remain in the phasing plan to be revisited at a future date, specifically based on transportation demand management monitoring.

7. *Land Use Element. The Planned Resort master plan promotes land uses that support and maintain the character of the resort as specified in Sections 4.3.2—4.3.7.*

   Complies. The amendments to the land use element are minor and supported by the desired future character of the Teton Village Area 2 Resort. The Commercial Core is intended to be a mixed-use development with residential, commercial, and institutional uses.

8. *Phasing Plan. The Planned Resort master plan contains a phasing plan that ensures:*
   a. *Development of the resort, its amenities, and public facilities necessary to serve the resort, occur in logical sequence, and*
   b. *An adequate monitoring program is established for determining accomplishment of proposed remedies and mitigation measures for projected impacts on the community.*

   Complies. Staff recommend that the transit center remain in the phasing plan to ensure public facilities are constructed in a logical sequence to serve the transportation needs of the resort areas.

9. ***Character Element.*** *The Planned Resort master plan ensures the resort's development will be in keeping with the community's character and the planned character for the vicinity of the resort.*

   Complies. The amendments would not conflict with the community character envisioned for the area.

3. *The applicable findings for the amendment of an existing PUD or other special project found in Section 8.2.13(D);*

   Can be made. An amendment to an existing PUD shall, to the maximum extent practicable, meet the standards for the PUD option found in Article 4. See the above response to the findings for the PUD option found in Section 4.3.1.D.

4. *The findings of Section 8.7.1[LDR Text Amendment]; and*

   Not applicable. The request to amend the Teton Village Expansion (Area 2) Resort Master Plan does not require an amendment to the Teton County LDRs.

5. *The findings of Section 8.7.2 [Zoning Map Amendment].*

   Not Applicable. The resort zone exists and there are no proposed amendments to the zoning map.

ATTACHMENTS

- Response to Comp Plan District Policy Objectives
- Plan Review Committee Comments
- Public Comment
- PUD2025-0003 Redline (4/10/25)
- PUD2025-0003 Full Application (digital only)

SUGGESTED MOTION

None. The LDRs state that the PC does not have a 'voting participation' in the review of a Resort Master Plan amendment, thus no motion is intended. However, the Town Planning Commission is expected to provide any recommendations and comments as appropriate.

Attachment 1: Response to Comprehensive Plan District Policy Objectives.

1.3.b. Maintain expansive hillside and foreground vistas.
Complies. The application does not impact hillside or foreground vistas.

3.2.a. Enhance the quality, desirability, and integrity of Complete Neighborhoods
Complies. The amendment will solidify the exactions associated with the Sheriff's substation.

3.2.b. Locate nonresidential development in Complete Neighborhoods.
Complies. This proposal is for amendments to a resort master plan with nonresidential development allowances in a complete neighborhood.

3.2.c. Limit lodging to defined areas.
Complies. Lodging is limited by the existing Master Plan and no amendments to that section are proposed.

3.2.d. Emphasize a variety of housing types.
Complies. The Master Plan allows a variety of housing types.

3.2.e. Promote quality public spaces in Complete Neighborhoods.
Complies as conditioned. The amendments are focused on the public exaction requirements in Area 2. Provision of a quality transit center, both in design and location, is a crucial component of a vibrant complete neighborhood in Teton Village.

5.2.a. Provide a variety of housing options.
Complies. Like the response to policy objective 3.2.d, the Master Plan allows for a variety of housing types.

6.2.a. Enhance tourism as the basis of the economy.
Complies. The Resort Master Plan acknowledges and enhances the tourist economy of Teton Village while also striving to create a vibrant year-round community.

6.2.b. Support businesses located in the community because of our lifestyle.
Complies. Development in Teton Village is designed to support the ski and other outdoor industries that center around Jackson Hole Mountain Resort.

6.2.c. Encourage local entrepreneurial opportunities.
Complies. The allowed uses of the Master Plan encourage local entrepreneurial opportunities through non-residential development including local commercial and resort support uses.

6.3.a. Ensure year-round economic viability.
Complies as conditioned. The development exactions of the transit center, sheriff substation and visitor center are components to support a year-round community. The transit center specifically is vital to supporting a complete neighborhood and not just seasonal visitors.

7.1.a. Increase the capacity for walking, biking, carpooling and riding transit.
Complies. The provision of exactions in Teton Village was designed to increase capacity for, or use of, multimodal transportation.

Attachment 2: PUD2025-0003 Plan Review Committee Comments

Date: February 24, 2026

Subject: PUD2025-0003 Amendments to Teton Village Expansion Resort Master Plan

Dear Ms. Windom,

Thank you for the opportunity to review the Four Shadows, LLC proposal. We appreciate the applicant's proactive interest in improving mobility in Teton Village.

The Town of Jackson and Teton County have made a significant public investment in transit, including more than $16 million in the Stilson Transit Center, with over $8 million funded through Transportation Alternatives SPET. START, Teton County, TVA, and JHMR will share ongoing maintenance responsibilities, with the cost still to be determined. The Stilson Transit Center is designed to make transit more convenient and attractive by providing modern, conditioned indoor waiting space and improving the overall rider experience. Our goal is to continue growing START ridership.

The investment in the Stilson Transit Center underscores the need for supportive land use and high-quality transit facilities throughout the county. Future development must reinforce, not diminish, the level of service and convenience that makes transit a competitive choice.

Walking distance to transit is critical. While larger urban systems may assume a quarter-mile walk, rural conditions and winter operations in Teton Village require a much shorter distance. Based on our combined experience in transportation planning, engineering, and operations, the transit stop must remain as close as possible to the ticket office and base of lifts. The current START bus stop location is ideal. Asking riders to walk more than 50–100 feet in ski boots while carrying equipment, often with children, reduces transit's competitiveness and encourages driving. Maintaining a convenient stop location is essential to protect the community's investment in Stilson and sustain ridership.

The applicant has suggested locating a transit center on Parcels M or L. We recommend exploring a land exchange with JHMR to allow five or more 'saw-tooth' bus bays at the existing stop location. With modifications to traffic flow along Village Drive—such as one-way operations, a shared street design, and clearly defined valet and short-term loading zones—there appears to be sufficient space to develop a high-quality transit facility that mirrors the community's investment at Stilson.

Traffic on WY390 continues to grow, with winter and summer volumes hovering around 12,000 vehicles per day. Additional development on the Four Shadows parcels will push traffic closer to planning or construction thresholds. To proactively manage this growth, transit must remain the most convenient option for as many visitors and employees as possible.

TVA should partner with START and other shuttle providers to develop appropriate bus stop infrastructure and clearly define the intended users of the facility, whether limited to START or inclusive of all shuttles serving Teton Village.

We appreciate the applicant's willingness to address transportation needs. We encourage modifications to the master plan that preserve a convenient, high-quality transit location and align with the Comprehensive Plan's core values of Growth Management, Ecosystem Stewardship, and Quality of Life. We look forward to continued collaboration to ensure development supports the community's long-term transit investments.

Thank you for the opportunity to comment. We are available for questions.

Charlotte Frei, PhD, PE
CFrei@tetoncountywy.gov
307-732-8498

Mike Toronto
MToronto@jacksonwy.gov
307-733-4521 Ext. 1650

Attachment 3: PUD2025-0003 Public Comments

TETON VILLAGE
ASSOCIATION
IMPROVEMENT & SERVICE DISTRICT

April 9, 2026

Teton County Board of County Commissioners
200 Willow Street
Jackson, WY 83001

Dear Members of the Teton County Board of County Commissioners:

On behalf of the Teton Village Association ("TVA"), thank you for the opportunity to comment on the February 24, 2026, staff report regarding the proposed amendments to the Teton Village Expansion Resort Master Plan (PUD2025-0003) submitted by Four Shadows, LLC.

After careful review, TVA opposes the Master Plan Amendment as currently presented, including the proposal to locate the transit center on Parcels L and M through the transfer of those parcels to TVA in connection with the Area 2 transit center exaction. While the TVA appreciates Four Shadows' efforts to address mobility within Teton Village, this proposal would not support the long-term effectiveness of transit service in the Village.

The Town of Jackson and Teton County have made a substantial public investment in regional transit infrastructure, including more than $16 million in the Stilson Transit Center, with over $8 million funded through Transportation Alternatives SPET. Protecting the value of that investment requires land use and facility decisions that preserve convenient, reliable access for riders.

In Teton Village, proximity between transit stops and the base area is especially important. Riders often travel with equipment, children, and in winter conditions, making a conveniently located stop near the lift base is essential if transit is to remain a practical alternative to driving. As reflected in the staff report, locating the transit center farther from the base area would diminish transit effectiveness and undermine the public investment already made in the regional transit system.

Accordingly, TVA supports continued evaluation of alternatives that preserve the ease and convenience that guests and employees require. Consistent with the Area 2 Master Plan, TVA believes the better approach is the transfer of an Area 2 parcel to Jackson Hole Mountain Resort, with JHMR in turn providing land within Area 1 to accommodate a suitably located Transit Center.

As development and traffic volumes along WY 390 continue to increase, maintaining transit as the most convenient option for employees and visitors will be vital to managing congestion and protecting quality of life in Teton Village and the broader community.

Given TVA's role in coordinating transportation within the Village through partnerships with START, Jackson Hole Mountain Resort, and other shuttle providers, TVA should be included as a partner in the planning and implementation of any transit facility serving Teton Village. Decisions regarding transit design, location, and operations will have direct and lasting impacts on Village circulation and the rider experience.

We respectfully request that the Board decline to approve a transit center solution centered on Parcels L and M and ensure that TVA, along with Four Shadows and JHMR, are formally included in discussions regarding the location of the transit center as contemplated by the Area 2 Master Plan. The TVA remains committed to working collaboratively with the County, the Town of Jackson, START, the Jackson Hole Mountain Resort, and Four Shadows to support transportation solutions that align with the Comprehensive Plan's values of Growth Management, Ecosystem Stewardship, and Quality of Life.

TVA held a Special Meeting today, during which all the parties engaged in a positive discussion. Although we cannot support the plan as it is now, we made steps today that move the discussions in the right direction and look forward to more collaborative conversations with Four Shadows, JHMR, and the County on an alternative plan. We feel confident that we can find a solution.

Thank you for your consideration and continued commitment to thoughtful planning in Teton Village.

Sincerely,

John Newman, Chair
Teton Village Association Board of Directors

JACKSON HOLE MOUNTAIN RESORT
3395 CODY LANE
P.O. BOX 290, TETON VILLAGE, WY 83025

March 12, 2025

<u>VIA EMAIL ONLY</u>

Teton County Board of County Commissioners
200 South Willow Street
P.O. Box 3594
Jackson, WY 83001

RE: **<u>PUD2025-0003 - *APPLICATION FOR AMENDMENTS TO TETON VILLAGE EXPANSION RESORT MASTER PLAN (AREA 2)*</u>**

Dear Commissioners:

Thank you for the opportunity to comment on the proposed amendment to the Teton Village Expansion Resort Master Plan (PUD2025-0003) submitted by Four Shadows, LLC (the "Amendment"). As a community, we have an important opportunity to work together to improve transportation in Teton County and Teton Village, and the Jackson Hole Mountain Resort ("JHMR") looks forward to being an active participant in that effort. We appreciate Four Shadows' willingness to engage in the conversation and their interest in helping identify solutions that support the long-term success of the Village.

I am submitting this letter in opposition to the Amendment that proposes to transfer Four Shadows' Lots L and M to the Teton Village Association ("TVA") to satisfy the Area Two transit center exaction.

First and foremost, Four Shadows filed the Amendment without consulting JHMR who is the largest stakeholder impacted by the Amendment. The Area Two Master Plan states "[A]fter 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 skitch plan for review and approval by Teton County." Notably, neither TVA nor JHMR are parties to the Amendment. To best determine the transit center location (in Area One or Area Two), the Area Two Master Plan requires a coordinated effort between Four Shadows, JHMR, TVA, and START. The Amendment was filed without JHMR's involvement or support and does not reflect the collaborative process required by the Area Two Master Plan. In addition, references to "cooperation with JHMR" are stricken from the Amendment. Removing JHMR from the conversation is opposite the intent of the document and the goal of stakeholders who should be working together to find solutions.

Second, Lots L and M are not a suitable location for a transit center. The Area One and Area Two Master Plans envision a carefully planned, integrated transportation solution tied to overall Village Core circulation, parking strategy, and pedestrian flow. The overall development plan for the Village Core is not yet complete, and the appropriate siting of a transit center should occur only within the context of a comprehensive transportation and parking plan that includes buy-in from JHMR, TVA, START, and Teton County.

The Area Two Master Plan provides a clear path for satisfying the Transit Center exaction. Specifically, it anticipates that the Area Two applicant may transfer land within Area Two to JHMR, after which JHMR may transfer a similarly sized parcel within Area One, and potentially some Area Two land, to TVA for construction of the Transit Center. This framework ensures that the final Transit Center location is determined through coordinated planning and aligns with the operational realities of the ski resort and the Village Core.

Rather than unilaterally transferring Lots L and M to TVA, Four Shadows should, as required by the Area Two Master Plan, be required to work collaboratively with JHMR and TVA, with input from START, to identify the right location for the Transit Center based on a comprehensive and agreed to development plan. A premature land transfer risks undermining the integrated transportation system that the Master Plans seek to achieve.

JHMR is fully aligned with TVA and other Village stakeholders in the shared goal of building a world-class resort village with best-in-class transportation and parking facilities. We support the development of a high-quality Transit Center that enhances the guest experience, improves transit efficiency, and supports long-term Village vitality. However, the Amendment does not serve that goal and does not follow the coordinated approach required under the Area Two Master Plan.

For these reasons, JHMR respectfully requests that the Board deny the Amendment as submitted and instead encourage the applicant to engage in the collaborative planning process outlined in the Area Two Master Plan.

Thank you for your consideration.

Sincerely,

Doug Pierini, Chief Executive Officer
Jackson Hole Mountain Resort

cc: Teton County Planning Commission
Chandler Windom
Christopher Hawks

Four Shadows

March 17, 2026

Teton County Board of Commissioners
Via email only

RE: Future Teton Village Transit Center in the location as recommended by START and Dr. Frei; Area 2 RMP Amendments allow the first step for that vision.

Dear Commissioners,

Convenient, user-friendly transit to and from Teton Village, via the community's Stilson Transit Facility, is the key to future success to achieving meaningful traffic reduction on Highway 390 and Highway 22. We commend this Board for its foresight and quality planning of this new transportation system.

Your new transportation system needs a satellite transit center in Area 1 of Teton Village, which has been contemplated for decades and was a 2005 public land exaction in the Area 2 Resort Master Plan.

In a recent letter to Chandler Windom, your START Director, along with your Transportation Manager, recommend that the future Teton Village transit center be located as close as possible to the main ticketing office and lifts in Area 1 of Teton Village. We support that recommendation.

> "The current START bus stop location is ideal. Asking riders to walk more than 50–100 feet in ski boots while carrying equipment, often with children, reduces transit's competitiveness and encourages driving. Maintaining a convenient stop location is essential to protect the community's investment in Stilson and sustain ridership."

Since the 1930s, our family has owned most of the land in Area 2 of Teton Village. We are excited to be working with you on a proposed set of amendments to the Area 2 Resort Master Plan that will enable a long-envisioned, user-friendly transit center that our generation of the family especially wants to see.

We are proposing a step towards that future rather than doing nothing for yet another decade.

The main purpose of our amendments to the Area 2 Resort Master Plan is to accelerate the timeline for a satellite transit center, by transferring land into the hands of Teton Village government.   We propose conveying about 2.6 acres of our land immediately south of the gas station – land called "Parcels L and M."

We don't believe we should be transferring public land exactions to a private entity. That is not the right approach. Land for public transit should be in public ownership. That is a foundational Teton County value.

We are proposing to convey the land to Teton Village Association (TVA) because the conveyance is a "development exaction" required by Teton County: public land transferred to a public entity for public purposes and public use.

As you know, TVA is the statutorily authorized improvement service district that serves as the principal local governmental entity for Area 1 commercial lot owners. Per TVA's website, "TVA enhances the guest experience to make Teton Village the #1 destination resort community. TVA is responsible for municipal-type functions in the commercial core of Teton Village. It is funded by property tax assessments on Teton Village commercial lots."   TVA is the only appropriate and transparent recipient of public purpose exaction land because it is the local governmental entity in Teton Village funded by taxpayers that is responsible for municipal functions.

All involved share the view that it is unlikely that the Transit Center's ultimate home should be on Parcels L and M. Once the land is conveyed <u>unrestricted</u> to TVA and in public ownership, then TVA will be in the enhanced position with a land asset to work within their jurisdiction and with Area 1 stakeholders to locate and design transit improvements within Area 1, as envisioned.

We are outlining transparent steps. The appropriate mechanism for realizing your START Director and Transportation Manager's vision is:

1. Approve the transfer of Parcels L and M to TVA as the appropriate governmental entity to receive public assets. Then TVA will own land within Area 1 of Teton Village that it can use to ultimately site the best location for the transit center.

2. Direct TVA and Area 1 stakeholders to work with your START Director and Transportation Manager to identify the best transit center location within Area 1 with full public collaboration and public meetings. We also hope the Area 1 business owners are central to discussions so that core Village vibrancy is a factor when locating this important future transit center in Area 1.

3. TVA can then work with JHMR on the best design and location in Area 1, potentially exchanging Parcels L and M to get there.

4. The BOCC will have a significant role at that time because this will require an amendment to the Area 1 Resort Master Plan.

You recently received a letter from Jackson Hole Mountain Resort (JHMR) that opposes our conveyance of public purpose exaction land to TVA. The letter put their request into writing for private transfer of public assets. JHMR wants you as a public board to transfer public assets (in this case, 2.6 acres of public purpose exaction land, Parcels L and M, from the Area 2 Resort Master Plan) directly to JHMR, a private corporation. To say that private entities should receive public assets is a policy position from a different era.

Private entities taking ownership of public land assets is outdated, and, in these post-Mike Lee-bill times, frankly inappropriate. Today, public lands should be in public hands, as we are doing in our amendments to the Area 2 Resort Master Plan.

In 2026, Four Shadows desires to move forward with a better approach, namely a transfer of public purpose exaction lands to an appropriate governmental entity under Wyoming State Statutes, specifically either to TVA (with authority under the Wyoming law for Village public infrastructure) or perhaps to Teton County itself. The 2.6 acres of public exaction land at Teton Village is a premium asset worth a considerable amount. We encourage you to keep public assets public, and transparently in the hands of statutory public entities.

Since at least 2011 we have collaborated with JHMR and TVA regarding joint planning. More recently, in the last six months, we communicated and consulted with JHMR via TVA and TVRD – and we did so openly and transparently via Village governmental entities so that there would be a public record about public purpose assets. We felt that was important for the public and to prioritize transparency so that the public had that assurance over its public exaction lands. An officer of TVA, JHMR's CEO Doug Pierini is the TVA Secretary. An officer of Teton Village Resort District, JHMR's Chief Financial Officer Braden Turner is the TVRD President. So each knew well in advance, transparently and officially, of our intent to submit Area 2 amendments. Indeed, we were delighted that JHMR leadership, including Doug Pierini and Mike Corbat, attended our public Neighborhood Meeting in December 2025 prior to submittal of our amendment package.

Another point to keep in mind is that Area 2 is not within the TVA boundaries. Likewise, Area 1 is not a party to the Area 2 Resort Master Plan, nor is JHMR or TVA. The County's Area 2 condition exacting land for the transit center requires action by us on someone else's property. You will agree that needs clarifying for many reasons.

With the land conveyed, TVA and Area 1 partners can site the transit center as they want within Area 1. Four Shadows has no role in Area 1, other than transferring this land for public purposes.

We are transferring the exaction land ahead of when we are required for the express public benefit of enabling good transit planning, and <u>realizing meaningful traffic reduction as your Stilson facility comes online.</u> We have no development in Area 2 that triggers or requires us to make this exaction transfer at this time. Our intent with this amendment is to help the Village with its public purpose assets now, when they are needed, rather than decades away.

It is time for meaningful transit, which is why we are voluntarily amending our own Area 2 Resort Master Plan to enable better public transit. It is certainly not the time to privatize those public assets**. Help TVA and the County be in the driver's seat to lead the way on transit.** Prioritize transparency and the public good – as we are spearheading with our public purpose exaction land transfer amendments.

Again, thank you for you and your staff's vision for meaningful transit and true traffic reduction in our community.

Sincerely,

Bayless Sword

Turner Resor

cc: Teton County Planner Chandler Windom
Teton County Planning Commission
Teton County START Director
Teton County Transportation Manager
Teton County Deputy Attorney Keith Gingery
Teton Village Association
Teton Village Resort District

Attachment 4: PUD2025-0003 Redline from applicant with staff edits (4/10/26)

AMENDED MASTER PLAN FOR AREA TWO

TETON VILLAGE EXPANSION
PLANNED UNIT DEVELOPMENT
PLANNED RESORT (PUD 2002-0001)

REVISED JUNE 6, 2017

REVISED ____________, 2026

[UPDATE THIS PAGE ACCORDINGLY]

APPROVED WITH CONDITIONS BY THE TETON COUNTY BOARD OF COUNTY COMMISSIONERS ON JUNE 6, 2017 AND ____________, 2026

(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 and ____________, 2026) Approved by Christopher A. Neubecker, Planning Director, Teton County, Wyoming:

____

Christopher A. Neubecker

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

The foregoing instrument was acknowledged before me by Christopher A. Neubecker, as the Planning Director of Teton County, Wyoming, this ______________day of _____, 20__.

Witness my hand and official seal.

____
Notary Public
My commission Expires:

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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 may also ~~includes~~include 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~~ One hundred twenty five (125) 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~~commercial 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 a visitor ~~information space~~center 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.

For purposes of this Master Plan, Area 1 and Area 2 are collectively referred to herein as the "Teton Village Resort."

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.

Commented [agb1]: Change for clarity only, as it may or may not include all of these improvements.

Commented [agb2]: Change to reflect that 27 units were already transferred from South Res'l Community to Village Core.

Commented [agb3]: Change for clarity only, as there are non-residential uses that are not commercial uses and therefore would not be local commercial uses. For example, institutional uses are non-residential but not commercial. Therefore, it is more accurate to say other commercial uses instead of non-residential uses.

Commented [agb4]: Change for clarity, to make definition of Teton Village Resort more obvious for the reader.

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. Nine townhouses were included in the Development Permit for Townhouse B Sub-tract, therefore twenty-seven have been 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.

Commented [agb5]: Change to reflect what exactly happened.

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~~provided 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.~~that limits density. In addition, density ~~shall be~~has been limited both within and outside of Area 2. The recreational lands requirement ~~must be~~have been partially fulfilled within Area 2. The restricted lands outside of the free-market building envelopes ~~shall be~~have been fulfilled on conservation lands outside of Area 2.

Commented [agb6]: Change to reflect that some of this happened already.

Commented [agb7]: Change to reflect title of conservation easement and what has already happened.

Conservation Easement Restricting Density

The Conservation Easement ~~Restricting Density restricts~~limits 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

Commented [agb8]: Change to reflect title of conservation easement.

Commented [agb9]: Change to reflect title of conservation easement.

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). The original Conservation Easement was amended and restated in its entirety by that certain Amendment and Complete Restatement of Conservation Easement, recorded September 4, 2012 as Document Number 0821264. The Amendment and Complete Restatement of Conservation Easement was amended by that certain Amendment to Conservation Easement for Purposes of Substitution dated February 17, 2022 and recorded as Document Number 1033173.

Commented [agb10]: Change to reflect amendments to referenced easement, for accuracy.

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:

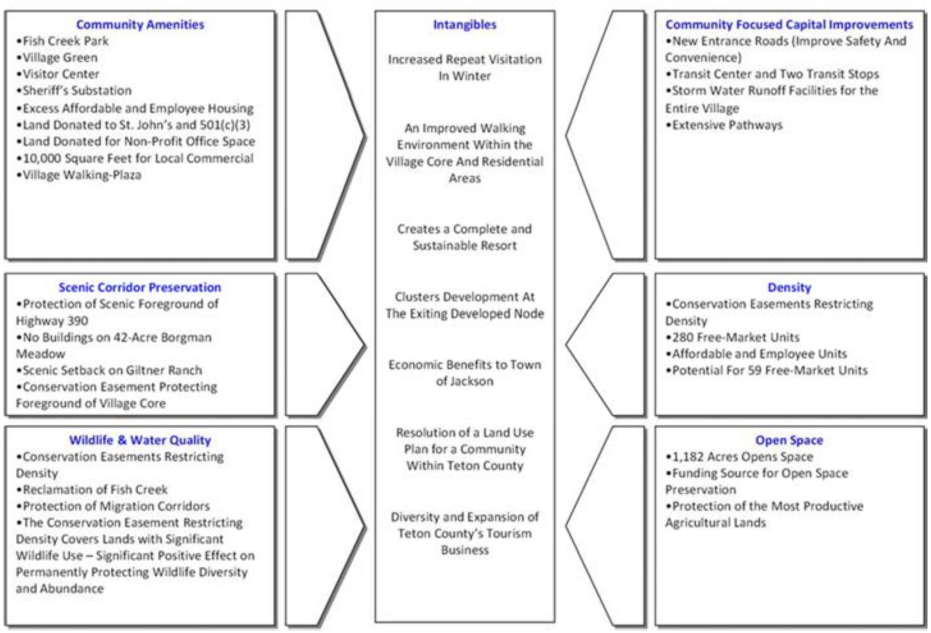
Commented [agb11]: Changes in this section are only for clarity.

- ~~The~~Unless otherwise expressly noted herein, 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~~.
- The term "2016 Land Development Regulations" means the 2016 Land Development Regulations version in effect as of November 16, 2016, under which PUD2017-0001 was approved.
- 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 to LDR 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.

Commented [agb12]: Change only for clarity, not necessary language. And, other uses besides just Local Commercial could be used to create an economically viable area.

Commented [agb13]: Change only for clarity.

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, as described above 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.

Commented [agb14]: Changes in this paragraph made for clarity and accuracy.

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.~~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 land located near the entry ~~of the~~to Teton Village ~~Resort will use~~may include facilities that display and honor our community's Western heritage, such as a saddle house and corrals, and trail riding, wagon rides, and winter sleigh ride facilities, 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.~~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~~enhanced trout habitat ~~in~~by re-creating the sinuosity of Fish Creek through the South Residential Community; and it helps create a coherent resort community.

Commented [agb15]: Capitalized because it is a defined term.

Commented [agb16]: Expanded language to give a better of idea of the family's intentions.

Commented [agb17]: Capitalized because it's a defined term.

Commented [agb18]: Change only for clarity, and because it already happened.

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~~DBA2002-0001 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~~DBA2009-0003, was approved~~ and is~~, as shown on the Map Showing Boundary of PUD District for Planned Resort~~ as Last Amended by District Boundary Amendment DBA 2009-0003~~, Appendix F.

Commented [agb19]: Changes only for accuracy and clarity.

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 the 1994 LDR 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.

Commented [agb20]: Change only for accuracy/clarity.

In accordance with the 2016 LDRs, Section 8.2.13.D, a PUD Amendment, shall be reviewed and approved pursuant to Section 8.7.3, PUD, the Board of County Commissioners shall consider the findings listed in Section 4.3.1.D.

Commented [agb21]: Change only for clarity.

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~~discussed in the Teton County 2020 Futures Map.

Commented [agb22]: Change for accuracy.

In accordance with 1994 LDR 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

Commented [agb23]: Change only for accuracy/clarity.

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~~justified 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.

Commented [agb24]: Change because already happened.

In accordance with 1994 LDR 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.

Commented [agb25]: Change for clarity/accuracy.

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~~Local 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.

Commented [agb26]: Capitalized because it's a defined term.

To effect the transfer of commercial square footage between property owners in Area 2 and Area 1, a document executed by the sending property owner and the receiving property owner shall be recorded with the Teton County Clerk, indicating that the commercial square footage is being transferred to the receiving property (transferee) and is no longer available for the sending lot or tract (transferor). Upon recordation of such document, a copy of the recorded document shall be provided to both the TVA and Teton County Planning Department.

Commented [agb27]: Added to make clear how a transfer would occur. No transfer planned or discussed at this time. Just adding this for clarity going forward.

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~~125 (see note)	~~182~~155 (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 shows the 10,000 square feet of Local Commercial allocated to Area 2, but does not show the ~~remaining~~potential 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~~ has been updated to reflect the fact that ~~up to 30~~27 free-market units located on Townhouse B Sub-Tract ~~may be~~have been transferred to the Village Core from the Teton Village Residential South.

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

Commented [agb28]: Change to reflect that 27 units were transferred.

Commented [agb29]: Changes only for clarity – to improve language.

Commented [agb30]: Change to reflect what has actually happened.

EXHIBIT 4-2: AREA USE SCHEDULE

~~Residential~~ ~~(see note)~~	~~Single-Family Sub-Tract~~	~~Townhouse Sub-Tracts~~	~~Village Core~~
~~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~~
~~Non-Residential Agricultural~~			
~~Agriculture~~	~~Y~~	~~Y~~	~~Y~~
~~Non-Residential Resort Recreational~~			
~~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~~
~~Non-Residential Institutional~~			
~~Institutional~~	~~N~~	~~C~~	~~Y~~
~~Utilities~~	~~C~~	~~C~~	~~C~~
~~Day Care Center, Group~~	~~N~~	~~N~~	~~Y~~
~~Non-Residential Commercial~~			
~~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~~
~~Non-Residential Industrial~~			
~~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 Us~~

Residential	Single-Family Sub-Tract	Townhouse Sub-Tracts	Village Core
Detached 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

Commented [agb31]: Susan and I took a close look at the chart, and felt like it could be revised to reflect how the County actually applies the chart in practice, and to reflect the use terms in this master plan. None of the changes grant additional rights, they simply improve this chart to reflect what is actually occurring.

Institutional Residential	N	C	C
Non-Residential Agricultural			
Agriculture	Y	Y	Y
Resort Support			
Skiing	Y	Y	N
Dog sled rides	Y	N	Y
Fishing	Y	Y	Y
Heli-Ski port	N	N	N
Tennis, Pickleball	Y	Y	Y
Golf	N	N	N
Public Restrooms	N	N	Y
Public Ski Lockers	N	N	Y
Transit Center	N	N	Y
Daycare center, Group	N	N	Y
Teton Village ISD Offices	N	N	Y
Other Resort Support	N	N	Y
Institutional			
Utility Facilities	C	C	C
Sheriff substation	N	N	Y
Post office	N	N	Y
Nonprofit office space	N	N	Y
Other Institutional	N	N	Y
Commercial (any of which may be Local Commercial)			
Restaurant/Bar	N	N	Y
Other commercial uses	N	N	Y
Retail	N	N	Y
Office	N	N	Y
	N	N	Y
Non-Residential Industrial			
Industrial	N	N	C
Temporary			
Event/Special Event	N	N	Y
Construction Storage and Staging	Y	Y	B
Nurseries	Y	Y	B
Gravel Processing	C	C	N
Lodging			
Hotel	N	N	Y
Condo	N	N	Y
Accessory to Lodging	N	N	Y

Y = Permitted by Right, No Use Permit Required

B = BUP required

C = CUP required

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).~~

"Lodging Uses" are defined as a building or a portion of a building containing rooms, areas or separate spaces intended for overnight occupancy by paying guests. Lodging uses are not commercial uses.

"Accessory to Lodging Uses" are uses ~~associated~~ secondary to a primary ~~with~~ Lodging Use. Interior Accessory to Lodging Uses may include associated office spaces; meeting space / conference facilities no larger than necessary to accommodate lodging guests; restaurant facilities solely for lodging guest, such as breakfast bars or kitchen space used for room service; spa; health club; pools and other recreational facilities; lounge lobby; ski lockers; and other similar service /support facilities. Exterior Accessory to Lodging Uses may include pool and spa facilities; racquet courts and other similar uses. Accessory to Lodging Uses shall not be considered commercial uses.

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 finished grade for at least fifty percent of the total perimeter of the building and at no point is more than ten feet above finished 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 sheriff's substation, a post office, non-profit office space, offices related to resort operations or general Teton Village government operations, and other similar uses. Institutional uses also include public and semi-public uses such as public performing space and other similar uses; these uses shall not be considered commercial uses.

"Resort Support Uses" include facilities that provide amenities to support, or that are utilized to operate, the Teton Village Resort, which may include a transit center and other transportation-related facilities ; visitor center; daycare facilities; eating areas not specifically associated with an establishment selling food; outdoor eating establishments; Nordic skiing, horseback trail riding, horse-drawn sleigh rides and associated facilities for all such activities; maintenance facilities; public restrooms; and other similar uses. Resort Support Uses are not commercial uses.

Commented [agb32]: Parcel P uses are addressed already so removed because redundant and therefore confusing. See Exhibit 4-4 notes.

Commented [agb33]: The Master Plan was missing a definition of Lodging Uses and Accessory to Lodging Uses. Lodging uses are contemplated (see preceding paragraph) and assigned APOs. When you have a lodging use, there will most always be amenities provided and the Master Plan was silent on how those amenities would be classified. Area 1 Master Plan has both a lodging and accessory lodging use definition so it makes sense to update this Master Plan to include similar definitions. This will avoid ambiguities down the road.

Commented [agb34]: *There is a discrepancy between the 10,500 sf of Institutional currently allowed by the Mater Plan and the 9,500 sf of Institutional listed in LDR Sec. 4.3.4, which was likely a staff error (Susan) not realizing the LDR also needed to be amended in the last revision approved in 2017. Chandler, how do you want to deal with that?

Commented [CW34R2]: Staff will try to address this with the next LDR cleanup

Commented [agb35]: Added defined term for ease of use throughout. For clarity.

Commented [agb36]: Change for clarity.

Commented [agb37]: Visitor center should be resort support, not institutional.

Commented [agb38]: Redundant so deleted.

Commented [agb39]: Created defined term for clarity in this master plan. Refined this definition for clarity, but no substantive changes.

Just a note that we included tennis and pickleball as Resort Support uses in the use table, but we think it can be both Accessory to Lodging and Resort Support if a racquet court is in the Village Green for example.

Village Core

The Village Core contains affordable and employee units for 365.75 people, ~~98~~125 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~~Area 1 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~~Area 1 containing commercial space is needed. Thirty-five thousand square feet of retail space in the Village Core allows a realistic amount of mercantile diversity to produce synergy and vitality, year round. Thirty-five thousand square feet of office space in the Village Core 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.

Commented [agb40]: Change to reflect what has happened.

Commented [agb41]: Change for accuracy because Local Commercial is defined term.

Commented [agb42]: Changes in this paragraph are only for clarity/accuracy.

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~~500 APOs in the Village Core to reflect the permitted transfer of 27 units from Teton Village Residential South Townhouse Sub-tract B. 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.~~

Commented [agb43]: Change for accuracy.

Commented [agb44]: Removed because no longer relevant.

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 UNITS, AFFORDABLE AND EMPLOYEE UNITS, INSTITUTIONAL AND RESORT SUPPORT USE BY PARCEL

	Commercial	Free-Market	Employee / Affordable	Institutional	Resort Support
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	YES	See Note	YES	YES
Parcel H	~~NO~~YES	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

Commented [agb45]: We are not sure why commercial wasn't allowed on G and H. We would like to amend to a yes for G and H, to keep options open for the future. May have been based on obsolete site plan for G and H.

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~~by right uses are limited to pathways, driveways and roads; underground utilities together with associated above-ground appurtenances and buildings devoted to utility services; storage uses; and fences. In addition, ~~at the discretion~~with approval of ~~the Board of County Commissioners~~a Conditional Use Permit, Parcel P uses include other infrastructure uses not listed above, and recreational uses (e.g. tennis courts).

Commented [agb46]: Changes in this paragraph are only for clarity/accuracy.

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

	Square Feet of Commercial	Number of Free-Market Units	Persons in Affordable/Employee Housing
Parcel A	19,500	0	0.00 (see note)
Parcel B	~~31~~24,500	20 (see note)	36.25 (see note)
Parcel C	~~40~~34,300	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~~17,500	83 (see note)	0.00 (see note)
Parcel H	~~0~~2,500	32 (see note)	0.00 (see note)
Parcel I	~~9,000~~750	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

Commented [agb47]: Changed because original numbers were based on obsolete site plan. Took fresh look at these numbers and tried to align them better with other parcels.

Commented [agb48]: See note above re commercial on G and H. Changed because original numbers were based on obsolete site plan. Took fresh look at these numbers and tried to align them better with other parcels.

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.~~

Commented [agb49]: Removed because irrelevant now. 27 were transferred.

Teton Village South Residential Community

The development plan for the Teton Village South Residential Community includes ~~182~~155 free market dwelling units on approximately 169 acres of land. This number ~~does not reflect the fact that up to 30~~reflects 27 free-market units located on Townhouse B Sub-Tract ~~may be~~that have been 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~~plats for the area ~~contains~~contain: 100 Single-Family Lots and ~~82~~55 townhouse units. This number ~~does not reflect~~reflects the ~~fact that up to 30~~27 free-market units located on Townhouse B Sub-Tract ~~may be~~that have been transferred to the Village Core. All Single-Family Lots are permitted an accessory residential unit. All townhouse units are available for short-term rental.

Commented [agb50]: All changes in this paragraph for accuracy, to reflect what happened.

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

No portion of Area 2 shall be subject to any additional Environmental Reviews or Standards beyond those completed and required in the 2004 Environmental Analysis (EVA2004-XXXX). Man-made water features, including irrigation ditches, shall be subject to a 15' setback from the top of bank, unless an irrigation ditch setback is waived by the owner of the water rights. ~~i~~Intermittent and ephemeral streams (Shorty Creek and Ellen Creek), berms and bioswales ~~are permitted with no setback requirements~~require no setbacks~~, except for irrigation ditches which convey apportioned surface water flows~~. ~~shall be subject to a 15' maintenance easement from the top of bank, unless the setback is waived by the owner of the water rights.~~ Any new or existing uses shall be subject to 30-foot setbacks for naturally occurring, non-degraded wetlands. Irrigation-induced wetlands require no setbacks. All perennial streams shall require a setback of 50-feet ~~unless otherwise~~except as noted in the Subsection ~~on a plat~~below for the Teton Village South Residential Community. A County-approved building envelope (whether platted or ~~approved on~~filed as a T-map) supersedes all wetland and waterbody setback requirements~~s~~, regardless if the waterbody is natural or man-made, allowing physical development to be located anywhere within the building envelope. Area 2 is exempt from the requirement for Natural Resource Assessments pursuant to LDR Section 8.2.2.C.1, regardless of NRO Tier. 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.

Commented [agb51]: Changes necessary due to NRO LDR amendments.

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

	Area Range (acres)	Maximum Height (feet) (see note)
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.

Note: Height is measured from finished grade.

Commented [agb52]: Change for clarity.

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

	LSR	Max Gross Density (du/ac)	FAR
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~~37	10.6	1.00
Parcel H	0.~~51~~37	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, expect 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, and 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, ~~eves~~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. Seasonal snowmelt streams have no setback, as depicted on the approved building envelope maps referenced on the plats.

Commented [agb53]: Necessary for clarity due to NRO LDR amendments.

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

	FAR	LSR	Street Setback (feet)	Side Setback (feet)	Rear Setback (feet)	Fish Creek Setback (feet)	Max Height (feet)
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.

Date of Disposition	Percentage
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.

Commented [agb54]: Removed because no longer relevant.

- 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.

TVA constructs a transit center as contemplated in Section 8. If TVA has not commenced the Sketch Plan approval process for the transit center by the time a building permit is issued on Parcel B, Parcel C or Parcel E, then Teton County will review the need for this strategy by taking into account the “measures of effectiveness” presented to Teton County in TVA’s then current TDM Monitoring Report.

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~~ ensure 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~~also 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.

Commented [agb55]: Changed for accuracy.

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~~application for an Administrative Adjustment 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~~, shared uses, compatible uses, or 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

~~Commercial~~Non-Residential	**Parking Ratio**
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
Residential Units	
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
Attached One-Bedroom Unit	1.75 per Unit
Two and Three Bedroom Unit	2.50 per Unit
Detached Single-Family, Stand-Alone Units, Townhouse Units	2.00 per Unit

Commented [agb56]: Change for accuracy.

Commented [agb57]: Non-residential seemed more accurate given that the other category in this table is residential. Plus, the uses below the commercial title are not all commercial. But you could say they are all non-residential.

Commented [agb58]: Visitor center, horse are not institutional, they are resort support, so deleted for accuracty.

Commented [agb59]: Don't think there are studio units? and attached one-bedroom covers those?

Loading Program

~~All structures~~A structure, or a complex of structures~~,~~ within Area 2, which ~~have a gross floor area of 5,000 square feet or more and which contain~~contains uses that require deliveries or shipments, shall provide off~~-~~-street loading facilities ~~in accordance~~that are designed so as not to interfere with any emergency or disability access. An application shall address how the ~~LDRs~~specific loading needs of the proposed use are being addressed.

Commented [agb60]: Changed for accuracy/clarity.

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~~.~~ and McCollister Drive. Fish Creek Park ~~will be~~has been improved and transferred to ~~TVA~~The Lodges at Fish Creek Homeowners Association (the "HOA") in a fully-improved condition ~~immediately after the construction of residential or retail units~~pursuant to that Warranty Deed recorded on ~~Parcel L and~~August 9, 2021 as Document Number 1022053. The Warranty Deed restricts the ~~south side of Parcel A. Thereafter~~use of the land to a public park, and provides that the HOA shall convey all right, title and interest to the land to TVA, if required by Teton County. On conveyance to TVA, TVA will be permanently responsible for maintenance, repair and operations of and liability for Fish Creek Park.

Commented [agb61]: Changes to this paragraph to reflect what actually happened.

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 provide a location to lease land to USPS, ~~which~~and USPS 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.

Commented [agb62]: Changes only for clarity.

Reclamation of Fish Creek

As part of the Resort Master Plan, Fish Creek was restored to a more natural, meandering alignment south of McCollister Drive, 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.

Commented [agb63]: Change for accuracy.

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~~Relocated Bowman Road, including the reclamation of the old Bowman Road, ~~will be~~was constructed ~~no later than two years after final approval is received from~~ by the ~~BOCC for the final plat on the first Townhouse B Sub-Tract unit or Single-Family Lot accessed by Bowman~~

~~Road~~applicant in 2018. The TVISD will maintain these roads once they are constructed and Area 2 is included within the boundaries of the TVISD, unless otherwise agreed to in the easements for such roads.

Commented [agb64]: Change to reflect what has happened.

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~~,~~ (completed), Tram Line Road, Saratoga Road North, Saratoga Road South, Crystal Springs Road, Teton Village Entrance Road (~~between the southwestern most condominiums).~~completed) and any realignment of or changes to said roads to better facilitate alternative transportation and functionality of the parcels. 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.

Commented [agb65]: Updated for accuracy,

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. Only if Area 2 is annexed into TVA's boundaries, c~~C~~ompleted 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~~Lot 15 within the ~~Visitor Center and Sheriff's Substation Site to TVA and~~Homesteads of Teton Village, totaling 0.26 acres ("County~~,~~ ~~respectively. The applicant~~ Exaction Land"), will ~~transfer this land in fee~~be conveyed to ~~TVA and~~ Teton County ~~no later than three years after approval is received from~~to facilitate 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~~provision of a sheriff substation~~, post office, non-profit office space and other such uses and Resort Support space are not considered "office, retail or free market housing".~~ site. Upon approval of this Master Plan amendment, the applicant will convey the County Exaction Land to ~~TVA and~~ Teton County.

Teton County will be responsible for constructing, operating and maintaining ~~their respective facilities~~the Sheriff's Substation Site. 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 for Area 2 pursuant to ~~the LDRs, Division 49500~~section 13 of this Master Plan.

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 up to one acre of land, the applicant will commit to ~~a~~up to 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.

Commented [agb66]: Amendment to make clear that Lot 15 will go to County to satisfy Sherrif Substation exaction, and that it will be conveyed now, ahead of any development.

Commented [agb67]: Change for clarity.

Commented [agb68]: Changed for accuracy, to reflect how it is described in original condition.

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. Vegetated bioswales and stormwater detention ponds shall have no setback requirements.

Commented [agb69]: Added in light of new NRO LDRs.

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~~Stormwater 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%
Total	**160.3**	**371.75**	**132%**

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/Service	31,500	.05	1.6
Restaurant/Bar	3,500	1.01	3.5
Total			**6.2**

Condominiums and Townhouses

Of the original 98 units approved 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). This Master Plan allows up to 30 free market units on Townhouse B Sub-Tract (The Homesteads and Lodges at Shooting Star West) to be transferred to the Village Core. Of the 36 units allowed on Townhouse B Sub-Tract, 9 were developed and the remaining 27 are being transferred to the Village Core. This results in 125 units allowed in the Village Core, with 78 generating an employee housing requirement and 47 generating an affordable housing requirement, as aligned with the existing housing generation: 20 affordable in the Village Core plus 27 affordable transferred from Townhouse B Sub-Tract.

The employee housing requirement was calculated using the category “other short-term rental” from table 49640.A of the LDRs~~.~~ in place at the time of approval (July 12, 2005). 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

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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~~125 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~~34 are townhouse units. However, there is no such requirement. Each of the ~~98~~125 free-market units can either be a townhouse unit or a condominium unit.

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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
Total				**43.7**

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
Total @ 15% People House				**40.4**

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*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

	Persons Housed
Category I	31.75
Category II	30.75
Category III	48.00
Total	**110.50**

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)

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organizations or governmental entities on land donated to the organization or entity by the applicant. The applicant will provide affordable housing units for a minimum of 110.5 people. ~~The~~If St. John's Medical Center ~~wants~~requests land for affordable housing, 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.

EXHIBIT11-6: AFFORDABLE HOUSING TABULAR SUMMARY

	Persons Housed
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
Total	**220.50**

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

	Category I	**Category II**	**Category III**	**Employment Category IV**	**Employment Category V**
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 housing units and affordable housing units completed and ~~receiving~~ received certificates of occupancy as of 2025~~by the end of 2013~~ are shown in Exhibit 11-8 and Exhibit 11~~-~~-9 below, respectively.

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EXHIBIT 11-8: EMPLOYEE HOUSING COMPLETED (~~2012~~as of 2025)

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

EXHIBIT 11-9: AFFORDABLE HOUSING COMPLETED (~~2013~~as of 2025)

	Units	People Per Unit	People Housed
Parcel J ~~(Phase 1)~~			
Three Bedroom	~~13~~23	3.00	~~39~~69.00
Total	**~~13~~23**		**~~39~~69.00**

<u>Phase 2</u>

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
Total Persons Housed			**154.6**

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 ~~meet~~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.

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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

	Units or Square Feet	Per Unit Requirement	Total Requirement
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
Total Persons Housed			**49.9**

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 Housing Director ~~of the Housing Authority~~ and the Director of the Planning and ~~Development~~Building 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.

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EXHIBIT 11-12: AFFORDABLE HOUSING REQUIREMENT

	Units	Per Unit Requirement	Total Requirement
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
Total Persons Housed			**110.4**

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~~International Building Codes and other development codes adopted by Teton County.

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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 permitted and are defined as a series of bedrooms sharing a living area (employee housing only).

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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~~deemed eligible as qualified buyers, either by the Housing Department or the Board of County Commissioners. 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 administrating 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.

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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~~Department 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.

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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.

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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

	Acres
Apres Vous Road	0.33
Sheriff's Substation Site ~~and Visitor Center~~	0.~~50~~26
Village Park Including ~~Potential~~ 3.0-Acre School Site and Potential Fire District site	11.7 (offsite exaction)
Transit Center with Visitor Center	~~0.81~~ 1.05 (estimate)
Total Estimated Acreage	**13.34**

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 and Visitor Center	The transfer would take place no later than 2~~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~~Lot 15, Parcel J	~~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".)~~Upon approval of this Master Plan amendment.	The Applicant~~ and TVA~~

Commented [agb83]: Change to reflect Lot 15 as exaction land, and conveying on approval of amendments.

~~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, 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 Fire District Site	~~If requested by the Teton Village Fire District and BOCC up to one acre will be transferred to the Teton Village Fire District.~~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. 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.	The Applicant, BOCC and Teton Village Fire District

Commented [agb84]: This is exact language from above, so used same language here to avoid conflicts and ambiguity. No changes to this.

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.~~Completed in 2018.	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~~Lodges at Fish Creek.	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.~~Built when physical development occurs on adjacent parcels.	The Applicant

Commented [agb85]: Changed for accuracy.

Commented [agb86]: Changed so that road gets built no matter what is built next to it.

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 in association with the Transit Center.	TVA
Fire House	Built at the discretion of the Teton Village Fire District and BOCC	Teton Village Fire District

Commented [agb87]: Changed to include with transit center.

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 approval for any of the following parcels: A, B, E, and F.	The Applicant
Transit Center	Construction timing determined by START and Board of County Commissioners 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~~standards and procedures 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.

Commented [agb88]: Changed for accuracy/clarity.

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. Notwithstanding the above, the subdivision of land for conveyance to the state of Wyoming or any political subdivision thereof, including, but not limited to required land exactions, are not considered a Minor Development and are exempt from the subdivision platting requirements by Wyo. Stat. § 18-5-303, and shall be processed as an Exempt Land Division pursuant to LDR Sec. 8.5.4.

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, Basic Use 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~~Exhibit 4-2 Area Use Schedule.
- A development on or use of 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.

Commented [agb89]: Changed for accuracy.

Commented [agb90]: Changed for accuracy/clarity.

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.~~Sufficienty~~ 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.

<u>Development Plan Review and Approval</u>
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.~~Sufficienty~~ 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 two years~~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 do not expire ~~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~~two years 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. In addition, any amendments to the LDRs shall not change the standards or requirements in place at the time of Master Plan approval on July 12, 2005 or November 16, 2016 where specifically referenced. In the event there is a conflict between the LDRs and the Resort Master Plan, the standards and processes of the Resort Master Plan shall apply.

Commented [agb91]: Added for clarity.

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%;

- Parking Standards, as approved by the Planning Director;
- 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;

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- 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 administrate 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.

STAFF REPORT

Meeting Date:	May 6, 2026	**Meeting Title:**	Regular Town Planning Commission Meeting
Submitting Department:	Planning Department	**Presenter:**	Ryan Hostetter
Agenda Item:	Continued from April 15, 2026 -Text Amendments for 5.1.2 Wildlife Friendly Fencing (PM26-0008)	**Public Comment:**	Yes

Purpose & Policy Considerations.
The request is for the Planning Commission to review potential text amendments to the Town of Jackson Land Development Regulations (LDRs) on wildlife friendly fencing. This item is part of a larger update to the Town's Natural Resource Overlay (NRO) standards. Text amendments require review and approval by the Planning Commission and Town Council according to LDRs. The purpose of this item is to publicly review a change to the LDRs to ensure that it improves implementation of the Jackson/Teton County Comprehensive Plan and address other health, safety, or welfare issues in the community.

Recommendations.
The Planning Director recommends ***approval*** of Text Amendment PM26-0008 related to LDR Sec. 5.1.2. for Wildlife Friendly Fencing standards dated May 1, 2026.

Background/Project Description.
This item is continued from the April 15, 2026, Planning Commission hearing, and this staff report is meant to supplement the information provided during the April 15th hearing specific to wildlife friendly fencing.

Analysis.

Background Concepts on Purpose of Fencing: Regulations for wildlife friendly fencing vary depending on what the Town is trying to achieve. As staff have been speaking with wildlife experts, including the Wyoming Game and Fish Department (WGFD), we continue to fall back on two primary concepts which help guide what type of LDRs we are trying to put forward within the Town. First is the concept of permeability and second are the concepts of entrapment and entanglement.

- **Permeability:** While the LDRs do not have a formal definition for permeability, and we were not able to find one from WGFD, the concept as it has been described to staff by wildlife experts is that wildlife have the ability to move through areas to reach food, seasonal ranges and large movement areas for success of the species.
- **Entrapment and entanglement:** These concepts focus on the micro level and wildlife being caught in fencing (entanglement) or trapped in a dead-end situation (entrapment) while under stress and not being able to escape.

Staff have been able to use the updated Natural Resources Overlay Tiers to help guide us with the above concepts. The Mid and High Tiers are areas where majority of the larger landscape wildlife movement is occurring through the Town. While WGFD could not provide collar data with maps of private property due to state laws prohibiting them from sharing such information, staff were able to overlap mule deer migration data from the Teton County Wildlife Crossings Master Plan with the Tiers. There are known mule deer movement areas in both the Mid and High Tiers, focused mainly through the Karns Meadow corridor and along south Broadway near Flat Creek connecting High School Butte with Josies Ridge area.

Wildlife Permeability

The major issues related to "permeability" that require focus based on information from WGFD are within the landscape movement areas between seasonal ranges and wildlife having access to areas for successful reproduction. This is different than writing regulations for permeability everywhere within the Town boundaries on all properties. An example of trying to solve for permeability everywhere in town was presented in the draft April 15, 2026, wildlife fencing regulations which included several permeability "options" such as drop downs, gaps, and gates throughout Town (including the Base Tier). An alternative concept is requiring standardized wildlife friendly fencing within the Mid and High Tiers only (standard includes a maximum height of 38") where wildlife movement is most prevalent and not having complicated drop downs, gaps or gates that are hard to enforce and explain to landowners. This updated alternative is proposed in the draft red line attached to this report dated May 6, 2026.

Key Question #1
Is the Town trying to facilitate wildlife movement or permeability everywhere within the Town boundaries or within more limited but well-documented movement areas?

Entrapment and Entanglement
Wildlife entrapment and entanglement are issues that both WGFD and residents have commented on, and all comments have encouraged LDRs which strive to avoid these situations. LDR Sec. 5.1.2.D. is drafted to achieve this goal and this particular section has received the most comments in support. The draft standards provided in Sec. 5.1.2 "prohibited fence materials and types" are intended to apply throughout Town and would limit entrapment and entanglement.

Key Question #2
Are entrapment and entanglement avoidance LDRs necessary throughout Town or only in specific parts of Town?

Perimeter Fencing
Currently perimeter fencing (i.e., fencing that generally marks a property boundary and/or provides privacy) is allowed around a residential property at 6 feet in height but at 4 feet in height within the front setback in most residential neighborhoods. Staff received citizen comments (Jackson Hole Conservation Alliance) supporting elimination of all perimeter fencing while keeping some fencing only for small exclusionary areas. Staff do not recommend this option as it could lead to additional wildlife conflicts within the Town. Perimeter fencing is not required, but many landowners use it to fence areas for dogs, gardens, children, and provide a sense of privacy and safety for the property owner. Many of these 6' perimeter fences keep conflicts down because wildlife cannot generally jump over a 6' fence so it effectively separates wildlife from potentially dangerous interactions with dogs, people, and other obstacles. Privacy fences, when properly used, also generally do not impact larger landscape wildlife movement – especially if they are within the Base Tier. Staff are focused more on eliminating entrapment issues in the Base Tier (based on direction from WGFD and others wildlife professionals) knowing that most of the wildlife that move throughout the Base Tier areas are the animals which have become habituated and are able to move through the developed areas of Town on a regular basis. One way to help eliminate entrapment issues within the Base Tier is to allow these 6' perimeter fences within the Base Tier as exclusionary areas in order to both reduce conflict and reduce entrapment if they are fully enclosed.

Key Question #3

Do we want to continue to allow perimeter and privacy fencing in Town? For example, do we want to allow properties within the Base Tier to keep standard 6' perimeter fencing within back and side yards to keep wildlife out of yard areas in order to avoid conflicts, while also acknowledging that this will limit some wildlife movement?

LDR Sections and Options
Following is a Table of options that summarizes ways in which the overarching concepts of wildlife permeability and entrapment/entanglement relate to key proposed fencing standards. Staff recommend that the Planning Commission consider the following questions for each row in the table:

1. Keep the concept or proposed LDR section within the draft?
2. Should the concept be limited to one of the Tiers? More than one?

Staff has provided two drafts for the Wildlife Friendly Fencing LDRs, one draft attached to the April 15, 2026, Planning Commission packet and a revised version attached to this staff report dated May 6, 2026 (which staff is now recommending). Staff ask that the Planning Commission focus its discussion and recommendation on the updated May 6 draft, however, the Commission is certainly free to choose elements or concepts in the April 15 draft.

	Proposed LDR Section/Concept	**Impact**	**Pro**	**Con**	**Planning Commission Recommendation?**
1.	Allow fencing for small exclusionary areas (dogs, children, gardens).	· Would reduce human/wildlife conflicts. · Reduces entrapment · Recommended for all Tiers	This would allow fencing for residents to keep dogs outside, garden beds, compost areas, trash refuse areas outside and keep wildlife out.	None identified at this time.	
2.	Implementation timing: allow nonconforming fencing to remain until the fence is repaired, then the fence must be brought into compliance.	· Nonconforming fencing would transition to wildlife friendly when 20% or more of fence is repaired. · Applies in all areas of Town where fencing regulations are updated.	Allows property owners to come into compliance over time as they upgrade their existing fencing.	Hard to enforce and it will be years before existing fencing in Town comes into full compliance.	
3.	Expand list of prohibited fence materials and types and avoid entrapment.	· Would reduce entanglement of animals. · Would reduce entrapment · Recommended for all Tiers	Several pros for this including reducing mortality, entrapment and conflicts.	The elimination of chain link and wrought iron with spacing/gaps as perimeter fencing will	

				be a significant change.	
4.	Require fence cut/outs, drop-downs which are permanent design features (i.e. not a mechanical gate) in Base and Mid Tiers	· Proposed draft from the April 15th PC meeting includes this as well as the manual options in the Base and Mid Tiers. · The May 1st draft eliminates this as a requirement in Base and Mid Tier. (any landowner could voluntarily do this). · This would add permeability everywhere in Town.	Minimizes wildlife entrapment and does not require full fence removal for properties. Permanent design feature does not require someone to operate.	Young fawns can't get through the drop down. Does not keep large dogs in and could see increase in back yard conflicts with wildlife. Hard to enforce. LDRs would be more complicated.	
5.	Require fence cut/outs, drop-downs which are manual **(**need someone to operate such as gates etc**)** in Base and Mid Tiers	· Proposed draft from the April 15th PC meeting includes this in the Base and Mid Tiers. · The May 1st draft eliminates this as a requirement in Base and Mid Tier. (any landowner could voluntarily do this). · This would add permeability everywhere in Town.	Same as above, but must be opened and closed by someone.	Same as above and an additional note that people will not consistently operate the drop down/gates therefore this could be unreliable. LDRs would be more complicated	
6.	Require no perimeter fencing except for small exclusionary areas	· This option would ask everyone to remove all their fencing on their property except small exclusionary areas.	Easier to enforce for new fencing, best option for all wildlife in Town. Can keep some small exclusionary fencing for dogs/trash receptacles/garden	No privacy fencing allowed and asks many residents to remove their fencing which may be expensive	

		· This would reduce entrapment and add permeability everywhere in Town (if in all Tiers). · Could apply in all Tiers, or as recommended by the Planning Commission for this option.	beds and wildlife attractants.	and is very impactful for property owners.	
7.	Require wildlife friendly fencing in Mid and High Tiers (allow small exclusionary areas in Mid and High as a part of this option)	· This option uses the existing NRO LDRs for fencing in Town, and expands to the Mid and High Tiers. · This would focus permeability in areas where known landscape movement exists. · This aligns with the May 1, 2026 draft.	The community is used to the current LDRs, and this would simply make a change that the wildlife friendly requirements would now be required in the Mid and High Tiers which is where landscape wildlife movement is occurring in Town.	Significant change to properties in the Mid Tier. These properties would need to have wildlife friendly fencing (38" fences).	

<u>Comprehensive Plan Alignment:</u>
The proposed amendment supports Comprehensive Plan Principle 1.1 *Maintain healthy populations of all native species*. "For future generations to enjoy the ecosystem that exists today the community must manage our impacts to wildlife, wildlife habitat, and wildlife movement corridors on private and public land. The prevalence of wildlife that is central to our ecological, social, and economic character requires an intact ecosystem that supports all native species. Therefore, efforts to protect wildlife must extend to all native species." In addition Comprehensive Plan Policy 1.1.c states that we should "Design for wildlife permeability" and Policy 1.1.d "Limit human/wildlife conflicts." These proposed wildlife friendly fencing regulations directly improve wildlife movement corridors on private land within areas where there is known movement, and reduce conflicts with wildlife in the urban context of Town.

Public Comment.
Several comments have been submitted and are included in the April 15, 2026, packet and is also attached as a link to this report. No new written comments have been received since the April 15, 2026, meeting. ….

LDR Text Amendment Factors of Consideration.

Pursuant to Section 8.7.2 and 8.7.3 of the Town of Jackson LDRs, the decision to amend the text of the LDRs or amend the official zoning map is at the legislative discretion of the Planning Commission and Town Council and is not determined by any single factor. In deciding whether to adopt, modify, or deny a proposed text amendment or zoning map amendment, the Planning Commission and Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

<u>P26-0008 Wildlife Friendly Fencing Standards 5.1.2 Factors :</u>

1. ***Is consistent with the purposes and organization of the LDRs;***
   <u>Complies.</u> The proposed amendments update the existing Wildlife Friendly Fencing Standard and do not propose to change the purpose and organization of the LDRs. The amendments enhance wildlife permeability, reduce conflicts between humans and wildlife, and enhance safety measures. All of the text amendments related to the Natural Resources Overlay more clearly apply habitat preservation regulations in areas where habitats are most abundant and where wildlife permeability is necessary to ensure wildlife movement through the Town of Jackson.

2. ***Improves the consistency of the LDRs with other provisions of the LDRs;***
   <u>Complies.</u> The proposed amendments fit within the LDRs as they update existing sections and divisions in order to maintain consistency.

3. ***Provides flexibility for landowners within standards that clearly define desired character;***
   <u>Complies.</u> The updated LDR sections allow for flexibility depending on site conditions or unique circumstances. The updated fencing regulations have several options for compliance depending on the property. These proposed LDRs comply with this finding.

4. ***Is necessary to address changing conditions, public necessity, and/or state or federal legislation; and***
   <u>Complies.</u> The proposed amendments are a reflection of changing conditions which necessitate updated standards. The current wildlife friendly fencing regulations in place model County LDRs and are not reflective of the town's unique context. These amendments are necessary to create standards more appropriate for the Town which carry out policies to enhance wildlife permeability and reduce conflicts with wildlife.

5. ***Is consistent with other adopted Town Ordinances.***
   <u>Complies.</u> The proposed amendments do not conflict with any other adopted Town Ordinances.

Fiscal Impact.
Staff does not anticipate any fiscal impact from the project at this time, although additional time will be required for staff reviews of projects and some additional long-term code enforcement related to compliance.

Staff Impact.
This project was managed by the Principal Joint Long Planner with assistance from the Town Senior Planner and Town Planning Director. It is estimated that this project has taken approximately 300 hours.

Long-term implementation of the new wildlife friendly fencing standards will require significant additional staff time to administer and enforce. Town planning staff anticipate that we will need to add a new fence permit requirement for all new fencing proposed in the Town. The Town currently does not require a permit to construct a fence but we do require that landowners know and follow the LDR rules for fence height, materials, design, and location. While this approach worked reasonably well in the past, we are increasingly finding that new fences frequently do not meet all the standards, creating enforcement issues. Adopting the proposed wildlife friendly fencing standards will significantly increase the number and complexity of fencing rules that Town landowners must follow and staff must enforce. Staff cannot provide an accurate estimate of additional staff hours required to manage a new fence permit process, but it is probably between 50-100 hours per year.

Attachments.

- Link to April 15, 2026 Planning Commission Packet Here
- Amended Wildlife Friendly Fencing Draft dated May 1, 2026
- Additional letters received since the April 15, 2026 Packet was published

Suggested Motions.

PM26-0008
I move to recommend ***approval*** of Text Amendment *PM26-0008* to amend LDR Section 5.1.2 for Wildlife Friendly Fencing draft dated May 1, 2026 with the following edits and/or recommendations to the Town Council:

Revised May 1, 2026

5.1.2. - Wildlife Friendly Fencing. (Will replace entire section 5.1.2)

A. **Findings.** Fencing is a structural element that can create an impediment for wildlife movement and degradation of migration corridors, resulting in both injuries to wildlife and damage to private property. Fencing and some types of landscaping in the Town such as thick hedges and shrubbery planted without gaps serve as a barrier and area for entrapment. Design of fencing and landscaping shall improve wildlife movement through town and reduce instances of wildlife entrapment.

B. **Applicability.** All fencing located in the Town of Jackson shall comply with the standards of this section with the following exceptions:

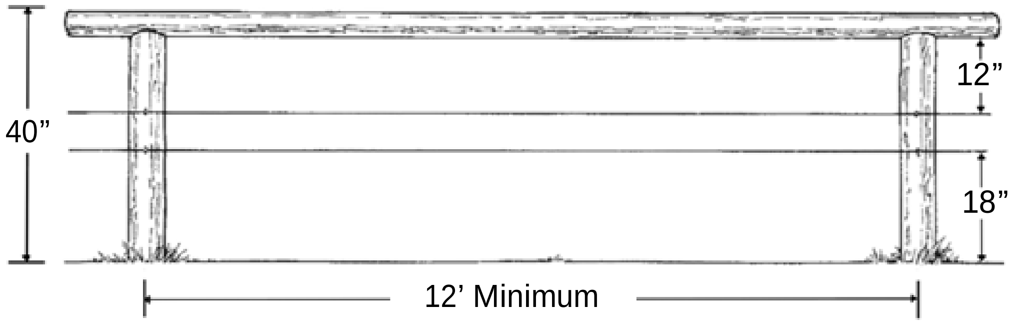
1. **Small exclusionary areas.** Fencing for a small dog run adjacent to a structure, wildlife attractants such as compost areas, or small garden areas shall allow wildlife to move around the small exclusionary area without obstruction or entrapment.
   - i. Maximum height shall be no greater than 6 feet, and 4 feet within a front yard setback.
   - ii. The fenced area shall be the smallest area necessary to contain a dog, children's play area, or garden area.
   - iii. Fencing the containment of refuse containers, recycling containers, dumpsters and similar attractants shall be installed to avoid wildlife conflicts. Containment of refuse and recycling receptacles within an approved structure (such as a garage or shed) is also sufficient.

2. **Fencing for the purposes of livestock control.** Livestock control fencing shall not exceed 40 inches in height above grade. The top rail shall be constructed of wood or a similarly solid, highly visible material and shall not be made of wire. Horizontal elements below the top rail may be constructed of wood or smooth wire.

   For fencing that includes smooth wire strands:

   a. The spacing between the top rail and the adjacent wire, shall be at least 12 inches.

b. The bottom wire or strand shall be positioned at least 18 inches above grade.



C. **Repair of Nonconforming Fencing**. Repair or replacement of nonconforming fencing that does not comply with Section 5.1.2 is limited to up to 20% of the total linear fence perimeter of the individual enclosure being repaired. Once this 20% repair allowance has been used, any additional repairs, replacement, or new fencing for that enclosure shall fully comply with the standards of this section.

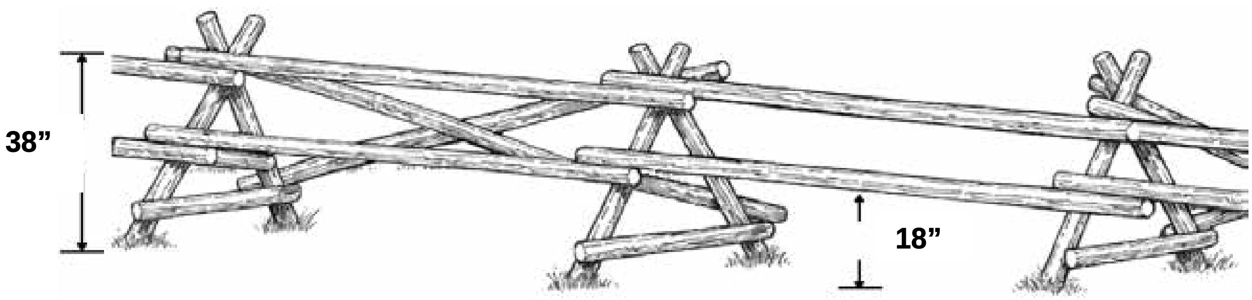
D. **Prohibited Fencing Materials and Types.** The following fencing materials and types are prohibited on all properties within the Town unless specifically exempted due to local, state, or federally mandated facilities.

1. **Prohibited Fencing Materials**
   i. Barbed wire
   ii. Plastic mesh
   iii. Concertina wire
   iv. Woven wire
   v. Chain link except when used for a small exclusionary area as permitted in Subsection I.
   vi. Razor wire
   vii. Uncapped hollow fence posts
   viii. Fencing topped with spikes, ski tips, pickets, or barbs
   ix. Pickett style or fencing where the vertical boards and rails have gaps and spaces. Vertical or horizontal fence elements should be flush, or have gaps less than ½ an inch to avoid any wildlife entanglement. This includes metal or iron fencing with vertical elements which have gaps.

2. **Prohibited Fencing Types**
   i. Top rails not made of wood (or similar highly visible solid material)
   ii. Buck and rail fencing not meeting the standards of subsection E in this section
   iii. Worm style fencing
   iv. Fencing that creates a dead-end wildlife entrapment area. For the purposes of this section, a “dead-end wildlife entrapment area” shall mean a “fenced area configured such that wildlife entering the entrapment area cannot reasonable

identify and access an exit point due to fence construction and configuration inclusive of surrounding development". Development elements that could create an entrapment area include fence height above 38", a non-rigid top-rail, limited or obstructed sight lines from the wildlife's perspective, or other physical barriers that impede clear movement/ escape from the area.
Double fencing (adjacent parcels with separate fences rather than a shared fence) and narrow gaps between parallel fences that can funnel animals into confined spaces or create entrapment as identified in 5.1.2.D.2.iv.

E. **Buck and Rail Fencing.** Buck and Rail fencing shall be avoided. When buck and rail fencing is necessary due to site conditions such as rocky soil, a portion of the fence shall be laid down and the fence shall be constructed to a height not to exceed 38 inches to allow wildlife movement. All buck and rail fencing shall comply with the design shown in the figure below with sections which are single sided, with no rub rail, braces on the bucks, for wildlife passage.



F. **Fencing adjacent to a swale gully, or drop in elevation.** Where fencing is located adjacent or on top of a ditch, swale, gully, retaining wall, or steep slope that may require wildlife to jump or descend, a minimum 8-foot take-off and landing clearance area shall be maintained with a slope no steeper than 30% between the fence and the top or toe of slope.

G. **Natural Resource Overlay (NRO) Additional Standards.** In addition to the standards above, the following standards shall also apply within the NRO Tiers.

1. **Base Tier Fence Design Standards.**

   i. For the purpose of this section, properties within the Base Tier are those which contain at least 50% or more of the property mapped within the Base Tier, or is determined by the Planning Director to meet the Base Tier criteria as described in 5.2.1.C.
   ii. No additional requirements for fencing within the Base Tier.

2. **Mid Tier Fence Design Standards**.
   i. For the purpose of this section, properties within the Mid Tier are those which contain at least 50% or more of the property as mapped within the

Mid Tier, or is determined by the Planning Director to meet the Mid Tier criteria as described in 5.2.1.C.

ii. All fencing not designed for livestock control shall not exceed 38 inches in height above finished grade and be of a wildlife friendly design.

iii. Fence sections higher than 38 inches are allowed for no more than 25% of the total fence, and shall not be located immediately adjacent to a neighboring 6' fence without a minimum horizontal separation of 6 feet where the fence is no taller than 38 inches in height. Fencing must also comply with other zoning standards for maximum height, setbacks, and sight distance standards.

3. **High Tier Fence Design Standards**.

i. For the purpose of this section, properties within the High Tier are those which contain at least 50% or more of the property as mapped within the High Tier, or is determined by the Planning Director to meet the High Tier criteria as described in 5.2.1.C.

ii. All fencing not designed for livestock control shall not exceed 38 inches in height above finished grade and be of a wildlife friendly design.

April 28, 2026

WER 15299.01
Town of Jackson
Land Development Regulations Update
Teton County

Mary Tippetts
Planning Coordinator
Planning and Building Department
Town of Jackson
150 E. Pearl Ave.
Jackson, WY 83001
MTippetts@jacksonwy.gov

Dear Ms. Tippetts,

The staff of the Wyoming Game and Fish Department (Department) has reviewed the Town of Jackson's (Town) proposed updates to the Land Development Regulations (LDR). The Department is statutorily charged with managing and protecting all Wyoming wildlife (W.S. 23-1-103). Pursuant to our mission, we offer the following comments for your consideration.

The Town has asked the Department to consider the LDR updates and the potential impacts to wildlife. Unlike other parts of Teton County, the Department does not manage for wildlife habitat within Town limits and, in general, seeks primarily to minimize wildlife conflict. With that in mind, we provide the following for the Town to consider when choosing conditions to include in the updated LDR.

In general, the LDR emphasis on wildlife permeability in the Mid and High tiers may help sustain landscape connectivity for big game species over time. The Department supports the emphasis on permeability to the extent practicable in the High tier specifically. The priority in the Base and Mid tiers to reduce human–wildlife hazards and conflict aligns with Department management goals for higher-density developed areas within the Town of Jackson.

Fencing – We understand there are different approaches related to fencing that are under consideration, including but not limited to:

- Requiring wildlife-friendly fencing in the High tier, with allowances for small exclusionary areas
- Requiring wildlife-friendly fencing in the Mid and High tiers, with allowances for small exclusionary areas

- Incorporating design features such as sliding panels, temporary drop-downs, or gaps within exclusionary fencing in the Base and Mid tiers
- Prohibiting perimeter fencing except for small exclusionary areas
- Prohibiting fencing in front yards
- Requiring wildlife-friendly fencing in front yards

The following wildlife considerations are offered to help inform which fencing-related regulations are incorporated into the updated LDR.

In the High tier, with the Town's emphasis on wildlife permeability, fencing standards can be viewed along a gradient. The absence of fencing provides the highest level of wildlife permeability but we realize is unrealistic and likely unnecessary within Town limits. Wildlife-friendly fencing can also allow for movement, but with limitations (for example, fence height effectively increases on slopes, and any fence presents some degree of restriction). Small exclusionary areas can be effective in reducing direct conflicts by creating separation between wildlife and pets, gardens, and children. Larger exclusionary areas can substantially limit wildlife movement, which is more or less significant depending on the current wildlife use and permeability goals of the location.

The Department's goal in the Base and Mid-tier areas is to reduce human–wildlife conflict. Some exclusionary fencing is appropriate to create separation between wildlife and children, pets, and gardens, etc. However, if individual parcels are fully enclosed with exclusionary fencing, wildlife movement could be constrained to roads and sidewalks, increasing the potential for conflict or entrapment.

Regardless of the intensity of fencing regulation chosen in Town, the Department recommends:

- Requiring exclusionary fencing, regardless of size, incorporate feature(s) that allow wildlife to passively escape where such fencing is permitted.
- Fence designs should avoid creating wildlife entrapment hazards. This includes conditions such as double fencing (adjacent parcels with separate fences rather than a shared fence) and narrow gaps between parallel fences that can funnel animals into confined spaces or allow only partial passage (e.g., an animal's head or body becoming stuck).
- Requiring fences with vertical wooden panels to have gaps less than ½ inch. Ungulate hooves can get stuck in privacy-style fences with larger gaps. The Department responds to several of these cases each year and usually results in the animal having to be euthanized.
- Avoiding fences that have points or spear-shaped tops that can impale an animal that's attempting to jump over.

Other Wildlife Considerations – Department staff are increasingly responding to wildlife entrapment incidents associated with window wells and other below-grade, egress-compliant designs. These situations often require urgent response, may involve multiple staff, and can pose risks to staff, bystanders, and wildlife. We recommend the Town require wildlife escape features in or block entrance to areas prone to entrapment. Options include:

- Escape ramps or natural slopes that adequately allow for any animals to leave. Escape ramps can be built for the purpose or natural materials can be used.
- Window well covers such as clear plastic or metal grate-style with hole sizes that prevent small animals from passing through.

We support the incorporation of retaining wall design standards that consider wildlife movement and safety. While research on wildlife-specific retaining wall design is limited; longer, continuous walls present greater barriers to movement and reduce opportunities for wildlife, particularly smaller or younger animals, to cross.

Lastly, the Department recommends the Town consider outreach and education efforts to new landowners to make them aware of the regulations that don't require Town review, such as fencing, to ensure compliance over time.

We appreciate the time and effort of Town staff and consultants in developing these regulations and for engaging the Department throughout the process. If you have any questions or concerns, please contact Cheyenne Stewart, Jackson Region Wildlife Management Coordinator, at (307) 249-5810.

Sincerely,

Will Schultz
Habitat Protection Supervisor

WS/cs/rc

STAFF REPORT

Meeting Date:	May 6, 2026	**Meeting Title:**	Planning Commission (workshop)
Submitting Department:	Planning	**Presenter:**	Paul Anthony
Agenda Item:	LDR changes to Address Large Development Impacts (PM25-011)	**Public Comment:**	Yes

Purpose & Policy Considerations.
The purpose of this workshop item is for the Planning Commission to build on its previous conversations (i.e., its initial list of "five things" related to specific LDR amendments) to confirm its direction on proposed LDR changes intended to improve development outcomes in the Town. This item does not include discussion or action on the Council's broader "visioning" exercise it added to this effort to explore additional LDR changes to be considered potentially in the FY27 Work Plan.

Recommendations.
Staff do not have specific recommendations at this time because this is a discussion item where staff are looking for Commission direction before drafting and presenting red line changes to the LDRs.

Background.
The Council and Planning Commission have had multiple workshops since October 2025, to discuss options for improving the LDRs to better address concerns that new development, especially large projects, are happening in a manner (e.g., size, pace, use, etc.) that may not be consistent with the community's current needs and vision. The Commission most recently met on March 4, 2026, and provided input on the various LDR topics. Growing public comment expressing frustration with traffic congestion, lack of workforce housing, impacts to surface and groundwater resources, and protection of our small town and western character has brought attention to this issue. And provided feedback that is incorporated into the options provided in this staff report.

While this item has often been informally called the "5 Things" it is now focused on four specific LDR changes because the update to the Town's Design Guidelines (one of the 5 things) was added as an item to Town Planning's FY27 Work Plan. The four items under current consideration are the following:

1. **2:1 Workforce Housing Bonus**. The general goal is to consider ways to improve the deal for the public by increasing the number and/or affordability level of the deed restricted units in comparison to market units.
2. **3rd-story Stepback.** The direction here is to consider increasing the current 10' stepback and 60% encroachment allowance to perhaps a 15' or 20' stepback with a lower percentage of encroachment allowed. This would reduce the perceived height of buildings and increase natural light into the streetscape.
3. **Reconsidering certain Land Uses, such as Short-term Rentals.** While not interested in removing short-term rentals as a use in the Lodging Overlay, Council supported exploring a limit on the percentage that short-term rentals could be of a project (e.g., no more than 30%).
4. **Basement Regulations and Definition.** Council supported changing the LDRs to count habitable basement floor area against the maximum building size limits (40,000sf/50,000sf) recently adopted. Council also wanted more information on the potential impacts of deep basements on groundwater and whether basement depth should be capped.

Analysis & Key Questions.
As mentioned above, the Commission's and Council's discussions have centered on exploring options for improving the LDRs to better address concerns that new development, especially large projects in the Downtown area. In addition, the intent is that any suggested changes should be simple enough that they are not policy-level changes that would require amendment to the Comprehensive Plan but instead could be done immediately as LDR amendments in this fiscal year

(by July 1, 2026). Larger or more complex LDRs amendments could be assigned to the FY27 or FY28 Planning Work Plans, assigned to other Town Departments if appropriate, or wait for additional future action.

Below staff provide the Commission specific LDR changes to discuss and possibly affirm as changes it wants staff to present as redline amendments to the LDRs in a future meeting. In some cases, staff are presenting new information requested by the Council (e.g., options for regulating basements) and looking for further direction from the commission and Council on that topic. However, most of the options provided present options that should be familiar to the Commission because they are based on previous Council direction. Staff's goal is to get the Commission's support for specific LDR changes at this workshop and then bring back a proposed red line draft for final approval before moving on to ordinance readings.

Below is a summary of the LDR changes for Commission's consideration:

2:1 Workforce Housing Floor Area Bonus

General Background: This project is already on the FY26 Work Plan, so it is considered a high priority LDR update. The question regarding the 2:1 Bonus is whether the Town (public) is getting the best deal it can and whether the incentive should be modified to increase affordability benefits for the public and to better address other associated impacts of the bonus (e.g., increased building size, impacts to downtown, etc.). The bonus provides developers with 2 square feet of additional market housing for 1 square foot of deed restricted housing. There is no cap on how much 2:1 bonus can be used on a site (other than regular dimensional/parking limits). The deed restriction is usually a workforce occupancy restriction, not an affordable (income restricted) restriction, because this restriction requires the least subsidy.

Two background facts about the 2:1 bonus tool are worth considering. First, the tool is tied to a bonus pool of residential units moved from the County and there are approximately 500 units remaining in the pool. Second, if the Wyoming Legislature ends up prohibiting housing mitigation in Wyoming (likely Spring of 2027), then the 2:1 tool will likely be the only method for getting new deed restricted units in the Town – except of course projects developed by the Housing Authority or other non-profit affordable housing developers. Also, we know that the tool has been very popular with developers (which is good) and staff's believes that there is room to tighten the incentive while still preserving the feasibility of the tool and so get more public benefit from the tool.

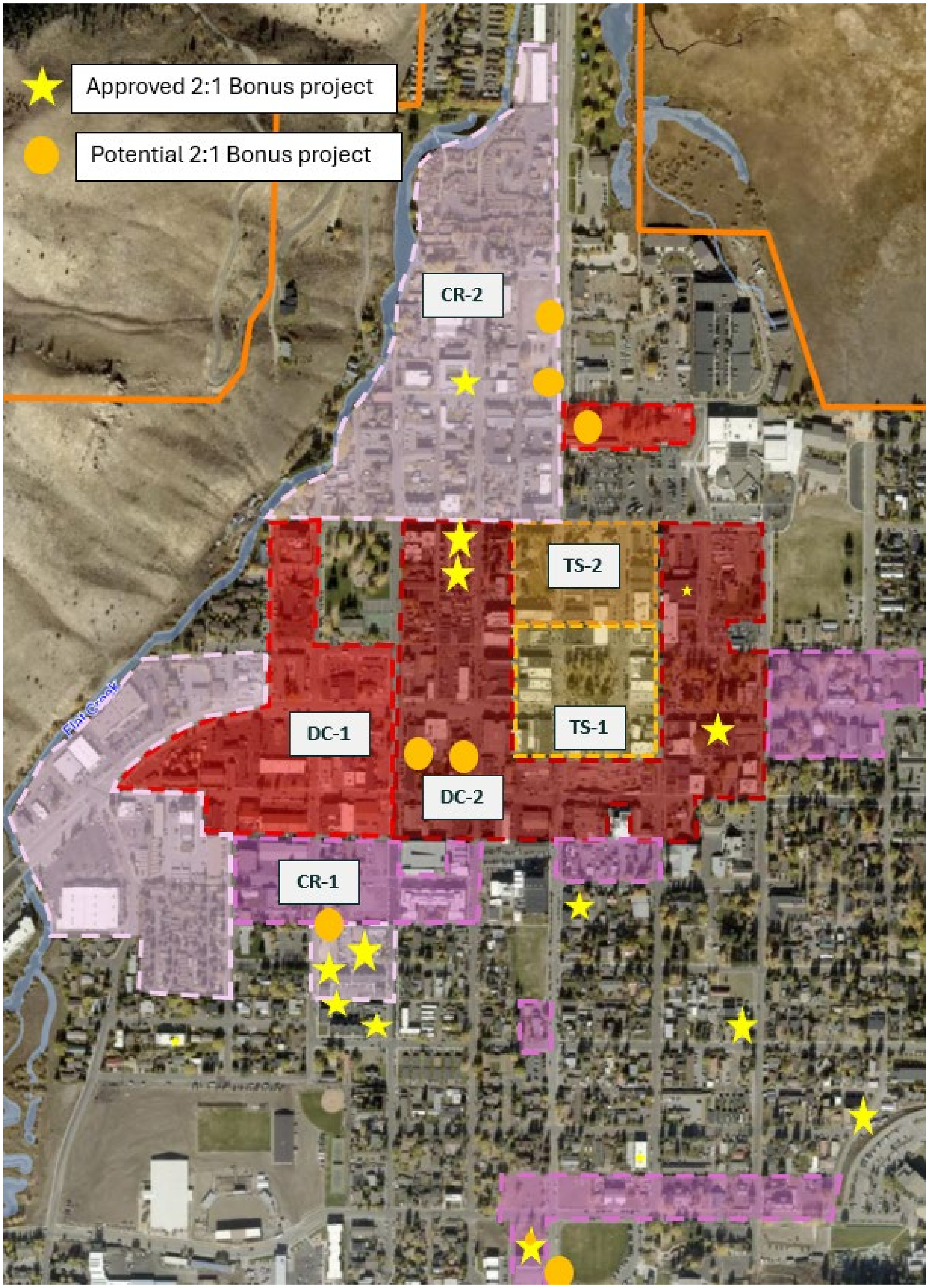
The Jackson Teton County Housing Department has been assisting Planning staff in evaluating potential changes to the 2:1 bonus too. Given that the current 2:1 bonus tool is based on a 2016 market analysis conducted by Navigate LLC that helped to identify a baseline feasibility that compared the subsidy level of building new deed restricted housing compared to the profit gained from additional incentive market housing. This information was used to calibrate the incentive at a 2:1 ratio of additional market housing to deed restricted housing that we now have in the LDRs. We asked the Housing Department to try to update the primary variables in the 2016 study to see if the financial feasibility of the incentives has changed significantly in the last 10 years in a way that could guide us in updating the 2:1 ratio. In short, as of now, the Housing Department's conclusion is that updating the 2016 study with actual 2:1 data does not allow for adequate analysis of the financial feasibility of the 2:1 tool because the market inputs are too simple, we lack sufficient basic market data, and the analyses does not factor for risk (the comparative financial risk of developing rental versus ownership housing).

Thus, unless Council wants staff to take additional time conduct an in-depth study of the 2:1 market feasibility, Planning staff's recommendation is to move forward with changes to the 2:1 tool using the data and knowledge we already have based on 8-10 years of experience with the 2: 1 tool. For example, we know that the tool has been very successful. It has been used instead of base FAR, it has sometimes doubled the size of projects, it has sometimes produced very large deed restricted units, and the discount on initial rent for workforce restricted units is quite modest (less than 10% usually).

Previous Commission and Council Direction: The Planning Commission and Council reviewed a variety of ideas presented to them by staff as well as discussed other aspects of the 2:1 bonus tool. The general direction was for staff to consider a sliding scale option to incentivize affordable deed restrictions over the workforce occupancy deed restriction; to limit the amount of the bonus that could be used in any one project; and capping the individual size of deed restricted units to better ensure that units meet needs of employees.

Options for LDR changes to 2:1 Bonus:

1. Sliding Scale:
    - 1:1 ratio for workforce restricted units (rental or ownership)
    - 1.5:1 for 120%-160% affordable units (rental or ownership)
    - 2:1 for < 120% affordable units (rental or ownership)
2. Maximum limit on use of 2:1 bonus tool per project
    - 2:1 bonus floor area cannot exceed 25% of base FAR
3. Maximum size of deed restricted unit
    - Deed restricted units cannot exceed the following size limits:
        - 1 br – 700 sf
        - 2 br – 950 sf
        - 3+ br – 1,500 sf
4. Remove use of 2:1 Bonus in downtown zones (DC-1, DC-2, CR-1, CR-2)
    - This would be done to remove possibility of buildings exceeding the base FAR in the greater downtown area (see map below). This would allow the 2:1 Bonus in the CR-3 and NH-1 zones only along the highway corridor west of Staples and in our highest density residential zone.
    - Option B: Remove only from DC-1, DC-2 zones to focus on protecting character of Town Square area.



Key Question.
Does the Commission support the suggested 2:1 sliding scale, limits on the use of the 2:1 bonus tool, unit size limits, and locational limits, as provided in this staff report?

Third-story Stepback
General Background: The LDRs currently require a third-story stepback on all buildings with a third-story (except 100% residential buildings). The required stepback is 10' with an allowance that 60% of the third story (i.e., more than half) does not have to be stepped back. The result is a very modest stepback that often does not effectively reduce the scale of larger downtown buildings that can already be 42'-46' in height. While many of LDR changes adopted through the moratorium in 2024 addressed building size and scale (e.g., maximum building size limits, maximum building length limits, changes to Design Guidelines related to breaking up the mass of larger buildings. etc.), additional measures to reduce the perceived size of buildings still may be necessary. Increasing the third-story stepback was identified by the Council as one of those measures.

Previous Commission and Council Direction: Staff was directed to propose an increased third-story stepback. Options considered included increasing the stepback distance to 15' or 20' and decreasing the allowed encroachment from 60% to something less than 50%.

Option for LDR changes:
- Third-story stepback = 15' with 40% maximum encroachment into third-story stepback; or
- Third-story stepback = 20' with 60% maximum encroachment into third-story stepback;
- 1 or 2-story buildings: Any street-facing façade above 30' must be stepped back consistent with 3rd-story stepback requirements (with exceptions for special use buildings e.g., theatres, recreational facilities, etc. that require large volume spaces).

Key Question.
Does the Commission support the suggested changes to the third-story stepback as provided in this staff report?

Short-term Rentals
General Background: When considering the character of our downtown and other areas, it is appropriate to consider whether the land uses we allow play a positive or negative role. In this regard, short-term rental condominiums have become a very popular use in the downtown Lodging Overlay. Recent experience has shown that these short-term rental units tend to be large, very expensive, and minimally rented to visitors. In many cases, these condos are developed as investment properties for non-local buyers and used only occasionally by the owner. As such, they often create unoccupied spaces in the most vital and active parts of downtown. This is contrary to the Comprehensive Plan's Policy 4.2.e: Keeping lodging as a key component in the downtown, because these short-term rentals do not usually function as true lodging units that create "nightly year-round occupancy" (i.e., or "lights-on" activity) as specifically called out in the Comp Plan. Examples include the Glenwood-Gill Condos, The Arts District West condos, and likely the forthcoming S. Cache-Pearl Ave. project (The Jacksonian) and new Snow King Resort Condos (see map below).

Previous Commission and Council Direction: Staff was directed to identify a maximum limit on the percentage of a project that could be dedicated to short-term rentals. The Council did not support options that would outright prohibit short-term rentals in the Lodging Overlay. Also, please note that the Council recently amended the LDRs to cap the size of individual short-term rental units to 1,500 sf in the hope of creating more "family-sized" units that might be more likely rented to visitors rather than serve as pure investment properties for speculative development. There was additional discussion by some Council members regarding the possibility of prohibiting "condo-hotels" but it was not clear to staff whether was Council agreement on this item. If Council is interested in taking this step, staff can draft a LDR amendment to do so (assuming there are no legal complications).

Option for LDR changes on short-term rentals:
- Limit short-term rentals to no more than 30% of the project size (i.e., about one floor of a three-floor structure).

Key Question.
Does the Commission support the suggested limits on the use of the short-term rentals in individual projects, as provided in this staff report?

Basements (intensity of use and potential impacts on groundwater)
General Background: Two recent large projects have raised issues about basements with Council. During discussion of the Dauntless Development hotel (50 S. Millward), the Council expressed serious concerns that its 3-story basement would have significant negative impacts to the Town due to it increasing overall development intensity (e.g., impacts on traffic and roads and other public infrastructure) and might negatively impact groundwater. The proposed Mogul hotel (335 N. Cache Street) generated concern largely because its one-story (but large) basement is located in an area of relatively high groundwater that is close to Flat Creek and would disturb the existing underground contaminated bezene plume. Combined, these two projects called into question our current regulations on basements and whether we needed to make any changes.

The LDRs do not limit the depth or number of stories of basements. They also do not address any potential impacts of basements on groundwater quantity or quality. Instead, because the State of Wyoming manages groundwater, the Town typically generally relies on Wyoming DEQ standards when it comes to specific water quality and quantity impacts from development on groundwater. Building codes further define the construction standards that need to be followed when basements and foundations encounter or approach groundwater. The Engineering Department gets directly involved only when applicants seek to discharge groundwater into the Town's stormwater system, often then requiring pre-treatment of the discharged water and measures to avoid flooding. To date, staff are not aware that reliance on these methods and standards has led to any significant negative impacts to local groundwater resources nor has evidence been provided of such impacts. In addition, with regard to overall building size, the LDRs do not count basements against the new maximum building size limits of 40,000sf and 50,000sf. Thus, theoretically, a developer can currently dig a basement as deep as they deem feasible and put it to any use allowed by the LDRs and building code.

Previous Commission and Council Direction: Council wanted to eliminate the current exemption for habitable basement floor area to not count against the maximum building size. They also asked staff to research options for an absolute limit on basement depth and best practices related to basements and groundwater protection.

Additional staff research requested by Council on basement impacts on groundwater: Staff conducted additional research to investigate what, if anything, other communities are doing to limit basement depth to address groundwater impacts (beyond following local building codes and good engineering practices). Staff also received a research memo from Protect our Waters Jackson Hole providing their research and input on basement regulations. Based on the combined research, which is not exhaustive, there appears to be few communities that require additional limits on basements to protect groundwater. And communities that do have local requirements, such as those in some Colorado jurisdictions, generally do so to implement State adopted groundwater regulations or programs, often focused on addressing hazardous chemicals or mining-scale activities. There are examples of groundwater-related protections from development in some foreign jurisdictions, such as the cities of London and Vancouver and areas in France, but these appear to be based on comprehensive, master plan-level analyses and extensive data.

Staff's conclusion is that we did not yet find any relevant "model" in any other American community that could be applied easily or appropriately in Jackson. Jackson also exists in a state that has not provided any additional requirements or technical guidance on regulating basement depth and groundwater. As such, any local effort to adopt science-based regulations intended to protect groundwater resources from basement development would involve creating an entirely new and novel regulatory program that would require the expertise of outside consultants (Town staff do not have expertise in this field) and considerable time to conduct a highly technical analysis and a comprehensive public outreach effort. Such a study would need to collect baseline data to address the threshold question of whether current and past sub surface developments have, in fact, negatively impacted groundwater resources and, if so, what can be realistically achieved with local land use regulations.

Option for LDR changes:

- Eliminate floor area exemption for habitable basement floor area from maximum building size (i.e., 40,000sf /50,000sf). This change would not eliminate the current exemption for non-habitable basement floor area, such as for parking garages.

- Regulations to Limit Basement Depth to protect groundwater. Staff recommend that the Council postpone any action on addressing basement depth and groundwater until after the Mogul hotel development is complete. Through review of that Development Plan application (which should be submitted in the next two or three months), the Town will have the opportunity to analyze the most comprehensive and detailed groundwater remediation report the Town as ever received addressing the impacts of below-ground development on groundwater quality and quantity. It will also address hydrocarbon contamination and remediation options. Also, because the Town has retained a third-party expert consultant to review the applicant's remediation report and advise us on the efficacy of proposed mitigation measures, we will have access to professional expertise to help us better understand all the relevant scientific, engineering, and policy considerations related to subsurface development impacts on groundwater hydrology.

Key Question.
Does the Commission support the suggested change to not exempt habitable basement floor area from maximum building sizes, as provided in this staff report?

Possible Alternatives.

The Commission has the following options in considering the proposed LDR changes:

- Modify or provide alternatives to one or more of the changes presented by staff;
- Ask for more information before making a final decision on one or more items;
- Not approve one or more of the suggested amendments;

Comprehensive Plan & Priority Alignment.

As provided below, the proposed amendments in this item implicate a number of different Comprehensive Plan policies and goals.

RE: 2:1 Workforce Housing Bonus:

- <u>Policy 5.4.d</u>: Provide incentives for the provision of workforce housing
- <u>Policy 3.1.b</u>: Direct development toward suitable Complete Neighborhood subareas
- <u>Strategy 3.1.S.2</u>: Explore tools for transferring development potential from Preservation and Conservation Subareas of ecological significance to Stable and Transitional Subareas in the Town and County

The 2:1 workforce bonus tool was created as an innovative incentive to encourage private developers to build deed restricted housing with no public subsidy. It has been very well used and so has implemented Policy 5.4.d. The tool has also directed density from the County conservation areas into the Complete Neighborhood of the Town where there are appropriate services to accommodate additional density, as envisioned in Policy 3.1.b and Strategy 3.1.S.2.

RE: Third-story Stepback

- <u>Policy 4.1.c</u>: Promote compatible infill and redevelopment that fits Jackson's neighborhoods
- <u>Policy 4.2.e</u>: Create a vibrant and walkable mix use Subareas

The proposed change to reduce the third-story stepback is intended to better integrate new, large buildings in the downtown area consistent with Policy 4.1.c. In addition, providing for a more generous stepback will help to open up views within town, make buildings seem less massive, reduce the "canyon" effect, and so make downtown a more enjoyable place to walk.

RE: Short-term Rentals

- Policy 3.2.C: Limit Lodging to defined areas
- Policy 4.2.e: Maintain lodging as a key component in the downtown

While the proposal is to limit the use of short-term rentals in individual projects, doing so retains this visitor-serving use in our Lodging Overlay as intended by the Policies 3.2.C and 4.2.e. that acknowledge the key roles that lodging plays in our local economy and downtown vitality.

RE: Basements

- Policy 3.3.C: Provide predictability in land use decisions.

No Comprehensive Plan policy directly or indirectly addresses basements or subsurface development but the proposal to no longer exempt habitable basement floor area from the maximum building size will add predictability to development so that actual development better matched public expectations in terms of the amount of development allowed by zoning.

Fiscal Impact.
There should be no measurable fiscal impact to the Town if the proposed LDR changes are adopted. No outside professional services were used.

Staff Impact.
Staff have spent approximately 80 hours on this item to date. We expect to spend another 40 hours to finalize the LDR amendments provided in this staff report assuming they are generally approved as presented. This estimate will increase if the Council makes significant additional changes to the amendments.

Attachments or Links.
None.

Suggested Motion.
I move to recommend to the Council that staff bring back LDR changes consistent with the amendments presented in this staff report, dated May 4, 2026, with changes as discussed by the Commission at this workshop.