



Board of County Commissioners - Staff Report

Meeting Date: April 18, 2023
Presenter: Hamilton Smith
Property Owner: Grand Targhee Resort, LLC
Subject: DEV2022-0008 & ADJ2022-0013: Development Plan for Grand Targhee Cabins at Grand Targhee Resort

Submitting Dept: Planning & Building Services
Agent: Brendan Schulte, Jorgensen Associates

REQUESTED ACTION

A Development Permit pursuant to Section 8.3.2 of the Teton County Land Development Regulations (LDRs) to permit twenty-two (22) lodging cabin units in the Grand Targhee Resort Residential and Accommodation Plan Area (West) within the Planned Resort zone. This staff report includes a concurrent analysis and recommendation for an Administrative Adjustment pursuant to Section 8.8.1, to adjust the Steep Slope Development standards of Section 5.4.1 of the LDRs.

BACKGROUND/DESCRIPTION

BACKGROUND

In December 1969 the Resort was issued a Special Use Permit by the Forest Service and commenced operation as a winter recreation site. The Resort initially consisted of two lifts, a single rope tow and a 16-unit hostel and cafeteria. The Resort was originally founded as a nonprofit organization to serve the residents of Teton Valley. In 1971 a Master Development Plan (MDP) was prepared and included a mountain capacity of 6,000 skiers, construction of 475 units in the base area, snowmobile trails, a golf course, and a summer trailer park. Construction of the Sioux Lodge was completed in 1971. The Resort went under private ownership in 1973.

The 1980s brought a change of ownership, snow cat tours and new skier terrain. In 1990 a fire destroyed most of the Resort's base area followed by a complete rebuild. In 1991 a new MDP was completed that included both on-mountain and base area development at the Resort with substantial planned upgrades. The new MDP included an Environmental Impact Statement (EIS). Daily capacity was revised to 5,130 skiers and base area facilities expansion included development of 686 units of lodging, 98,342 sq. ft. of skier services, 37,900 sq. ft. of commercial space, eight lifts and a summer trail network.

In 1997 the Resort changed hands to the current owner, Grand Targhee Resort, LLC. Another EIS was prepared for base area lands and a parcel to the north. In 1997 a land exchange was initiated that resulted in 120 acres in the base area becoming private lands. 400 acres of private lands valued for grizzly bear habitat and wetlands known as Squirrel Meadows was proposed for transfer to the Forest Service.

The 2000s saw completion of the land exchange, expansion of skier terrain, and new and improved lifts on National Forest land. The land exchange traded 400 acres of prime grizzly bear habitat, adjacent to and surrounded by existing protected habitat in northwest Teton County, WY in the Targhee National Forest for 120 acres of lower value habitat and developed land cover at the Resort base. The 120-acre parcel was configured in such a way to minimize night lighting viewable from Teton Valley and reduce natural resource impacts. The transfer included the base area entitlements of the 1995 MDP and the 2000 Record of Decision, including 37,900 sq. ft. of commercial floor space, 970 residential and lodging units and skier capacity of 5,130. The ensuing County master plan amendment increased commercial space and decreased lodging and residential units.

In 2006 the Resort was zoned Rural based on LDRs at the time and an application for Planned Unit Development was submitted, requesting 875 residential/ accommodation units, approximately 60,000 sq. ft. of commercial use, approximately 118,000 sq. ft. of resort services and amenities and 1,930 parking spaces. In 2008 the Board of County Commissioners granted approval to decrease the lodging units and increase commercial space, approving 450 housing and lodging units, 3,500 Average Peak Occupancy (APO) and 150,000 sq. ft. of nonresidential use with 36 conditions. A final EIS was performed which excluded all sensitive lands from the transfer, resulting in the

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irregular shape of the parcel and a reduction in acreage from 158 to 120. Accordingly, the Resort is not located in the current Natural Resources Overlay (NRO).

The Grand Targhee Resort First Amended Master Plan (GTRMP) was approved by the Board of County Commissioners on February 11, 2019. The Master Plan implements two Plan Areas; the Resort Center Plan Area (RCPA) and the Residential Accommodation Plan Area (RAPA). Given a Resort Area orientation of east to west, the RCPA is located approximately in the center, contains 35.7 acres and has an allowance of 360 units. The RAPA is located on to the east and west of the RCPA, contains 84.3 acres and has an allowance of 90 units. The gross floor area for Commercial Uses and Resort Support Uses (as defined earlier in the Master Plan) shall not exceed 150,000 sq. ft. of Community Facilities (as defined in the Master Plan). Employee housing units, parking areas, and basements (as defined by the LDRs) shall be excluded from this gross floor area calculation.

Grand Targhee Resort, LLC Chronology:

- 1973- Master Plan/ Special Use Permit approved by Targhee National Forest
- 1989- Approval of a Conceptual Master Plan for Big Valley Corp.
- 1997- Grand Targhee Resort, LLC acquires ownership of the Resort
- 1997- US Forest Service Land exchange; 120 acres in the base area for 400 acres of grizzly bear habitat
- 2006- Resort was zoned Rural by Teton County (DBA2006-0002)
- 2008- Teton County Board of County Commissioners granted first Master Plan
- 2017- Grand Targhee updated its Caribou-Targhee National Forest Master Development Plan (MDP)
- February 11, 2019-effective date of the Grand Targhee Resort First Amended Master Plan

PROJECT DESCRIPTION

The Development Plan (DEV) proposes Phase I for Targhee Cabins in the 84.3-acre Residential and Accommodation Plan Area (RAPA West) of Grand Targhee Resort (GTR). The original proposal was for a new subdivision for 28 lodging cabin units and supporting infrastructure, including vehicular and pedestrian access and parking, within approximately 17.5 acres in the RAPA West area. This proposal is an allowed use per Division 2.2.D.2. of the GTRMP, effective February 11, 2019. During the Planning Commission hearing process the applicant reduced the count of requested units to 22 (application supplement of 02/08/23 is attached to this staff report).

Application Project Description (updated to reflect the revised site plan):

In collaboration with Prospect JH, three concept cabins are being considered for short-term rental... These cabin-types vary in size and architecture to further create a woodland cabin-like experience and work with the existing grade and vegetation when possible to maintain and preserve the woodland setting and scenic vistas. These cabin-types range from 1,800 square feet (two-bedroom) to 3,000 square feet (five-bedroom). Two of the proposed lodging units will be ADA Compliant.

A concurrent Administrative Adjustment application has been submitted to allow a 20% increase in the Steep Slope standards, such that development would be allowed on natural slopes up to 36%. Given that this application is linked to the overall density and design of the concurrent development plan application, the Planning Director has elevated the application for Administrative Adjustment to be heard concurrently with the development plan.

EXISTING CONDITIONS

This 17.5-acre site in the southern portion of the resort is within the RAPA West. It is generally secluded and forested with an existing road, two points of access to East Alta Ski Hill Road with access to additional overflow parking. This area is currently undeveloped except for the existing road that dates back to at least 1994, per the Teton County aerial photo imagery available via the Teton County map server. The site is partially encumbered by steep slopes as represented in this application and the concurrent application for Administrative Adjustment (ADJ2022-0013) to the Steep Slope standards. The site is not within either the Scenic Resources Overlay (SRO) or the Natural Resources Overlay (NRO). Sketch Plan and PUD Amendment processes vetted potential environmental impacts within the project area, and thus additional environmental analysis (EA) submittal was not required as a

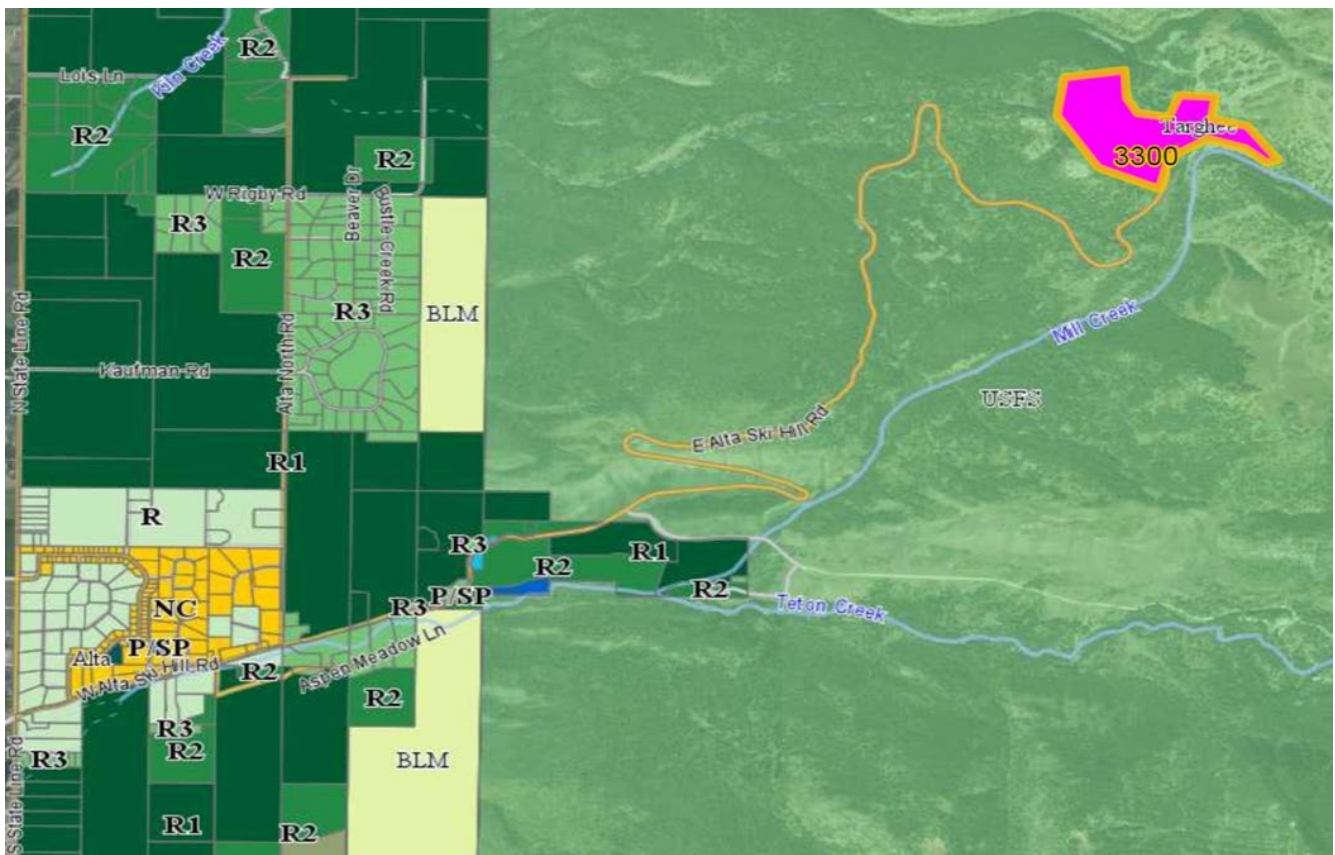
prerequisite to this application. The Master Plan specifically states, "All future development applications within the Resort will not require natural resource impact review via an Environmental Analysis ..." (GTRMP, p. 14 & p. 20).

LOCATION

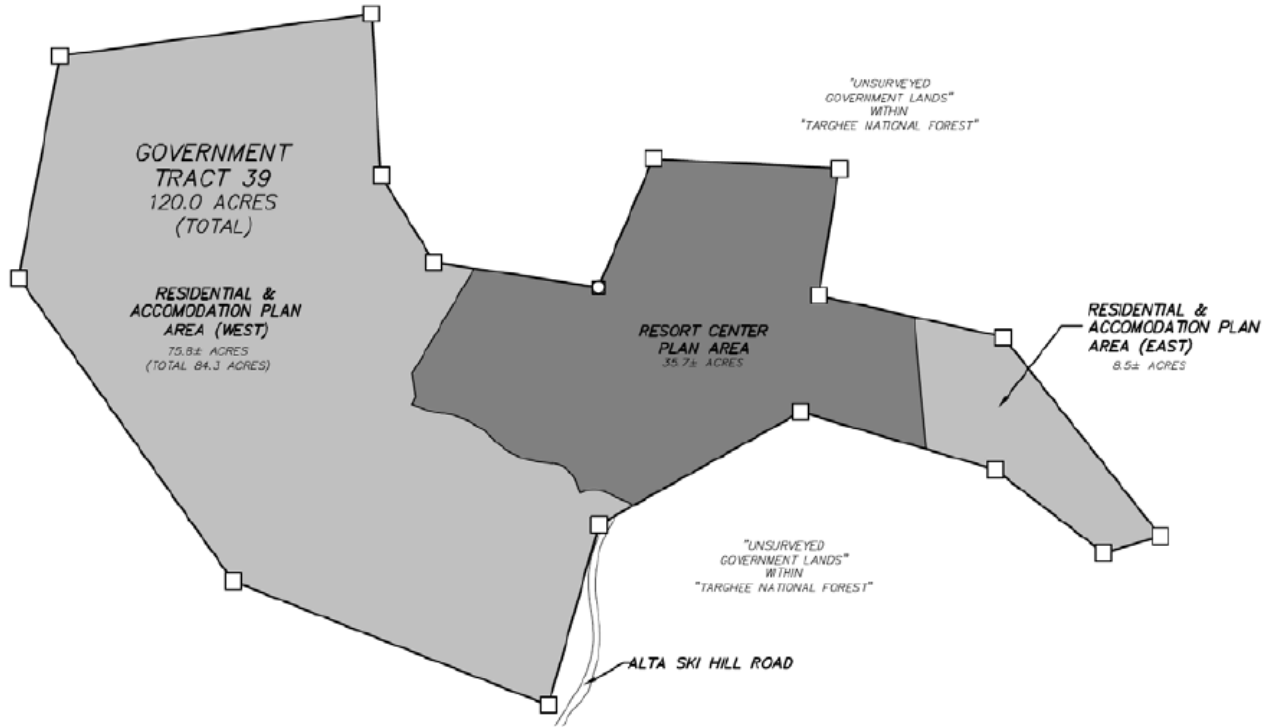
The subject property is located at 3300 E Alta Ski Hill Road, Alta, WY, generally located 7.7 miles northeast of Alta, WY.

- Legal Description: Tract 39, Being Parts of Unsurveyed SE1/4 SEC. 11 & SW1/4 SEC. 12, TWP. 44, RNG. 118
- PIDN: 22-44-18-11-4-00-001
- Site Size: 119.97 acres
- Character District: 14: Alta (Rural)
- Subarea: 14.3 - Grand Targhee Resort (Transitional, Resort/Civic Form)
- Zone: Planned Resort (PR)
- Overlay: N/A

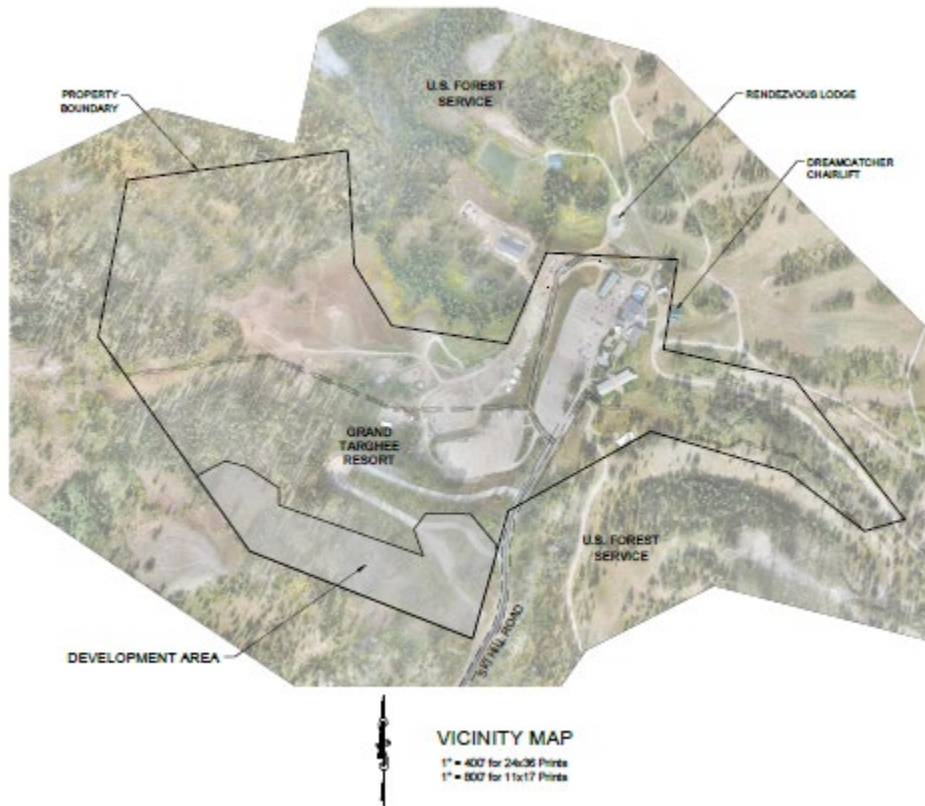
ZONING/VICINITY MAP



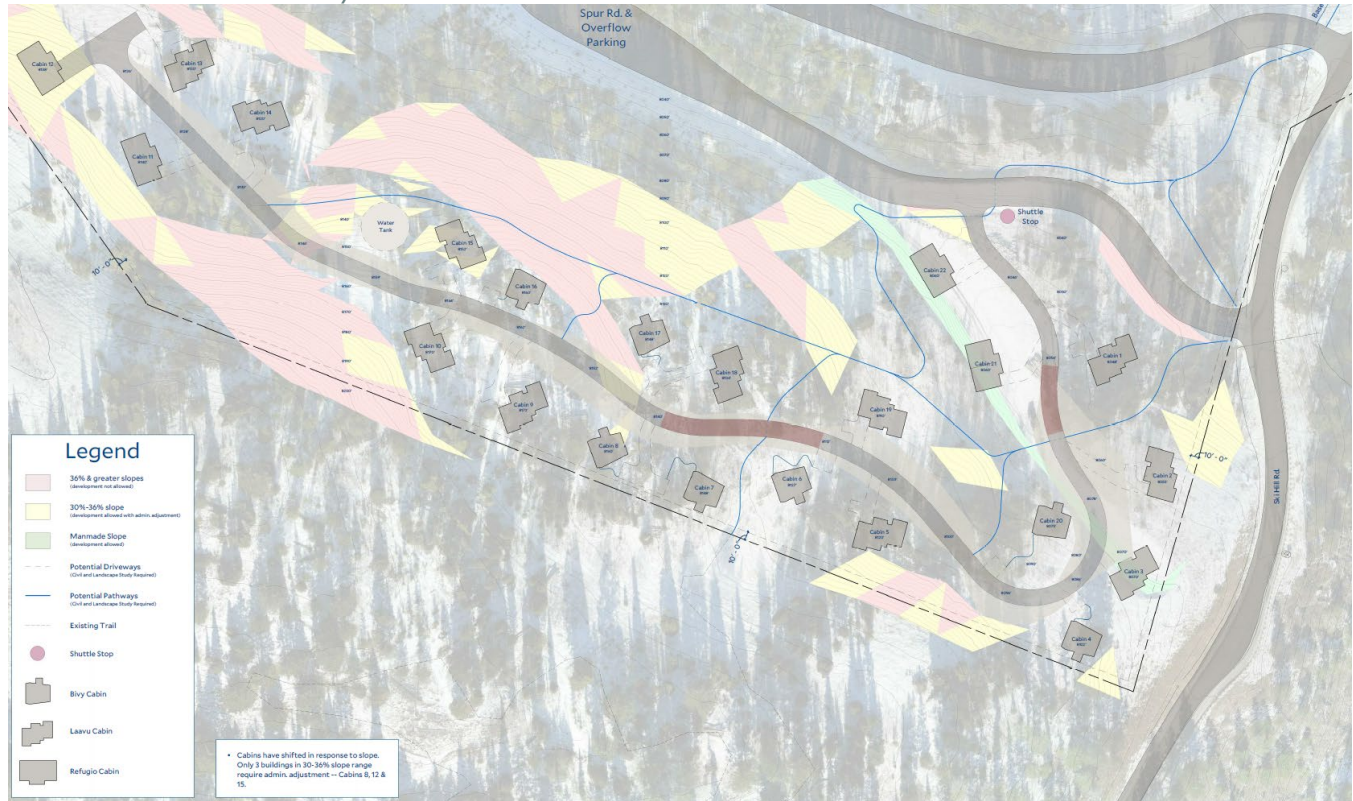
MAP OF PLAN AREAS – GRAND TARGHEE RESORT MASTER PLAN FIGURE 1.6.1.



PROPOSED DEVELOPMENT AREA (SHADED)



PROPOSED SITE PLAN W/ SLOPES



STAFF ANALYSIS

ADJ2022-0013

The applicant seeks an Administrative Adjustment from the Steep Slope Development standards (Section 5.4.1), pursuant to Section 8.8.1 of the Land Development Regulations (LDR). The current standard prohibits development on slopes in excess of 30%. The request is to allow a 20% increase in the steep slope standard. The outcome of the adjustment would impact placement of three cabins out of the 22 cabins proposed. Given that the overall site plan is taking advantage of an existing access route, which reduces overall impacts of the development, the use of the Administrative Adjustment to allow the comprehensive site plan to work will result in minimization of impacts. Staff is able to make the findings for this adjustment and have identified no key issues as a component of the analysis.

DEV2022-0008

A Development Plan is required for the proposed application pursuant to GTRMP Section 2.2.B.12. & Section 2.2.D.2.), which require a Development Plan and subdivision plat after Sketch Plan approval for physical development within the RAPA. The application site plans reflect the development concept that was approved at Sketch Plan, specifically the spur road extension along which the cabins are located.

GTRMP DIVISION 1 & 2 COMPLIANCE

There are no Key Issues for evaluation given that the Development Plan application is consistent with the Sketch Plan concept that was approved by the Board of Commissioners and complies with LDR standards.

The following Master Plan requirements are integral to the analysis of Development Plan and Administrative Adjustment findings.

Section 1.2.C.1. Intent

General: 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. The Planned Resort Zone is intended to guide the creation or continuation of a planned development configured around a major recreational activity. Over time, Grand Targhee will evolve in accordance with the Master Plan to reflect technical innovations, user preference, market conditions, and competition in the ski resort industry.

Section 1.2.C.2. Character and Design: *The character objective for Grand Targhee is a clustered resort center with its own sense of place. Important characteristics are:*

- a. a transition in density, intensity and character from the center to adjacent Forest Service natural lands;*
- b. a distinct center, defined both by buildings and activities;*
- c. a mix of land uses, varying from a center of high intensity mixed commercial, skier amenities,*
- d. accommodation, and recreational uses to lower density areas with predominantly residential/accommodation uses;*
- e. clear edges, defined both by buildings and open spaces, that distinguish the center from surrounding National Forest lands;*
- f. a continuity in building size, architecture, and individual site design;*
- g. pedestrian streetscapes and pedestrian connections throughout the village center;*
- h. creation of a sense of arrival;*
- i. a visitor destination with a strong sense of place; and*
- j. a destination ski area.*

Section 1.3.D.1. Phasing Plan

Phase One (Section 1.1.4. & 2.2.E.2.) Duplexes/Cabins/Single-Family Lots - 30 Units

Complies. The application is consistent with the Resort Phasing Plan that accommodates up to 30 Units in the RAPA. Consistent with Section 2.2.E.1., which states as follows, "... development of infrastructure that is adequate to support any proposed development within the RAPA, including roads, parking, water and wastewater facilities, must be completed concurrently with or prior to the completion of the development dependent on such infrastructure". This standard will be evaluated at the time of subdivision plat.

Section 1.3.D.3. Phasing of Public Exactions: *The public exactions generated from residential development required in accordance with Section 3.3 of the Master Plan, and as set forth below, shall be provided commensurate with development. The developer may provide exactions in advance of the timeline identified below, and shall be credited for any exactions provided prior to any requirement.*

- a. A land dedication for parks or Community Facilities shall begin prior to the commencement of Phase Three of the Phasing Plan set forth in Table 1.3.D.1.*
- b. Certificates of occupancy for the Community Facilities defined in Section 3.3 of the Master Plan shall be issued prior to commencement of Phase Three of the Phasing Plan set forth in Table 1.3.D.1.*

Complies. The application initiates the beginning of Phase One of resort development. No exactions are due at this time.

Section 1.3.D.4. Other Requirements

- a. An Emergency Management Plan shall be implemented within one (1) year of the approval and recordation of the first final plat within the Resort.*

- b. *A Declaration of Covenants, Conditions and Restrictions shall be recorded in the office of the Teton County, Wyoming Clerk concurrent with the recordation of the first final plat. Design Guidelines to accompany the Covenants, Conditions and Restrictions shall also be approved and implemented.*

Complies, as conditioned. See below, Recommended Conditions of Approval.

Section 2.2.B.1 Physical Development, Structure Location and Mass:

B.1. Structure Location and Mass					
	LSR (min)	All Setbacks (Min)	Height (max)	FAR (max)	Lot Size (min)
Primary residential uses	.25	Established by specific building envelopes	28'	.40	15,000 sf.
Non-residential accessory structure	.25	Established by specific building envelope	20'	n/a	n/a
Attached Multi Family	.25	Established by specific building envelopes	33'	1.9	6,000 sf.

Complies, as conditioned. The application is consistent with the physical development standards for the RAPA. The purpose of the RAPA is to allow for residential and accommodation uses such as single-family residences, townhouses, and cabins, all of which are residential and lodging units that allow for short-term rental. The application does not, however, call out the distinction that the height maximum for primary residential uses is 28', which will therefore be included as a recommended Condition of Approval. The remaining physical development standards will be evaluated at the time of applications for grading and residential building permits.

GTRMP DIVISION 3. STANDARDS APPLICABLE TO OVERALL RESORT ZONE

Section 3.1.D. APOs A maximum of 3,500 APOs (Average Peak Occupancy) shall be permitted at the Resort.

Complies. This application represents a total of 112 APOs.

Section 3.3 Development Exactions. A development exaction is a requirement that a developer dedicate land for public use or improvements, or pay a fee in-lieu of dedication, with such fee being used to purchase land for public facilities or to construct public improvements needed to serve a proposed residential development.

Complies. The GTRMP provides the allowance for a fee-in-lieu of land dedication. Required Development Exactions, prioritized for Alta Services, will be completed in accordance with Section 3.3 of the Master Plan and determined at the time of Subdivision Plat application and collected prior to recording the new Plat.

Section 3.4.A. Affordable and Employee Housing Standards. Prior to approval of the first Development Plan for the Resort, a system must be in place to provide oversight on restricted housing units. The Jackson/Teton County Affordable Housing Department (the "Housing Department") will work with Teton County, Idaho to develop a system of oversight. The Resort shall make the Housing Department aware when it is preparing to submit its first application for a Development Plan, and will work with the Housing Department to develop a workable system to ensure that Employee and Affordable Housing standards are being complied with and monitored. An annual monitoring report shall be presented to the Housing Department to document compliance with the terms of the applicable housing mitigation plan.

Complies as conditioned. Given the Resort's location proximate to Teton County, Idaho, the Master Plan has reserved allowances for development of employee housing in the neighboring communities of Driggs and Victor, Idaho. This allowance will offset impacts to existing workforce housing stock. As represented in the application, the following applies, "The Short-Term Rental use for the 105 bedrooms for Targhee Cabins will require that 13.65 employees be housed (0.13 per bedroom). Grand Targhee Resort completed an Employee Housing project for 96 employees in the City of Driggs, Idaho. This project will be used ... for housing mitigation for [this proposal] and

future projects. As mitigation is required, units will be deed restricted in accordance with the rules and regulations of the Jackson Teton County Housing Department.”

The GTRMP standard requires a system be in place to provide oversight on restricted housing units, prior to approval of the first development plan. Given that the Teton County, Idaho Joint Housing Authority did not have an Executive Director at the time of application submittal, the system of oversight has been extended by Jackson/Teton County Housing Department staff. Per correspondence during the review of this application, “*To satisfy the above Master Plan standard, the Jackson/Teton County Housing Department will commit to management and compliance responsibility for the deed restrictions on the units required for mitigation relevant to approval of this Development Plan.*” Given the recent hire of an Executive Director we are confident that a shared oversight system for restricted units can be established in the next two years, as referenced in the recommended condition of approval pertaining to a system of oversight on restricted housing units. Please see the attached memo from the Housing Supply Specialist, Jackson/Teton County Affordable Housing Department, Kristi Malone (Attached) for a more detailed review of the Affordable and Employee Housing Standards, with recommended conditions of approval that are adopted in this Staff Report.

Section 3.4.B. Real Estate Transfer Fee. For the benefit of creating affordable and workforce housing, a declaration of restrictive covenant for a real estate transfer fee will be recorded against all units within the Resort subject to the Affordable or Employee housing requirement. The covenant will run with the encumbered properties and bind all future owners thereof. The covenant will require the payment of a half percent (0.5 %) real estate transfer fee on the closing of the transfer, sale and resale of residential lots and units within the Resort (excepting the transfer and sale of lots and units by the developer).

Complies. The transfer fee shall be in effect prior to the first final plat for any development within the Resort, therefore this restrictive covenant shall be required prior to approval of the final plat for this development.

Section 3.5.A.3. Employee Transit Shuttle System. The existing employee transit shuttle system will continue to operate and will be expanded to carry a minimum of 70% of total Employees At One Time (“EAOT”) at build-out of the Resort. During Phase One of development 33% of employees shall be using the employee transit shuttle system.

Complies. An annual monitoring plan shall be required upon the approval of the first Development Plan and shall continue until complete build-out of the Resort. Once the Resort is completely built out, the annual monitoring requirement will expire. The transit infrastructure and operations exist to carry up to 33% of employees at this time. Ridership has not reached this level, varying between 7% and 19% of daily employees utilizing the employee transit shuttle system between 2020 and 2022 (GTR 2021-2022 Interim Traffic Monitoring Report). The initial findings of the first interim report indicate areas where the GTR can emphasize improvements to reach desired employee transit ridership.

Section 3.5.D. Road Impact Fees During Construction Phase. Prior to the earlier of either Final Development Plan approval or the issuance of any physical development permit at Grand Targhee Resort that will utilize Ski Hill Road, Grand Targhee shall present to the Teton County Engineer a proposal prepared by an independent, qualified engineering firm with staff experienced in road design, construction and maintenance. The proposal shall include a formula that calculates a road impact fee representing the proportional impacts of development during the construction phase beyond that which would ordinarily occur on a county road. The impact area for this fee shall be defined as Ski Hill Road beginning at Stateline Road to the termination of the public portion of the road at the Resort boundary. The proposal shall consider the proportionate share of traffic generated by the proposed construction, relevant ADT data, and a cost analysis, and is subject to final approval by the County Engineer.

Complies as conditioned. The proposed condition of approval requires that Development Plan permit approval not be granted until the County Engineer acknowledges that a sufficient Road Impact Fee proposal has been submitted by the applicant and that the proposal has been approved by the County Engineer.

3.6.D.5. Site Planning, Pathways and Pedestrian Facilities. Pathways and pedestrian facilities, including access for the disabled, shall be integral components of the site design. The site shall provide an attractive, outdoor atmosphere that encourages use and reliance upon pathways and walkways.

Complies as conditioned. The focus of this transitional subarea is to create a year-round, small scale resort community that is pedestrian oriented. The GTRMP requirements applicable to all areas of the resort zone include the site planning expectation that pathways and pedestrian facilities be integral components of the site design. Please refer to Plan Review Committee comments by the Teton County Regional Transportation Planning Administrator for a complete treatment of pedestrian access requirements and suggested improvements to include with the development plan under current review (*Attachments*). Staff has revised the recommendation to locate a shuttle stop on Ski Hill Road, as the intent of the applicant is to minimize disturbance along the steep slopes adjacent to Ski Hill Road, and to avoid directing any foot traffic towards the Ski Hill Road Corridor. Based on correspondence with the Regional Transportation Planning Administrator, the following are recommended conditions of approval.

- a. The applicant shall provide sidewalks or pathways of a minimum width of 5 feet with a safe separation from vehicle traffic to permit cabin tenants to safely walk to the Resort Center. These amenities shall be installed prior to the issuance of Certificate of Occupancy of the permitted dwelling units per this application.
- b. The applicant shall provide sidewalks or pathway of a minimum width of 5 feet to connect between Cabin 15 on west end and Cabin 22 on east end. These sidewalks shall be installed prior to issuance of Certificate of Occupancy of the permitted dwelling units per this application.

STAKEHOLDER ANALYSIS

DEPARTMENTAL REVIEWS

The application was thoroughly vetted at Sketch Plan by the County Engineer, Building Official, Jackson Hole Fire/EMS and the Road and Levee Department.

The current applications were sent to the following Departments and Stakeholders for comments.

- Teton County Engineer – Amy Ramage
- Teton County Building Official – Billy Nunn
- Battalion Chief – Fire Marshal, Jackson Hole Fire/EMS - Raymond Lane
- Teton County Integrated Solid Waste & Recycling, Director – Brenda Ashworth
- Teton County Road & Levee, Director - Dave Gustafson
- Teton County Sheriff – Matt Carr
- Teton Conservation District, Executive Director – Carlin Girard
- Teton County Parks & Recreation, Director – Steve Ashworth
- Community Pathways, Pathways Coordinator – Brian Schilling
- Teton County Surveyor – Todd Cedarholm
- Housing Supply Specialist, Jackson/Teton County Affordable Housing Department – Kristi Malone
- Teton School District #1 Exec. Dir. of Communications/District Services - Charlotte Reynolds
- Regional Transportation Planning Administrator – Charlotte Frei
- Wyoming Game and Fish Department, Jackson Region, Wildlife Management Coordinator - Cheyenne Stewart
- Teton Basin Ranger District, Caribou-Targhee NF, District Ranger – Jay Pence
- Teton County, ID Board of County Commissioners, Chair – Cindy Riegel
- Teton County, ID Senior Planner – Jade Krueger
- Teton County , ID GIS Manager and Community Projects Coordinator – Rob Marin
- Wyoming Department of Transportation, Resident Engineer - Bob Hammond
- Wyoming Department of Environmental Quality, Northwest District Engineer - James Brough

Any responses provided by the time this staff report is published are found in Attachments, below.

PUBLIC COMMENT

Notice of this hearing for an Administrative Adjustment and Development Plan was distributed to all property owners within 800 feet of the site on December 9, 2022 and posted at the entrance to the site on December 30, 2022. Written public comment is attached to this report.

LEGAL REVIEW

Gingery

PLANNING COMMISSION ANALYSIS

This item was heard at the January 9, 2023 Planning Commission meeting. Following a staff presentation, applicant's presentation and public comment, the Planning Commission continued the two items to the February 13, 2023 Planning Commission hearing. The Chair made a request of the commissioners to send written questions relating to the applications to Staff relating to GTRMP regulations, the guiding standards applicable to the Grand Targhee applications. Staff provided responses to commission questions as a cover letter to the February 13, 2023 Planning Commission Staff Report (attached). At the February 13, 2023 hearing of the Grand Targhee Cabins applications, Staff provided a brief summary of a revised site plan submitted by the applicant the week prior to the hearing (attached). The revised site plan reflected updates in response to Planning Commissioner's preliminary discussion of the applications and public comment, including:

- Reduction from 28 to 22 proposed cabin units
- Reduction from 7 to 3 proposed cabins requiring Administrative Adjustment to develop on steep slopes up to 36%
- Relocation of the proposed water tank to avoid slopes in excess of 36%
- Application of a 10-ft non-street setback to all proposed cabins
- Addition of a shuttle stop for transit service to the Resort center
- Addition of pathways illustrating connectivity with the Shuttle Stop and Resort Center

The Planning Commission discussion was led by Commissioner Nielson presenting his inability to make findings for either the Administrative Adjustment (ADJ) or the Development Plan. He indicated that the slopes could be avoided all together, and therefore he could not make findings in support of an Administrative Adjustment. In speaking to the Development Plan, he was concerned that the Jackson/Teton County Affordable Housing Department's willingness to extend their services in oversight of affordable housing for two years, was a de facto amendment of the Master Plan. Regarding transit, he indicated the applicant should presently be observing a 33% minimum ridership by their staff, instead of reaching this benchmark through the course of Phase I implementation. Commissioners Lurie and Nielson said the application was devoid of sufficient detail on cooperation with the US Forest Service to develop a fire management plan for the suburban wilderness interface. The Master Plan requirement is that this study be completed prior to construction of the first phase of project development. Commissioner Lurie echoed the concern that the applicant can avoid steep slopes all together with their site plan. In addition, she indicated that the Development Plan had too great a risk to health and safety, and that a fire management plan needs to be advanced much earlier. The GTRMP requirement is that an Emergency Management Plan shall be developed and implemented within one year of the approval of the first final plat within the Resort.

The Planning Commission voted 3-2 to recommend approval of both applications (DEV2022-0008 & ADJ2022-0013) with Commissioners Lurie and Nielson opposed, based on the findings as suggested by the Planning Director, with eight conditions of approval, that are included with the suggested motion in this staff report.

RECOMMENDATIONS

PLANNING DIRECTOR RECOMMENDATION: ADJ2022-0013

The Planning Director recommends **APPROVAL** of **ADJ2022-0013** dated November 3, 2022, an Administrative Adjustment pursuant to Section 8.8.1, to adjust the Steep Slope Development standards of Section 5.4.1. of the LDRs, based on the findings recommended below, with no conditions.

PLANNING DIRECTOR RECOMMENDED FINDINGS

Pursuant to Section 8.8.1. of the Land Development Regulations, an Administrative Adjustment shall be approved upon making all of the five (5) findings for the application:

1. Complies with the applicability standards of this Section:

Can Be Made. Pursuant to 8.8.1.B.5, the grade of developable slopes may be adjusted by up to 20%. In this case, the request is to allow a 20% increase in the steep slope standard to allow development on natural steep slopes up to a grade of 36%. The outcome of the adjustment would impact placement of three (3) cabins out of the 22 cabins proposed.

2. 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 zone;*

Can Be Made. Staff concludes that the application meets each subsection, a., b. and c., to support this Finding. The location of 3 out of a proposed 22 cabins on slopes between 30% and 36% allows for a general compactness of the development within the broader Resort context, where 120 acres was considered as the appropriate developable area for the existing entitlements. The unusual constraint on the site is that the cabins are proposed within a small island of private land specifically set aside for this development, surrounded by Federal land. The proposed development better protects natural and scenic resources through reduction of the overall project area footprint. The requested relief on a small percentage of the approximately 17.5-acre project area is an allowance that enables the applicant to utilize the space accessed by the existing spur road, without increasing separation between proposed cabin sites. The adjustment does better support the purpose of the Zone, which is to create a year-round, small scale resort community that is pedestrian-oriented to enhance year-round visitation and to provide recreation and job opportunities for the local community. The transitional subarea is expected to be developed in accordance with the approved Master Plan.

3. Is consistent with the purpose of the zone and the desired future character for the area described in the Comprehensive Plan:

Can Be Made. The proposed development is consistent with the desired future character of the Grand Targhee Resort subarea, as described in this staff report.

4. Will not pose a danger to the public health or safety; and

Can Be Made. The applicant team includes geotechnical professionals working on a concurrent geotechnical report to accompany the required plan level grading submittal. The professional opinion submitted with the application is that there are no landslide areas or other evidence of mass slope instability. Given demonstrably secure soils, the application to increase impacts on slopes up to 36% does not pose a danger to either public health or safety.

5. The site is not subject to a series of incremental administrative adjustments that circumvent the purpose of this Section.

Can Be Made. This site is not subject to a series of incremental administrative adjustments.

PLANNING DIRECTOR RECOMMENDATION: DEV2022-0008

The Planning Director recommends **APPROVAL** of **DEV2022-0008** dated August 16, 2022, a Development Plan to permit twenty-two (22) lodging cabin units in the Grand Targhee Resort Residential and Accommodation Plan Area, based on the findings recommended below, with eight conditions of approval.

1. Primary Residential Uses shall have a maximum height of 28 feet and Attached Multi Family Uses shall have a maximum height of 33 feet.
2. For the benefit of creating affordable and workforce housing, the Owner shall record a declaration of restrictive covenant with the Teton County Clerk for a real estate transfer fee that shall be recorded against all units within the Resort subject to the Affordable or Employee housing requirement, prior to or concurrent with recording the final plat. The covenant shall run with the encumbered properties and bind all future owners thereof. The covenant shall require the payment of a half percent (0.5 %) real estate transfer fee to Teton County on the closing of the transfer, sale and resale of each residential lot and unit within the Resort (excepting the transfer and sale of lots and units by the developer).
3. Development Plan permit approval shall not take effect until the County Engineer acknowledges in writing that a sufficient Road Impact Fee proposal, as described in Section 3.5.D. of the Grand Targhee Resort Master Plan, has been submitted by the applicant and has been approved by the County Engineer.
4. **Administration of Deed Restriction Terms:** Pursuant to the requirements of Grand Targhee Resort First Amended Master Plan dated February 12, 2019, a phased system of restricted housing oversight is in place to be evaluated by the Board of County Commissioners on or before May 2, 2025, two years from the date of approval of this Development Plan. Until this time, the Jackson/Teton County Housing Department shall take primary responsibility for administration of deed restrictions on the housing mitigation units required by approval of this Development Plan and shall work with Teton County, Idaho to develop a transfer of administration.
5. **Required components of livability.** Each required restricted housing unit shall include, at a minimum, the components of Livability Standards required by Sec. 2-3 of the Jackson/Teton County Housing Department Rules and Regulations.
 - a. **Prior to issuance of Certificate of Occupancy on the short-term rental units,** the Jackson/Teton County Housing Department shall inspect the housing mitigation units to ensure units were built to terms of approval.
6. **Deed Restriction.** To ensure continued compliance with the standards of the Grand Targhee Resort Master Plan and the Teton County Land Development Regulations, the property on which the mitigation housing units are to be located shall be subject to a deed restriction for Affordable Workforce housing (0-120% MFI) in perpetuity, in a form established and approved by the Jackson/Teton County Housing Department.
 - a. **Prior to issuance of Certificate of Occupancy on the short-term rental units,**
 - i. A special restriction drafted by the Jackson/Teton County Housing Department using the applicable approved Restriction Template will be recorded on the mitigation units/property. The applicant will be responsible for payment of recording fees.; and
 - ii. The leasing agent or person managing residents in the mitigation housing shall attend a Compliance Conference with the Jackson/Teton County Housing Department to learn how Affordable Workforce households are qualified for residency in restricted units.

7. Prior to issuance of a Certificate of Occupancy for any of the permitted dwelling units per this application, the applicant shall provide sidewalks or pathways of a minimum width of 5 feet with a safe separation from vehicle traffic to permit cabin tenants to safely walk to the Resort Center. These amenities shall be installed prior to the issuance of Certificate of Occupancy of the permitted dwelling units per this application.
8. The applicant shall provide sidewalks or pathways of a minimum width of 5 feet to connect Cabin 15 on west end and Cabin 22 on east end. These sidewalks shall be installed prior to issuance of the first Certificate of Occupancy of the permitted dwelling units per this application.

1. Is consistent with the desired future character described for the site in the Jackson/Teton County Comprehensive Plan:

Subarea 14.3: Grand Targhee Resort



Resort/ Civic Form

The focus of this TRANSITIONAL Subarea is to create a year-round, small scale resort community that is pedestrian-oriented. A primary objective is to enhance year-round visitation and to provide recreation and job opportunities for the local community. This subarea will develop in accordance with the recently approved master plan. The master plan is intended to be dynamic and subject to some evolution in design but not density, intensity, or footprint.



Can Be Made. The proposed cabin development meets the focus of the Subarea, which is to create a year-round, small scale resort community that is pedestrian oriented. This initial phase of development is being developed in accordance with the Master Plan, as amended in 2019. The application is for 22 units, with entitlements for short-term lodging, which represents approximately 30% of the available density within the Residential and Accommodation Plan Area and a small fraction of the 3,500 total approved Average Peak Occupancy (APOs) for the Resort. Four concept cabins are being considered: a two-bedroom cabin; a three-bedroom cabin; and a four-bedroom cabin. These cabin-types vary in size and architecture to further create woodland cabin-like experience. These cabin-types range from 1,800 square feet (two-bedroom) to 3,000 square feet (larger five-bedroom). This development will provide residential and lodging ownership options and provide job opportunities for the local community.

Character District 14: Policy Objectives

1.1.b: Protect wildlife from the impacts of development. The 120-acre Resort area was sized and configured by the National Forest Service in part to avoid valuable wildlife habitat, wetlands and waterbodies. Accordingly, the Resort is not located in the current NRO. An environmental analysis (EA) was performed in 2004 (EVA2004-0034). An EA Revalidation Report was prepared by Alder Environmental September 20, 2016, finding no habitat types protected by the NRO on site or within ½ mile of the parcel.

1.1.c: Design for wildlife permeability. The Master Plan identifies two Plan Areas. The RCPA proposes to concentrate commercial and lodging uses near existing like uses. The RAPA proposes three nodes for primarily residential use. While all areas are connected by roads, the configuration protects large sections of older growth forest allowing for safe wildlife movement through the Resort. The project area is not within the Natural Resources Overlay, and the applicable PUD amendment and Sketch Plan that resulted in the present development entitlements have been thoroughly vetted through the environmental analysis process (EVA2016- 0021).

1.2.a: Buffer water bodies, wetlands and riparian areas from development. There are no surface waters on the 120-acre Master Plan area. The area is located between Dry Creek and Mill Creek but neither creek nor buffer exist on the site. There are no wetlands on or in the vicinity of the project area.

1.4.a: Encourage non-development conservation of wildlife habitat. While the Plan Areas identify open space, the original configuration of the Resort and the land exchange conducted with the Forest Service was intended to allow for development on the 120-acre site while conserving lands off site. Additional conservation off site has been integrated through the Teton Creek Corridor initiative. In addition, the following GTRMP requirement addresses non-development conservation of wildlife habitat, as follows:

“The Applicant shall ensure that three hundred (300) acres of land are protected in conservation easement(s), which easement(s) shall be recorded in the Office of the Teton County, Wyoming Clerk. All of the 300 acres shall be located in Teton County, Wyoming on the west slope of the Tetons. This Condition may be met, in part or in full, through the two percent (2%) transfer fee, as described in Condition of Approval No. 5 below. Conservation of the 300 acres of land described herein shall occur no later than ten (10) years after the first Development Plan is approved for any of the 450 units allowed under the Amended Master Plan.”

1.4.b: Conserve agricultural lands and agriculture. This objective is not applicable because no agriculture lands exist on site.

1.4.c: Encourage rural development to include quality open space. While the Plan Areas identify open space on site, the Resorts configuration was intended to conserve quality open space on the adjacent National Forest, reserving that for public use and providing lodging and access in the Resort.

3.1.b: Direct development toward suitable Complete Neighborhood subareas. The Comprehensive Plan identifies Planned Resorts as a master planned area that encourages recreational activities, contributes to community character, and contains a mix of residential and nonresidential uses. While not a Complete Neighborhood a planned resort is similar in its purpose and intent.

3.1.c: Maintain rural character outside of Complete Neighborhoods. This objective is not applicable because the application is for development within the allowances of an existing Master Plan.

3.5.a: Cooperate with regional communities and agencies to implement this Plan. The Resort has a history of coordinating with neighboring Teton County, Idaho through its transportation initiatives. In addition, the Resort has provided funding support to the Teton Creek Corridor Project, located primarily in Teton County, Idaho as part of the Master Plan Community Services Element. The Resort and the Forest Service have a cooperative relationship and most recently Grand Targhee Resort has codified the working relationship with Teton County Search and Rescue to ensure safe and efficient response times through the deployment of trained Ski Patrol in the event of a Search and Rescue incident.

5.3.b: Preserve existing workforce housing stock. Given the Resort’s location proximate to Teton County, Idaho, the Master Plan has reserved allowances for development of employee housing in the neighboring communities of Driggs and Victor, Idaho. This allowance will offset impacts to existing workforce housing stock. As represented in the application, the following applies, *“The Short-Term Rental use for the 105 bedrooms for Targhee Cabins will require that 13.65 employees be housed (0.13 per bedroom). Grand Targhee Resort completed an Employee Housing project for 96 employees in the City of Driggs, Idaho. This project will be used ... for housing mitigation for [this proposal] and future projects. As mitigation is required, units will be deed restricted in accordance with the rules and regulations of the Jackson Teton County Housing Department.”*

7.1.c: Increase the capacity for use of alternative transportation modes. The Resort has a history of providing alternative transportation modes such as its employee transit shuttle system. The expected employee usage rate at the completion of Phase One is 33%, and the phased master plan envisions 70% usage by Phase Four. The

Transportation Demand Management Plan (TDM) includes additional strategies to decrease demand as the Resort grows including carpool promotion, increasing on site lodging, participation in regional transportation planning efforts, requiring property owners to participate in TDM strategies, day skier shuttle system, summer transit service and private lodging shuttle.

7.3.a: Develop a land use pattern based on transportation connectivity. The goal of this policy is intermodal connection between Jackson and county neighborhoods, which in this application is not applicable. The Resort has developed alternative transportation modes and has plans for expansion of those services connecting with Teton Valley, as described above in 7.1.c.

2. Achieves the standards and objective of the Natural Resources Overlay (NRO) and Scenic Resources Overlay (SRO), if applicable;

Can Be Made. The subject property is not located within either the Natural Resources Overlay or the Scenic Resources Overlay. Development applications within the Resort do not require EAs. The location of the 120- acre area was a conscious decision by the Forest Service to locate the Resort in low value habitat and in a hollow, screened from the valley below. The application is consistent with the Sketch Plan and PUD amendment approvals, which identified the RAPA West development node for residential housing at the end of the existing spur road, as proposed. The Sketch Plan and PUD Amendment were fully vetted through Environmental Analysis (EA), and this application was predicated upon that EA recommendation.

3. Does not have significant impact on public facilities and services, including transportation, potable water and wastewater facilities, parks, schools, police, fire, and EMS facilities;

Can Be Made, as Conditioned. The Capital Improvements Plan and Phasing Plan identify a strategic plan for infrastructure improvements coupled with phased resort expansion. The GTRMP has an allowance for up to 450 units, overall, of which this application represents the initial 22 units. The Resort operates its own transit system for employees and resort goers, with the capacity to transport 30% of its employees (though current ridership is <20%) which reduces impacts to local roads. The phased improvements are coupled to increases in infrastructure and mitigation practices for transportation. Water and wastewater are owned and operated by the Resort. Fire and EMS services are contracted through Teton County Idaho. Significant impacts to schools and parks are not anticipated. At the time of drafting of this Staff Report the required Road Impact Fee proposal has not been submitted to the Teton County Engineer. This requirement specifies the following,

“Prior to the earlier of either Final Development Plan approval or the issuance of any physical development permit at Grand Targhee Resort that will utilize Ski Hill Road, Grand Targhee shall present to the Teton County Engineer a proposal -- prepared by an independent, qualified engineering firm with staff experienced in road design, construction and maintenance.

The proposal shall include a formula that calculates a road impact fee representing the proportional impacts of development during the construction phase beyond that which would ordinarily occur on a county road. The impact area for this fee shall be defined as Ski Hill Road beginning at Stateline Road to the termination of the public portion of the road at the Resort boundary. The proposal shall consider the proportionate share of traffic generated by the proposed construction, relevant ADT data, and a cost analysis, and is subject to final approval by the County Engineer.”

The proposed condition of approval will recommend that Development Plan permit approval not be granted until the County Engineer acknowledges that a sufficient Road Impact Fee proposal has been submitted by the applicant and has been approved.

4. Complies with all relevant standards of these LDRs and other County Resolutions; and

Can Be Made. The applicant is proposing a Development Plan, being the first of Phase One under the GTRMP, as amended. The application complies with all relevant standards of the LDRs and other County Resolutions.

5. Is in substantial conformance with all standards or conditions of any prior applicable permits or approvals.

Can Be Made, as conditioned. The proposed application is in conformance with prior permits and approvals, including the GTRMP amendment (PUD2017-0005), LDR Text Amendment (AMD2017-0006) and the approved Sketch Plan for development within the Resort (SKC2017-0007). Finding #3, above, addresses the outstanding requirement for a Road Impact Fee proposal, from the applicant, and the recommended condition is a requirement to make the Finding that the development plan application is in conformance with prior applicable permits or approvals.

ATTACHMENTS

- Application: Available via document link only:
<https://co-teton-wy.smartgovcommunity.com/Parcels/ParcelDetail/Index/c72cd75f-45a4-4e70-88c0-c7b2ed06b480?conv=1>
- Application Site Plan Revision with Cover Letter – dated February 8, 2023
- Grand Targhee Resort Letter to Teton County Planning Department, dated February 27, 2023
- Grand Targhee Resort Road Impact Fee Proposal
- Grand Targhee Resort Housing Mitigation Plan
- Grand Targhee Resort Deed Restriction – Draft
- Grand Targhee Resort Memo re: Wildfire-related Concerns, dated April 11, 2023
- Grand Targhee Master Plan Deadlines and Requirements, prepared by applicant
- Stakeholder Comment
- Public Comment

SUGGESTED MOTION

I move to **APPROVE ADJ2022-0013**, dated November 3, 2022, an Administrative Adjustment pursuant to Section 8.8.1, to adjust the Steep Slope Development standards of Section 5.4.1. of the LDRs, based on the five (5) recommended findings, with no conditions.

SUGGESTED MOTION

I move to **APPROVE DEV2022-0008**, a Development Plan to permit twenty-two (22) lodging cabin units in the Grand Targhee Resort Residential and Accommodation Plan Area, being able to make all five (5) findings for approval under Section 8.3.2., with eight conditions of approval.

1. Primary Residential Uses shall have a maximum height of 28 feet and Attached Multi Family Uses shall have a maximum height of 33 feet.
2. For the benefit of creating affordable and workforce housing, the Owner shall record a declaration of restrictive covenant with the Teton County Clerk for a real estate transfer fee that shall be recorded against all units within the Resort subject to the Affordable or Employee housing requirement, prior to or concurrent with recording the final plat. The covenant shall run with the encumbered properties and bind all future owners thereof. The covenant shall require the payment of a half percent (0.5 %) real estate transfer fee to Teton County on the closing of the transfer, sale and resale of each residential lot and unit within the Resort (excepting the transfer and sale of lots and units by the developer).
3. Development Plan permit approval shall not take effect until the County Engineer acknowledges in writing that a sufficient Road Impact Fee proposal, as described in Section 3.5.D. of the Grand Targhee Resort Master Plan, has been submitted by the applicant and has been approved by the County Engineer.
4. **Administration of Deed Restriction Terms:** Pursuant to the requirements of Grand Targhee Resort First Amended Master Plan dated February 12, 2019, a phased system of restricted housing oversight is in place to be evaluated by the Board of County Commissioners on or before May 2, 2025, two years from the date

of approval of this Development Plan. Until this time, the Jackson/Teton County Housing Department shall take primary responsibility for administration of deed restrictions on the housing mitigation units required by approval of this Development Plan and shall work with Teton County, Idaho to develop a transfer of administration.

5. **Required components of livability.** Each required restricted housing unit shall include, at a minimum, the components of Livability Standards required by Sec. 2-3 of the Jackson/Teton County Housing Department Rules and Regulations.
 - a. **Prior to issuance of Certificate of Occupancy on the short-term rental units,** the Jackson/Teton County Housing Department shall inspect the housing mitigation units to ensure units were built to terms of approval.
6. **Deed Restriction.** To ensure continued compliance with the standards of the Grand Targhee Resort Master Plan and the Teton County Land Development Regulations, the property on which the mitigation housing units are to be located shall be subject to a deed restriction for Affordable Workforce housing (0-120% MFI) in perpetuity, in a form established and approved by the Jackson/Teton County Housing Department.
 - b. **Prior to issuance of Certificate of Occupancy on the short-term rental units,**
 - i. a special restriction drafted by the Jackson/Teton County Housing Department using the applicable approved Restriction Template will be recorded on the mitigation units/property. The applicant will be responsible for payment of recording fees.; and
 - ii. The leasing agent or person managing residents in the mitigation housing shall attend a Compliance Conference with the Jackson/Teton County Housing Department to learn how Affordable Workforce households are qualified for residency in restricted units.
7. Prior to issuance of a Certificate of Occupancy for any of the permitted dwelling units per this application the applicant shall provide sidewalks or pathways of a minimum width of 5 feet with a safe separation from vehicle traffic to permit cabin tenants to safely walk to the Resort Center. These amenities shall be installed prior to the issuance of Certificate of Occupancy of the permitted dwelling units per this application.
8. The applicant shall provide sidewalks or pathways of a minimum width of 5 feet to connect Cabin 15 on west end and Cabin 22 on east end. These sidewalks shall be installed prior to issuance of Certificate of Occupancy of the permitted dwelling units per this application.

Hamilton Smith

Subject: FW: Site Plan Update for DEV2022-0008 & ADJ2022-0013
Attachments: 2023-0206_GTC_PC_SitePlan_lowres.pdf

Hamilton,

Please find attached an updated site plan for **DEV2022-0008 & ADJ2022-0013**. While the previous submittal complied with the LDRs and Master Plan, as illustrated in your Staff Report, GTR has completed the following modifications to the plan in an effort to further reduce the impact to slopes.

1. The density of the project has been reduced from 28 to 24 units.
2. The four (4) units that have been eliminated from the project application were located within slopes between 30-36%. The revised proposal is for only three (3) units that require the administrative adjustment.
3. The water tank has been moved to a location out of the slopes in excess of 36%. Further investigation is required to ensure this conceptual location shown on the Site Plan will work from an engineering perspective.
4. Actual footprints are shown and on page 2. The previous plan is shadowed so you can see the difference.
5. Defensible space and tree cover was considered by placing the cabins in open spaces as much as possible.
6. A shuttle stop was added. Shuttles will also be on call for door-to-door service as needed to the upper area of this development.
7. Pedestrian pathways/skiways that are linked to existing trail systems are shown in order to provide pedestrians with a safe connection to the Resort Base.

At the last Planning Commission, this Administrative Adjustment application was referenced several times as a request for a “variance.” We would appreciate it you could please clarify for the Planning Commission that this is not a variance request, but rather an Administrative Adjustment (ADJ) that will grant only a 20% adjustment to the 30% slope standard (thus allowing only a slight adjustment to grade into slopes that are 6% more than this standard.) ADJs for slopes are frequently issued by the Planning Director, especially in Resorts when appropriate. It is only included here for approval as a matter of practice by the Planning Department when development plans are considered (stand-alone ADJ applications can be approved by the Planning Director and no Planning Commission or Board of County Commissioner review are required). Additionally, the Master Plan grants GTR a “by right” allowance to disturb these types of slopes (30-36%) if that disturbance is for roads and driveways.



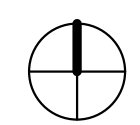
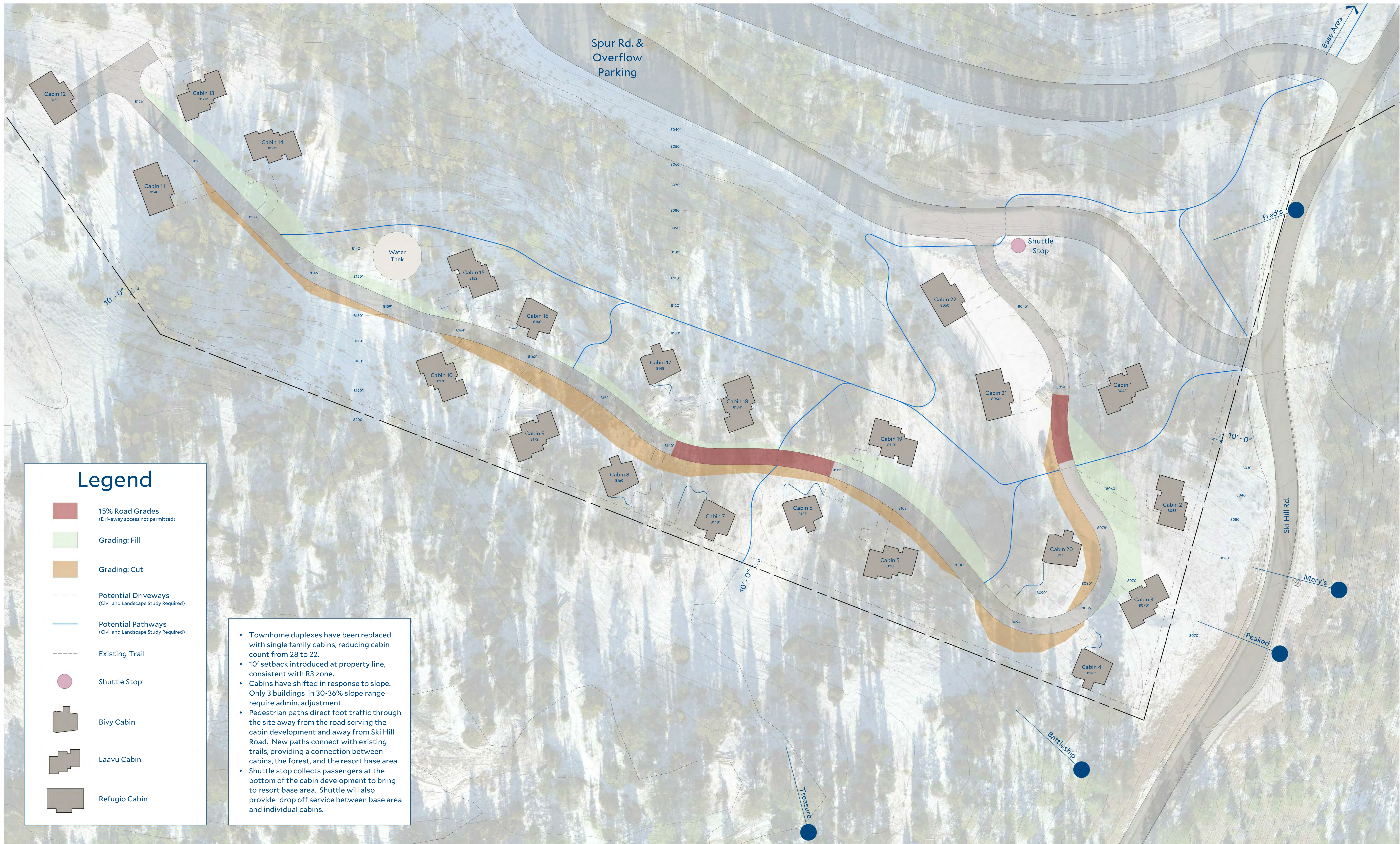
Brendan Schulte
Chief Operating Officer

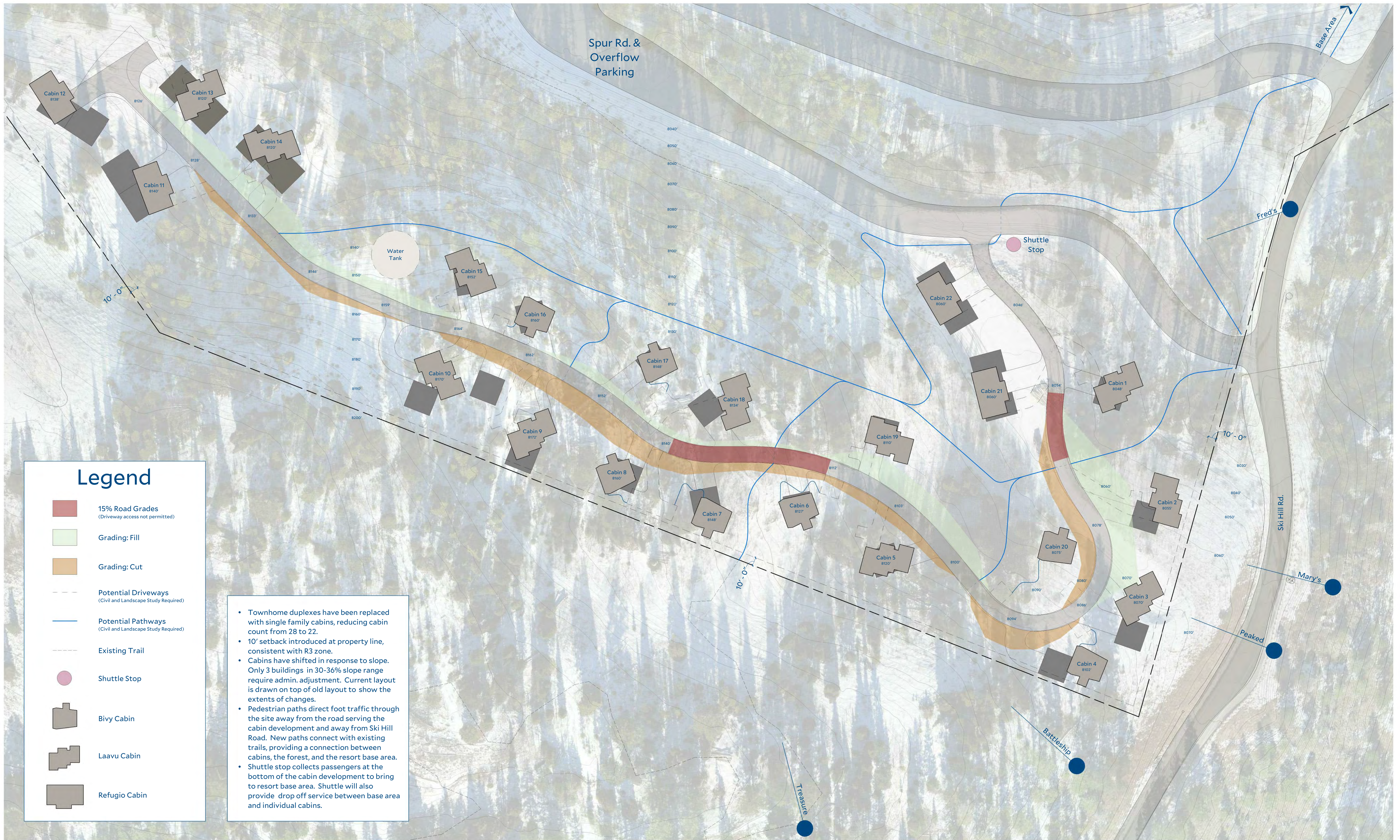
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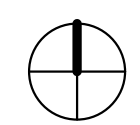


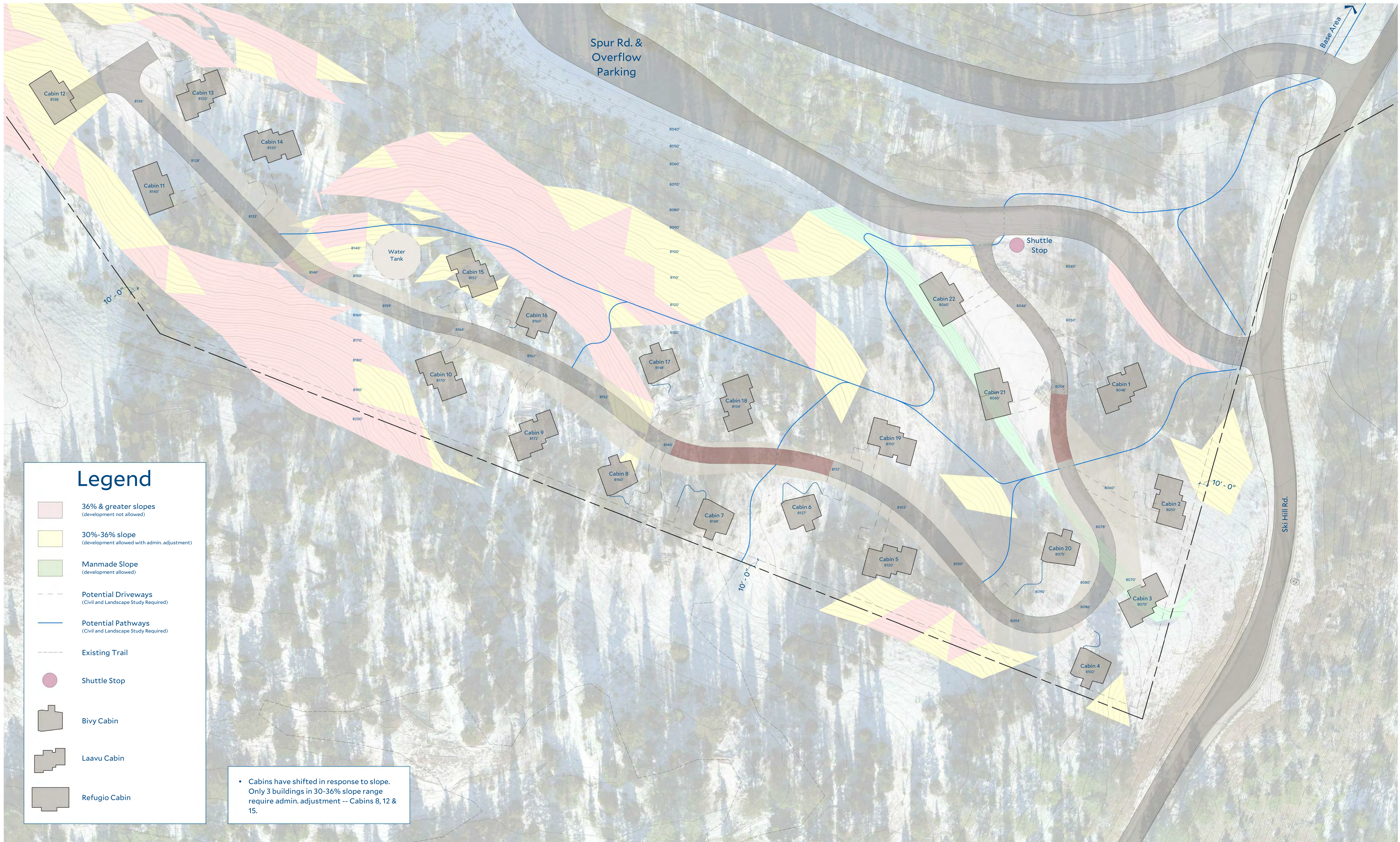


Legend

- 15% Road Grades
(Driveway access not permitted)
- Grading: Fill
- Grading: Cut
- Potential Driveways
(Civil and Landscape Study Required)
- Potential Pathways
(Civil and Landscape Study Required)
- Existing Trail
- Shuttle Stop
- Bivy Cabin
- Laavu Cabin
- Refugio Cabin





- Townhome duplexes have been replaced with single family cabins, reducing cabin count from 28 to 22.
- 10' setback introduced at property line, consistent with R3 zone.
- Cabins have shifted in response to slope. Only 3 buildings in 30-36% slope range require admin. adjustment. Current layout is drawn on top of old layout to show the extents of changes.
- Pedestrian paths direct foot traffic through the site away from the road serving the cabin development and away from Ski Hill Road. New paths connect with existing trails, providing a connection between cabins, the forest, and the resort base area.
- Shuttle stop collects passengers at the bottom of the cabin development to bring to resort base area. Shuttle will also provide drop off service between base area and individual cabins.



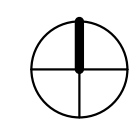
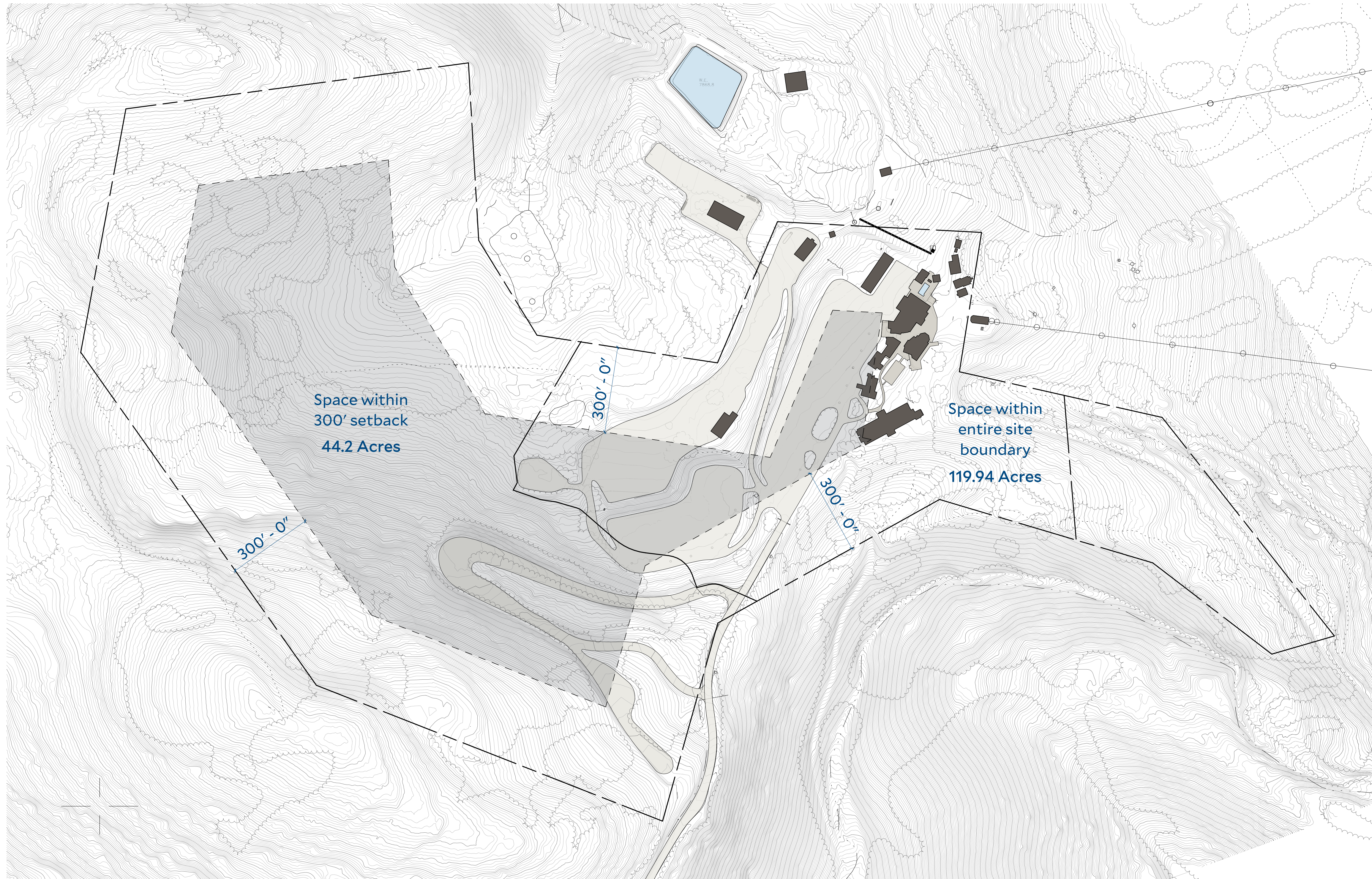




Legend

-  Existing Trees
-  Potential Driveways
(Civil and Landscape Study Required)
-  Bivy Cabin
-  Laavu Cabin
-  Refugio Cabin

• Cabins have been situated in the site to minimize the removal of trees. The road follows a path of terrain cleared of trees as the result of a 2021 major wind event. This preserves the alpine character of the site, while minimizing impact where possible.



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February 27, 2023

Hamilton Smith and Chris Neubecker
Teton County Planning Department
Via email only to: hsmith@tetoncountywy.gov, cneubecker@tetoncountywy.gov

With a copy to: kgingery@tetoncountywy.gov

Re: DEV2022-008 & ADJ2022-013: Development Plan for Grand Targhee Cabins at Grand Targhee Resort

Dear Hamilton and Chris:

This letter is being submitted to address certain issues that were raised at the recent Teton County Planning Commission meetings regarding the above-listed Grand Targhee Resort, LLC applications for development plan approval and administrative adjustment. Please note that Grand Targhee Resort (the "Resort") is continuing to meet with stakeholders between now and the March 7, 2023 Board of County Commissioners ("BCC") meeting, and may submit additional follow-up correspondence and materials in advance of this meeting.

1. Administrative Adjustment. The Planning Director has recommended approval of the administrative adjustment requested in ADJ2022-0013 based on findings that the standards for an administrative adjustment under Section 8.8.1 of the Teton County Land Development Regulations (the "LDRs") have been met. The request for this administrative adjustment is to allow development in limited areas with slopes up to 36%. The 2019 Grand Targhee Resort Amended Master Plan ("GTRMP") expressly allows development on slopes up to 30%. The GTRMP also allows development of roads and driveways on slopes in excess of 30% with the appropriate mitigation measures listed in Section 2.2.B.9 of the GTRMP.

The Staff Report dated February 9, 2023, details the manner in which ADJ2022-0013 meets all of the required findings for an administrative adjustment, and we will not reiterate those findings. However, the requirements of LDR Section 8.8.1.C.2 warrant additional analysis.

In evaluating the application under LDR Section 8.8.1.C.2, Planning Staff explained that this finding can be made because the plan using the administrative adjustment "*better protects natural and scenic resources through reduction of the overall project area footprint. The requested relief on a small percentage of the approximately 17.5-acre project area is an allowance that enables the applicant to utilize the space accessed by the existing spur road, without increasing separation*

between proposed cabin sites.” It should also be noted that the plan for the cabins uses site locations that will avoid large douglas fir and aspen stands, and minimizes impacts to vegetation.

While Planning Staff, the applicant, and the majority of Planning Commissioners agree with this finding, it is important to note that the findings under LDR Sections 8.8.1.C.2.a and c are also met.

8.8.1.C.2.a states that an administrative adjustment shall be approved where the request *“compensates for some unusual constraint of the site or proposal that is not shared by landowners generally.”*

Complies. This very slight slope adjustment (6% in limited areas) is intended to address the unique topography of this portion of the Resort, which consists of mountainous terrain. In particular this phase takes advantage of previous road cut and a “bench” area that is ideal for cabins with a small footprint. The bench this project sits upon is relatively flat in areas around the proposed road, and most cabins were placed without slope-related challenges. However, there are some small sloped areas (between 30-36%) that intermittently border the access road. These small slopes are located near potential cabins sites, are simple to develop safely, and this unique condition of varied terrain with a previous road cut and a small bench is not shared by landowners generally.

8.8.1.C.2.c states that the administrative adjustment better supports the purpose of the zone.

Complies. Grand Targhee Cabins will be located in the PUD-PR (Planned Resort) zone which has an overall allowance of up to 450 units. 90 of these units can be in the RAPA, in which the cabins being proposed will be located. In order to build a resort that complies with Section 14.2 of the 2012 Jackson/Teton County Comprehensive Plan’s goal to “create a year-round, small scale resort community that is pedestrian oriented,” this PR zoned parcel, with significant density allowances and limited areas in which to place development, may require all the development tools allowed by the GTRMP and the LDRs. In order to site the entitled units on the Resort in mountainous terrain, this administrative adjustment is needed, and may likewise be needed in future applications to better support the zone.

Finally, as noted at the Planning Commission meeting, Administrative Adjustments of this nature are issued administratively by the Planning Director on a regular basis, without County Commissioner approval. This application was elevated for Board review because it is part of a pending Development Application. However, had this application been reviewed at the Staff level, it would have been approved (as demonstrated by the Planning Director’s recommendation of approval). Approval of this ADJ application is consistent with the manner in which the Planning Director has treated other slope-related administrative adjustments, and the Resort cannot be treated differently from other landowners for whom applications of this nature have been routinely approved.

2. Transportation. At the Planning Commission meeting, discussion occurred regarding shuttle ridership requirements, with one Commissioner stating the Resort must demonstrate that shuttle ridership to and from the Resort has reached 33% prior to issuance of a Development Permit. **There is no such requirement in the GTRMP.**

Section 3.5 of the GTRMP sets forth the requirements of the Transportation Demand Management Program (“TDM”), and reads:

[The] TDM is intended to present a menu of options and strategies that can be implemented to manage the rate of traffic growth should operation capacity of Ski Hill Road fall below acceptable levels. The TDM will be monitored and shall be subject to change should the measures not be met. In addition, as regional transportation planning efforts are furthered in Teton Valley, the Resort will continue to be an active participant in these efforts.

One of the options to achieve the goals in the TDM is the Employee Transit Shuttle System (Section 3.5.A.3.)

This section reads:

Employee Transit Shuttle System: The existing employee transit shuttle system shall continue to operate and will be expanded to carry a minimum of 70% of total Employees At One Time (EAOT) at build-out of the Resort. Until such time as a public partner becomes available, the Resort will be responsible for providing the necessary equipment and labor to operate the system at the levels listed in Table 3.5.A.1

Table 3.5.A.1 – Employee Transit Shuttle System

<u>Phase</u>	<u>Percentage of Employees Using Transit</u>
One	33%

Application DEV2022-0008 is only the first step of the development of Phase One under the GTRMP. Per the Phasing Plan in Section 1.3.D.1. of the GTRMP, after this application is approved there still a major commercial renovation of the Rendezvous Lodge and Trap Bar planned, and the remaining allowed units will be completed. There is no requirement in the GTRMP or elsewhere that 33% employee ridership be achieved at this juncture – this is the goal for the end of Phase One. That said, the Resort will continue to implement all requirements of the TDM and will continue to work to increase shuttle ridership. For the purposes of the application before the Board, the following points are relevant:

- The employee transit shuttle continues to operate.
- The Resort’s data shows that its employee ridership numbers prior to the COVID-19 pandemic (where use of public transportation declined dramatically nationwide) were around 20% consistently. The Resort is actively working to bring shuttle usage back up to pre-COVID numbers, and continues to implement programming to ensure ridership continues to increase.
- The Resort continues to provide the necessary equipment and labor to operate the system at the level stated for Phase One.

3. Restricted Housing Oversight. With respect to oversight of the employee housing, there appears to be confusion related to Section 3.4.A. of the GTRMP and the Planning Director's Condition of Approval No. 4.

This application complies with Section 3.4. of the GTRMP which states:

Prior to approval of the first Development Plan for the Resort, a system must be in place to provide oversight on restricted housing units. The Jackson/Teton County Affordable Housing Department (the "Housing Department") will work with Teton County, Idaho to develop a system of oversight. The Resort shall make the Housing Department aware when it is preparing to submit its first application for a Development Plan, and will work with the Housing Department to develop a workable systems to ensure that Employee and Affordable Housing standards are being complied with and monitored. An annual monitoring report shall be presented to the Housing Department to document compliance with the terms of the applicable housing mitigation plan.

The Resort is in compliance with this Section 3.4.A. as follows:

- The Resort has constructed a housing project in Driggs, Idaho for 96 employees. The Resort collaborated with the Housing Department prior to construction to ensure that all units were designed in accordance with the livability standards outlined in the Housing Department Rules and Regulations, and has recently worked with the Housing Department to determine a workable process for oversight and to ensure ongoing compliance.
- Condition of Approval No. 4, as recommended by the Planning Director, does not delay or postpone a requirement of the GTRMP for two years, as was suggested. Rather, the Condition of Approval puts a system in place to ensure that the Employee Housing Standards are being complied with and monitored right away, while providing time for the newly established Teton County, Idaho Housing Department to become fully up and running so the intended collaboration for a system of joint oversight between the Teton County, Wyoming and Teton County, Idaho Housing Departments can occur. The Resort appreciates the Housing Department's good-faith approach to this issue given current realities, and has no objection to advancing this deadline if feasible for Teton County, Idaho's Housing Department.

4. Short Term Rentals vs. "Residential" Dwelling Units. Questions have been raised as to whether the Resort's Cabins are intended for short-term rental or residential use. The Cabins being applied for in DEV2022-0008 are intended for short-term rentals, and thus are subject to employee housing requirements.

5. Emergency Management Plan. Under Section 3.9.B. of the GTRMP, "*An Emergency Management Plan shall be developed and implemented within one year of the approval of the first final plat within the Resort.*" There has been concern expressed that this is not soon

enough. While the deadlines set forth in the GTRMP govern, the Resort wants to ensure that Planning Staff and the Board of County Commissioners are aware that the Resort has met, and will continue to meet and collaborate with, Jackson Hole Fire/EMS Department, the Teton County Sheriff's Office, and the Teton County, Wyoming Emergency Management Coordinator to develop a comprehensive emergency management plan. Meetings thus far have been very productive. Outreach to the appropriate officials in Teton County, Idaho is the next key step in this collaborative planning process. Effective emergency planning and management have always been, and remain, a priority for the Resort.

Thank you for your time, and please do not hesitate to contact me if you have questions

Sincerely,

/s/ Nicole G. Krieger
Nicole G. Krieger



Grand Targhee Resort

Memo for Ski Hill Road Impact Fee – February 27, 2023

Introduction

Jorgensen Associates has prepared this memorandum to address Condition #2 of the Grand Targhee Resort First Amended Master Plan which states:

Prior to the earlier of either Final Development Plan approval or the issuance of any physical development permit at Grand Targhee Resort that will utilize Ski Hill Road, Grand Targhee shall present to the Teton County Engineer a proposal – prepared by an independent, qualified engineering firm with staff experience in road design, construction and maintenance. The proposal shall include a formula that calculates a road impact fee representing the proportional impacts of development during the construction phase beyond that which would ordinarily occur on a county road. The impact area for this fee shall be defined as Ski Hill Road beginning at Stateline Road to the termination of the public portion of the road at the Resort Boundary. The proposal shall consider proportionate share of traffic generated by the proposed construction, relevant ADT data, and a cost analysis, and is subject to final approval by the County Engineer.

This memorandum provides a narrative explaining the assumptions and approach for determining an appropriate road impact fee for the proposed Phase 1 Cabin Development and will provide this methodology to calculate this fee for future applications.

Background

The proposed Cabin project currently consists of 22 proposed cabin units located southwest of the existing base area. The cabins will be privately owned but will also be included in the rental pool for lodging at the resort. Access to the cabins will be provided by an internal spur road via Ski Hill Road. Recent construction and maintenance history for Ski Hill Road is as follows:

- 2000 - Reconstructed from Forest Service Boundary to Resort Boundary by Federal Highways
- 2016 - Overlay from Teton Canyon Road to Resort Boundary by Teton County
- 2021 – Repave of Lower Ski Hill Road (State Line to Teton Canyon) by Teton County
- 2022 – Chip Seal of Upper Ski Hill Road (Teton Canyon to Resort Boundary)

Based on conversations with Teton County Road & Levee and the Teton County Engineer, the maintenance for the road going forward will include rack sealing every spring, chip seal every 5-7 years and completing asphalt overlays on an as needed basis. It is also our understanding that the County currently has weight restrictions imposed on Ski Hill Road which include a gross weight of 60,000 lbs with the exception of the timeframe of April to mid-June where the weight restriction is 40,000 lbs.

The approach, presented in further detail herein, was to evaluate estimated construction traffic volumes that is anticipated to construct the 22-cabin units and associated infrastructure in comparison to existing traffic volumes and determine an estimated proportionate share of future maintenance costs that could be attributable to the cabin units. This approach is explained in further detail below.

Road Impact Fee Analysis

The approach to the Road Impact Fee analysis included analysis of the following:

- Reviewing historical maintenance costs of similar project in Teton County
- Estimating future road maintenance costs to Ski Hill Road
- Review of recent existing traffic volumes on Ski Hill Road
- Estimate of anticipated construction traffic volumes on Ski Hill Road that will be required to construct the 22 cabin units and associated infrastructure

Please note that the analysis presented here relates to the impacts on Ski Hill Road from the state line to the resort boundary and does not include impacts internal to the resort. **Exhibit “A” – Ski Hill Road Impact Analysis** is attached for reference.

Historical/Future Ski Hill Road Maintenance Costs

Recent road maintenance costs were evaluated to determine a basis of anticipated costs for future maintenance on Ski Hill Road. Three projects are included on the attached Exhibit “A” and include three recent projects on Ski Hill Road and another project on North Spring Gulch Road near the Jackson Airport. These historical costs were then broken down to a cost per mile for the respective maintenance items.

The costs per mile from the historical costs were then increased with the assumption that future maintenance costs may increase due to inflation and other factors in order to estimate potential future maintenance costs for the approximate 8.3-mile road (state line to resort boundary). Please note that these costs are estimated at this time, and it is anticipated that the actual maintenance cost will be determined by a competitive bid process through Teton County.

Existing Traffic Volumes

Traffic volume data from the “Grand Targhee Resort 2021-2022 Interim* Traffic Monitoring Report” was utilized to establish a basis for existing traffic volumes on Ski Hill Road. Detail of this data analysis is provided in the above referenced report. Table 6 of that report provides existing ADT for Ski Hill Road for the last few years. That data was utilized to establish an average ADT for Ski Hill Road based on recent data in Exhibit “A”. Please note that the “2019-2020” data from Table 6 was excluded from Exhibit “A” since that data was for a partial ski season.

Average existing ADT on Ski Hill Road is approximately 1,016 trips per day based on the last two years of data.

Estimated Traffic Volumes from Construction of the Cabin Development

Estimated horizontal and vertical construction traffic volumes to construct the proposed 22-unit cabin development are included the attached Exhibit “B” and Exhibit “C” respectively. The following is a summary of the construction traffic estimates:

- | | |
|--|-----------------|
| • Estimated delivery trucks for horizontal build → | 773 total trips |
| • Estimated crew trips for horizontal build → | 930 trips |
| • Estimated delivery trucks for vertical build → | 660 trips |
| • Estimated crew trips fo vertical build → | 2,665 trips |

It is anticipated that the worker crews will utilize typical passenger cars to travel to and from the construction site on a daily basis. The delivery trucks are anticipated to be larger/heavier vehicles and therefore a passenger car equivalent factor of 163 was applied to the larger vehicles as it is anticipated these vehicles will have a greater impact to the road. Therefore, total estimated passenger car equivalents for both the horizontal and vertical construction of the cabin development is as follows:

- Total estimated worker crew trips → 3,130 trips
- Total estimated hauling/trucking trips (passenger car equivalents) → 233,579 trips (1,422*163)

Total estimated passenger car equivalent trips related to construction → 236,630 trips

It is anticipated that future maintenance of Ski Hill Road will include an overlay and chipseal and it is assumed that this maintenance will occur within the next 15 years. Therefore, the proportionate impacts of the estimated construction traffic in comparison to estimated background trips over that 15 year period is as follows:

- Total estimated background trips (15-year period) → 5,562,500 trips
- Total estimated passenger car equivalent trips related to construction → 236,630 trips

Percent construction related over 15-year period → 4.254%

Total Estimated Future Maintenance Costs (per exhibit "A") → \$4,231,409

Est. Proportionate Share Related to Construction for the 22 Cabin Development → \$180,002

Summary

In summary, based on the above-described approach and analysis, the attached Exhibit "A" is estimating that the proposed 22-unit cabin development may generate an approximate 4.254% increase in traffic (passenger car equivalent) on Ski Hill Road over a 15-year period. Exhibit "A" also provides an estimate of what proportionate costs may be towards future maintenance costs of Ski Hill Road and how a road impact fee could be established based on the estimated future maintenance costs. Ultimately the actual maintenance cost will be determined at the time of maintenance, and it is anticipated that maintenance will be completed on partial segments of Ski Hill Road over time and not performed on the entire 8.3-mile length of road at one time.

EXHIBIT "A" - SKI HILL ROAD IMPACT ANALYSIS

RECENT ROAD MAINTENANCE PROJECTS - TETON COUNTY

YEAR	PROJECT DESCRIPTION	LENGTH (MILES)	COST	COST/MILE
2016	OVERLAY - TETON CANYON ROAD TO RESORT BOUNDARY	5.72	\$839,836	\$146,824.50
2021	REPAVE STATE LINE - TETON CANYON ROAD	2.6	\$717,192	\$275,843.08
2022	OVERLAY SPRING GULCH ROAD (SAGE BRUSH TO TRAP CLUB)	1.9	\$668,402	\$351,790.53
2022	CHIP SEAL TETON CANYON ROAD - RESORT BOUNDARY	5.72	\$419,563	\$73,350.17

SKI HILL ROAD FUTURE MAINTENANCE

YEAR	PROJECT DESCRIPTION	LENGTH (MILES)	EST. COST/MILE (TODAY)	YEARS TO CONSTRUCTION	ANNUAL INFLATION	EST. COST/MILE (FUTURE)	EST. TOTAL COST
TBD	CHIP SEAL STATE LINE - RESORT BOUNDARY	8.33	\$73,350	7	3.53%	\$93,502.39	\$778,874.89
TBD	REPAVE/OVERLAY STATE LINE - RESORT BOUNDARY	8.33	\$258,153	15	3.21%	\$414,469.85	\$3,452,533.88

EXISTING TRAFFIC COUNTS

Total = \$4,231,409

YEAR	TRAFFIC DATA PERIOD	ADT
20-21	8/1/2020 - 7/31/2021	1,056
21-22	8/1/2021- 7/31/2022	976

AVG. ADT (EST. FROM TARGHEE TRAFFIC MONITORING REPORT) = 1,016
 TOTAL TRIPS PER YEAR = 370,840

ESTIMATED PHASE 1 CABINS CONSTRUCTION TRAFFIC BREAKDOWN

TOTAL WORKER TRIPS =	3,130
TOTAL HAULING/TRUCKING TRIPS =	1,433
PASSENGER CAR EQUIVALENTS =	163
TOTAL EST. PASSENGER CAR EQUIVALENT TRIPS DURING CONSTRUCTION =	236,630
EST. # OF YRS TO NEXT OVERLAY/CHIP SEAL COMPLETION (YRS) =	15
TOTAL BACKGROUND TRIPS IN THAT PERIOD =	5,562,600
% CONSTRUCTION RELATED =	4.254%
EST. PROPORTIONATE SHARE CHIP SEAL =	\$33,133
EST. PROPORTIONATE SHARE OVERLAY =	\$146,869
EST TOTAL =	\$180,002
# OF CABINS =	22
EST COST PER CABIN =	\$8,182

COMPARISON OF TRASH AND OTHER VEHICLE IMPACTS				
Vehicle Type		Number of Axles	ESAL Factor	Passenger Car Equivalents
General Classification	AASHTO Classification			
Cars	Passenger Cars	2	0.0008	1
Vans/Pickups	Other 2-Axle/4-Tire Trucks	2	0.0052	7
Large Pickups/Delivery Vans	Panel and Pickup Trucks	3	0.0122	15
Large Delivery Trucks	3 or More Axle Trucks	3	0.1303	163
Local Delivery Trucks	2-Axle/6-Tire Trucks	2	0.1890	236
Residential Recycling Trucks		2	0.2190	274
Buses	Buses	2 or 3	0.6806	851
Residential Trash Trucks		3	1.0230	1,279
Long Haul Semi-Trailers	Various Classifications	3-5+	1.1264	1,408

* Above table is Table 2 from "Assessing the Effects of Heavy Vehicles on Local Roadways" Minnesota Department of transportation, August 2014

EXHIBIT "B" - ESTIMATED HORIZONTAL BUILD TRAFFIC

Description	Volume (CY)	CY/Truck	# of Trucks
Imported Fill*	1500	18	83
Gravel Volume*	1500	18	83
Asphalt Volume	463	10	46
Sewer Bedding	557	10	56
Water Bedding	556	10	56
Concrete	420	10	42
Mobilization			10
Infrastructure Material Delivery			10

Total = 386
 Total Trips = 773

Phase	Duration (Days)	# of Crews	Crew Trips
Grading/Excavation	45	2	90
Utilities	60	4	240
Street	45	3	135

Total = 465
 Total Trips = 930

*Imported fill and gravel will be minimized by onsite acquisition of fill material from the mountain and gravel processing allowed with a BUP by the Master Plan

EXHIBIT "C" - ESTIMATED VERTICAL BUILD TRAFFIC

Trips Per Cabin - Estimated by Wilkinson Montensano - GTR Contractor

<u>Trade</u>	<u>Crew Trips</u>	<u>Hauls/Trucking</u>
Excavation	4.5	3
Concrete	5	3
Frame	32.5	3.5
Roof	7.5	0.5
Insulation	4.5	0.5
Drywall	7.5	0.5
Exteriors	20	3
Plumbing	7.5	0.5
HVAC	10	0.5
Electrical	17.5	1
Interiors	20	1.5
Finishes	25	2.5
Tippage/Sorting	0	20
Total Trips Per Cabin*	161.5	40
Number of units	22	
Grand Total Trips		3553
		880
Phasing Factor**	0.25	
-25% reduction		2664.75
		660

*Roudtrip was considered. This number reflects the up and down trips per cabin

**By phasing the project into 3 phases GTR will gain even more effeciency and less road impact.

Phasing	Units	Description
Phase 1	4	Model Units
Phase 2	9	East End
Phase 3	9	West End
	22	



Grand Targhee Resort - Phase 1 – Targhee Cabins - Housing Mitigation Plan

Grand Targhee Resort, LLC (GTR) is proposing to develop Targhee Cabins as the initial portion of Phase 1 of the Grand Targhee Resort 2019 Amended Master Plan (GTRMP). The proposal is for twenty-two (22) short-term rental lodging units, with a total of eighty-five (85) beds, located in the West Zone of the Residential and Accommodation Plan Area (RAPA) of GTR. This proposal is set forth in Development Plan Application DEV2022-0008.

The housing mitigation associated with DEV2022-0008 is 14 employee dormitory units, which are in two of 16 recently constructed buildings in Driggs, Idaho.

This Housing Mitigation Plan is presented in accordance with GTRMP *Section 3.4 - Affordable and Employee Housing Standards*. While housing mitigation is governed by the GTRMP, relevant sections of Teton County Land Development Regulations (LDRs) are addressed.

A. Housing Mitigation Plan

1. Part of Application.

This Housing Mitigation Plan is made part of the development plan application for Grand Targhee Resort Phase 1 – Targhee Cabins (DEV2022-0008).

2. Review and Decision

The Teton County Board of County Commissioners will make a determination related to this Housing Mitigation Plan as part of its decision regarding DEV2022-0008.

In accordance with GTRMP Section 3.4.A.1, the Jackson/Teton County Housing Department (Housing Department) will inspect the housing units and confirm compliance with the Teton County, Wyoming Livability Standards.

GTR consulted with the Housing Department, prior to construction of the units being proposed as mitigation for Targhee Cabins to ensure that planned construction would comply with all relevant Housing Department requirements, rules, and regulations. Upon preliminary review, the Housing Department has confirmed that the units meet the livability standards contained within the Housing Department Rules and Regulations.

3. Contents of Mitigation Plan.

a. Applicability.

The GTRMP governs the mitigation requirements for the Resort. Pursuant to the GTRMP, the number of employees to be housed is tracked rather than the number of mitigation housing units to be provided. It should be noted that this varies from the housing mitigation program set forth in the current LDRs.

b. Calculation of Requirement.

Table 2.1.C.2 - Use Requirements (RAPA) of the GTRMP contains the Employee Housing Generation Ratios for calculation of employee housing for the Resort. The Housing Ratio for Lodging in the RAPA West Zone is 0.13 per bedroom, and generates a requirement for 11.05 persons, as calculated in the table below. This number must then be rounded up and requires housing for twelve (12) employees.¹

c. Tabulation of Unit types.

In March of 2022, GTR completed sixteen (16) six (6)-bedroom dormitory buildings in the City of Driggs, Idaho located on Mill Creek Drive and Dreamweaver Lane, accessed via E. Johnson Avenue or E. Ruby Street. These buildings were originally constructed to provide employee housing for ninety-six (96) people, with each bedroom used for single occupancy. Upon further review of the livability and square footage requirements of the Housing Department, one (1) bedroom in each of the sixteen units has been re-designated as a double-occupancy bedroom. This allows occupancy by seven (7) people in each building, and the project can house a maximum of 112 people.

This Housing Mitigation Plan proposes to Deed Restrict two (2) of the sixteen (16) six (6)-bedroom dormitory buildings (for a total of fourteen units) to provide the required housing for the 11.05 people (rounded up to 12) generated by the proposed development of DEV2022-0008.

Because the deed restriction of two (2) buildings will provide mitigation for fourteen (14) people, GTR would maintain a credit of two (2) people to be counted towards the next project. See table 1 below for tabulation.

Table 1 – Tabulation of Unit Types

Dormitory Building	Bedrooms	People	Net Livable Space Required per Person (sf)	Net Livable Space Proposed per Person (sf)
Unit 11 - 437 Mill Creek Drive	6	7	150	227
Unit 16 - 436 Ruby Street	6	7	150	227
Total Bedrooms/People	12	14		
Phase 1 Employee Housing Generation		12		
Deed Restricted		14		
Credit		2		

d. Proposed method of provision.

The required method of provision of employee housing and locations are set forth in the GTRMP. The employee housing is constructed offsite in Driggs, Idaho, located on Mill Creek Drive and Dreamweaver Lane, via access from E. Johnson Avenue or E. Ruby Street (Lot 7, Winter Park Subdivision). This location is in accordance with GTRMP Section 3.4.E which states, “Affordable and employee housing will be built, or acquired and deed restricted, predominantly within the communities of Victor and/or Driggs.” It should be noted that this

¹ It should be noted there is a discrepancy in the GTRMP between Table 2.1.C.2 and 2.2.C.2, which both require a ratio of 0.13 employee housing units per bedroom of new short-term housing, and Section 3.4.C.1 of the GTRMP which states that the housing ratio is 0.19. The Resort has gone through the entire GTRMP thoroughly and also carefully reviewed the original 2008 GTR PUD-PR approval documents. The original PUD-PR required ratio was .13 and there was no request to change this in the Amended Master Plan. The requirement of .13 employees required to be housed is referenced ten (10) times in the GTRMP and is the correct ratio. This typographical error will be addressed in a future minor amendment the GTRMP.

offsite housing reduces traffic along Ski Hill Road since employees being housed will likely utilize goods and services that are in Driggs and Victor.

In addition, as the employee housing is located in Driggs, Idaho, it meets all further requirements of Section 3.4.E as follows:

1. *Is located in a zone appropriately zoned for residential use.*

Complies. The project is zoned RS-3 Zoning District in the City of Driggs, ID.

2. *Connected to existing municipal water and sewer service.*

Complies. The project is hooked onto City of Driggs water and sewer.

3. *Located in close proximity to public transportation or to existing employee shuttle system.* Complies. There is a shuttle stop on site.

4. *Located in close proximity to community services.*

Complies. The project is within 1/2 mile of Broulim's shopping center and within 1 mile of all the major City of Driggs goods and services.

5. *Located in close proximity to the community of Driggs, Idaho.*

Complies. The project is in the City of Driggs.

i. *The time by which the units or another method of mitigation will be provided.*

The units are complete, and Housing Mitigation will be provided at such time as DEV2022-0008 is approved by the Teton County, Wyoming Board of County Commissioners, the Certificates of Occupancy are issued for the Cabins, and the Deed Restrictions are recorded.

ii. *Deed Restriction.*

Section 3.4.A.3 of the GTRMP states "*the Housing Department will provide a standard restriction for the Employee and/or Affordable Units will work with the developer to record the restriction prior to certificate of occupancy.*" A draft Deed Restriction has been submitted with this Housing Mitigation Plan, based off of the Teton County/Town of Jackson templates that were approved on or about February 2023. Due to the nature of the newer forms as used for employee housing of the nature required by the GTRMP, revisions by the Housing Department may be required/warranted. In addition, Counsel for GTR has consulted with Chief Deputy County Attorney for Teton County, Wyoming and there is agreement that prior to finalizing the Deed Restriction, the Resort will obtain review and approval as to form of the Deed Restriction by an attorney licensed in Idaho to ensure compliance with applicable state law. In addition, it should be noted that the Deed Restriction contains a section addressing amendment at such time as the Teton County, Idaho housing department is up and there is an agreement for shared oversight of the restricted units. As required by the GTRMP, the Deed Restriction will be recorded prior to issuance of the Certificate of Occupancy for the Cabins to be constructed pursuant to DEV2022-0008.

iii. Demonstration of compliance with the standards of Sec. 6.3.5.D. for the specific method(s) proposed.

As per LDR Section 6.3.5.D.4, Restriction of an Existing Unit, the restricted housing is being maintained to the standards required by the Housing Department Rules and Regulations and deed restriction will be recorded prior to the granting of the applicable certificate of occupancy for DEV 2022-0008. See Appendix A-1 for an accounting of the livability standards for these buildings and correspondence the detailing approval by the Housing Department.

iv. In the case of restriction of an existing unit, the certificate of occupancy for the unit, and an inspection of the maintenance of the unit to the standards of the Rules and Regulations completed by a qualified professional inspector.

This task will be completed in coordination with the Deed Restriction recordation prior to issuance of the Certificate of Occupancy for DEV 2022-0008. See Appendix A-1 for further information on the how the project meets the livability standards of the Housing Department Rules and Regulations.

v. Housing Mitigation Agreement.

A Housing Mitigation Agreement is not required under the terms of the GTRMP. Further, the employee housing is already constructed and only needs the inspection of the units and recordation of a deed restriction to complete mitigation. Therefore, as per this section, GTR requests that the Housing Mitigation Agreement requirement be waived.

e. Administration of Employee Housing.

Section 3.4.A of the GTRMP states:

Administration of Employee and Affordable Housing. Prior to approval of the first Development Plan for the Resort, a system must be in place to provide oversight on restricted housing units. The Jackson/Teton County Affordable Housing Department (the "Housing Department") will work with Teton County, Idaho to develop a system of oversight. The Resort shall make the Housing Department aware when it is preparing to submit its first application for a Development Plan, and will work with the Housing Department to develop a workable system to ensure that Employee and Affordable Housing standards are being complied with and monitored. An annual monitoring report shall be presented to the Housing Department to document compliance with the terms of the applicable housing mitigation plan.

As the Housing Department is aware, Teton County, Idaho's Housing Department has only recently been established, and is not prepared at this time to meet the requirements of this section. As such, the Housing Department has agreed to take on initial oversight of the restricted housing to administer deed restrictions of the housing mitigation units. This oversight will include ensuring that deed restrictions and leases meet all required standards, inspecting for livability standards, qualifying individual employee to live in the units under the appropriate income, asset and residence requirements, and providing oversight to ensure that the units remain in compliance. GTR will cooperate fully with requests of the Housing Department to facilitate

oversight. At such time as the Idaho Housing Department is prepared to collaborate on administration and oversight, a revised system shall be put in place.

The Teton County Planning Department has recommended the following:

Pursuant to the requirements of Grand Targhee Resort First Amended Master Plan dated February 12, 2019, a phased system of restricted housing oversight is in place to be evaluated by the Board of County Commissioners on or before _____, 2025, two years from the date of approval of this Development Plan. Until this time, the Jackson/Teton County Housing Department shall take primary responsibility for administration of deed restrictions on the housing mitigation units required by approval of this Development Plan and shall work with Teton County, Idaho to develop a transfer of administration. If the Jackson/Teton County Housing Department cannot reach an agreement for a system of compliance and oversight with Teton County, Idaho by this date, the Grand Targhee Resort First Amended Master Plan shall further be amended to reconsider continued allowance of restricted mitigation units located within Teton County, Idaho.

GTR has no objection to this condition, but likewise does not object to shared/coordinated oversight being put in place as soon as Teton County, Idaho is prepared to coordinate with Teton County, Wyoming.

Appendix A-1

The Housing Department Rules & Regulations

Livability Standards Approval.

On March 5, 2021, Jorgensen Associates received a letter from Housing Department Housing Manager, Stacey Stoker, regarding Livability Standards for Grand Targhee Employee Housing, 50 E Wallace, Driggs Idaho². This letter states that the sixteen (16) six (6)-bedroom dormitory units Idaho located on Dreamweaver Lane and Mill Creek Drive in the City of Driggs, meet all Livability Standards except for the following:

- The refrigerator is 19.9 CF. It must have a minimum of 5 CF per person.
- The closet in Bedroom 1 appears to be 5' x 3' or 15 SF. Each occupant is required to have 20 SF of storage.

The refrigerator size has been addressed prior to construction. Bedroom 1 has a private ADA bathroom that is 30 SF larger than the remaining bathrooms in the building. This private excess space in the ADA bathroom compensates for the 5 SF not available in the closet as it is provided solely for the use of that occupant. These items will be verified by the Housing Department upon inspection of the buildings. Otherwise, GTR employee housing buildings located on Dreamweaver Lane and Mill Creek Drive in the City of Driggs, meet all Livability Standards.

Livability Standards for Constructed Units.

Section 3.4.A.1 of the GTRMP requires compliance with the Livability Standards outlined in the Housing Department Rules & Regulations (Livability Standards). Each required restricted housing unit shall include, at a minimum, the components of Livability Standards required by Sec. 2-3. The Housing Department needs to review floor plans and inspect the built units proposed to satisfy the mitigation requirement to ensure each unit meets current Livability Standards.

Prior to issuance of Certificate of Occupancy on DEV2022-0008:

1. The Livability Standards Questionnaire shall be completed and submitted to the Housing Department for review along with floor plans that include dimensions and a functional furniture placement diagram for each proposed housing mitigation unit. **Completed.**
2. A letter from the Housing Department will be issued to the applicant stating whether the unit(s) are compliant with Livability Standards or whether there are required changes. **Completed and Attached.**
3. The Housing Department shall inspect the site to ensure units were built to terms of approval. **This will be completed prior to or concurrent with the deed restriction being recorded.**

² Note: the address of 50 E Wallace, Driggs Idaho in the letter is erroneous. The correct streets for the GTR employee housing project are Mill Creek Drive and Dreamweaver Lane.

Restricted housing units will also be subject to Planning Department review, as some livability standards are requirements of the LDRs (See Teton County Land Development Regulations: Division 6.3).

6.1. Standards for Dormitories

General livability standards (Section 2-3. Livability Standards) will apply except when these dormitory standards differ from single-family home standards. There shall be a minimum of 150 square feet net livable floor area per person, including sleeping, bathroom, kitchen, and lounge space. Net livable floor area shall not include interior or exterior hallways, parking, patios, decks, laundry rooms, mechanical areas, and storage.

These dormitory units offer 226 square feet net livable floor area per person, including sleeping, bathroom, kitchen, and lounge space. Each one (1)-bedroom area, excluding the bathroom, is between 140 and 150 square feet in size.

6.1.a. Bathroom

Each bedroom has a private ensuite bathroom that includes at least one toilet, one sink, one bathtub with a shower, and a total area of at least 45 habitable square feet. Bedroom 1 has 74 square feet due to its ADA configuration.

6.1.b. Kitchen

The Housing Department has reviewed the design of these units and has made a determination that the common kitchen facilities, refrigerator, cabinets, and common eating areas are adequate in size to service the tenants using the facility.

6.1.c. Storage Space

Each unit occupant has been provided at least 20 net square feet of enclosed storage space located within, or in close proximity to, the unit. This is in addition to the required 150 square feet of net livable floor area of living space per person. The exception is bedroom 1 (ADA) which has 30 sf of extra space in the bathroom for storage.

6.1.d. Occupancy

A dormitory unit shall not be occupied by more than eight people. A total of seven people will occupy one dormitory building.

6.1.e. Variances

None at this time during DEV2022- 0008

6.1.f. Compliance with Jackson-Teton County Housing Department Rules and Regulation

The Housing Department will inspect the units prior to approval to analyze the units based on the Livability Standards. Flexibility will be allowed according to Livability Standards Section 2-3.d.9 at the sole discretion of the Housing Department.

Unit Descriptions and Site Plan.

Each six (6)-bedroom dormitory building includes six (6) private bedrooms, each with ensuite private bathrooms, and exterior windows for daylight. All six (6) private bedrooms can also access the interior main common areas that include: front entry/patio, rear entry/patio, living room, kitchen and dining area,

and laundry room. The living space per private bedroom is between 192 and 217 square feet with at least 20 square feet of storage space. The total common floor area is 397 square feet. The total square footage per person with seven (7) people in each building is 227 sf which complies with the 150 sf standard.

Grand Targhee Resort, LLC - Dormitory Units				
Mill Creek Drive & Dreamweaver Lane				
City of Driggs, Idaho				
Bedroom	Net Livable Floor Area (SF)	bedroom (SF)	bathroom (SF)	Living/kitchen Area Per Person (SF)
1 - ADA	283.5	143.1	74.3	66.1
2	264.5	152.1	46.3	66.1
3	258.6	147.6	44.9	66.1
4	258.6	147.6	44.9	66.1
5	264.5	152.1	46.3	66.1
6	261.9	150.9	44.9	66.1
Total	1591.4	893.3	301.5	396.5
per person at 7 people	227.3	127.6		
per person at 8 people	198.9	111.7		

9.1. Deed Restriction.

To ensure continued compliance with the standards of the GTRMP and the LDRs, the property on which the mitigation housing units are to be located shall be subject to a deed restriction for Affordable Workforce Housing (0-120% MFI) in perpetuity, in a form established and approved by the Housing Department.

Prior to issuance of Certificate of Occupancy on DEV2022-0008:

1. An approved Deed Restriction will be recorded on the Property (Lot 7 of the Winter Park subdivision)
2. The leasing agent or person managing residents shall attend a Compliance Conference with the Housing Department to learn how Affordable Workforce households are qualified for residency in restricted units.

9.2. Inspection.

The Housing Department will inspect the units prior to approval to analyze the units based on the Livability Standards. Flexibility will be allowed according to Section 2-3.d.9 of Housing Department Rules and Regulations at the sole discretion of the Housing Department.



Jackson/Teton County Affordable Housing Department

Stacy A. Stoker
Housing Manager
sstoker@tetoncountywy.gov
P: 307.732.0867

March 5, 2021

Brendan Schulte, Jorgensen Engineering

Via Email: bschulte@jorgeng.com

RE: LIVABILITY STANDARDS FOR Grand Targhee Employee Housing, 50 E Wallace, Driggs Idaho

Dear Mr. Schulte,

The Housing Department has received and reviewed your Livability Standards application for approval of the Affordable Rental Housing Units located at 50 E. Wallace, Driggs Idaho.

Based on the information provided, the units meet all Livability Standards with the exception of the following:

- The refrigerator is 19.9 CF. It is required to have a minimum of 5 CF per person
- The closet in Bedroom 1 appears to be 5' x 3' or 15 SF. Each occupant is required to have 20 SF of storage.

Section 2-3.d.9 *Other Design Features* provides design features that may be used in place of other requirements with approval from the Housing Department. The following Other Design Features are being provided:

- Laundry Room with Washer/Dryer and shelving

The Housing Department approves using the above Other Features in place of the items listed that do not meet the Livability Standards with the following condition:

- A minimum of a 25 CF refrigerator will be provided

Prior to Certificate of Occupancy the following must occur:

- A. The Housing Department must inspect the unit(s).
- B. The owner or owner agent(s) must hold a Compliance Conference with the Housing Department. This is to review the compliance process for restricted units.
- C. The Workforce Housing Restriction must be recorded on the condominiums. The Housing Department will provide the appropriate restriction and will work with you to get the restriction recorded. The owner is responsible for payment of recording fees.

Please provide a copy of this approval letter with your building permit for the employee generating development that these housing units are mitigating.

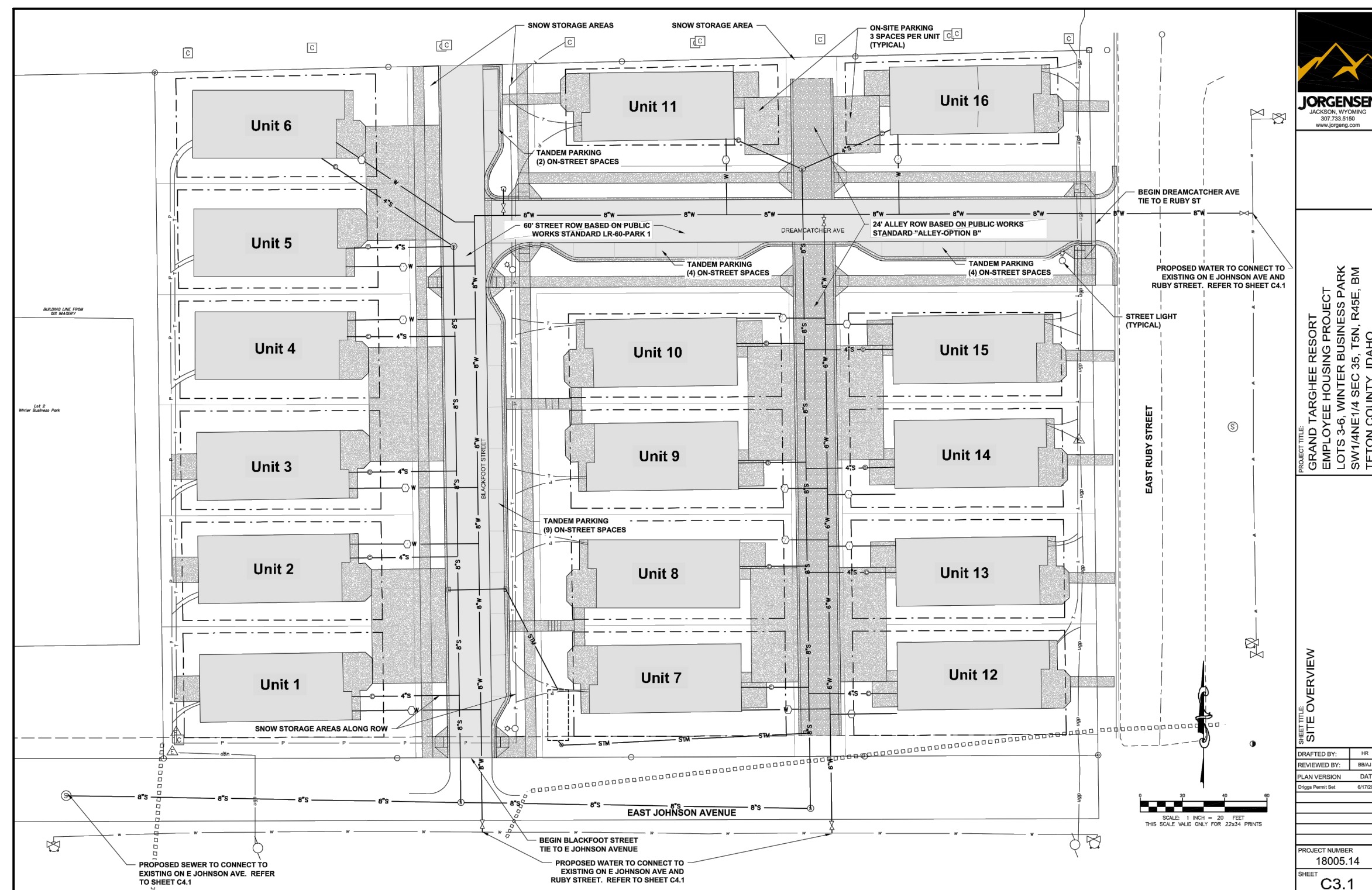
Sincerely,

Stacy A. Stoker, *Housing Manager*

New Housing

Targee Employee Housing

Driggs, IDAHO



Code Review

Code: 2015 International Building Code
 Construction Type: V-B, (602.5/T-601)
 Occupancy Group: R3 (310.5) Boarding Houses
 Floor Area: 2,233 sq.ft.
 Allowable Area: (T-506.2) V-B = Unlimited
 Allowable Stories: (T-504.4) V-B, R3, NS = 3 stories allowed
 Accessible Transient Lodging: (9.1.2) 96 Rooms = 4 Accessible rooms Required.
 (Appendix A to Part 1191 - American with Disabilities Act (ADA), Accessibility Guidelines for Buildings and Facilities)

Prescriptive Code is being used for the Energy Code base on the following:

Climate Zone: 6B
 Ceiling: R-49 Insulation
 Wood Stud Framed Walls: R-20 Cavity + R-5 continuous Insulation
 Below Grade Walls: R-10 Continuous Insulation +4'
 Fenestration: U-Factor: 0.32
 Entrance Doors (Glass > 50%): U-Factor 0.5

GENERAL NOTES

All construction to comply with IBC, IRC, ADA, and Fair Housing, as well as all other local and national codes that may apply.
 All civil, Structural, Mechanical, Electrical engineering to be by others.
 All mechanical and electrical to be by bidder designed.
 Provide Attic Ventilation of 1/300 with 50% in upper portion per IBC 1203.2 C2
 The maximum length of a clothes dryer exhaust vent is 35'. A reduction in the maximum length of 2.5' for each 45 degrees, and 5.0 for every 90 degree bend shall apply, or per manuf instructions.
 A 22" x 30" attic space access point is req'd. Unless specified, the Contractor is to locate it.
 Grade Away from Foundation Walls Shall Fall At a Minimum of 6" Within the First 10 Feet (R401.3)
 Flashing shall be installed in such a Manner so as to Prevent Moisture Entering the Wall and Roof Through Joints in Copings, Through Moisture Permeable Materials, and other Penetrations through the Roof Plane.
 An Ice Barrier Consisting of at least two layers underlayment cemented together or of a self-adhering polymer modified bitumen sheet, shall be used in lieu of Normal Underlayment and Extend from the lowest edges of all roof surfaces to a point at least 24" inside the Exterior Wall Line of the Building (R905.2.7.1)
 The Garage shall be Separated from the Residence and its Attic Area by not less than 5/8" Gypsum Board Applied to the Garage Side. Garage beneath habitable rooms shall be separated by not less than 5/8" type X Gypsum board or equivalent. (R302.6)
 Over Full Length of Required Brace Wall Lines a .229"x3"x3" Plate Washer is Required. Hole in Plate Washer is Permitted to be Oversized Up to 3/16" Larger than Bolt Diameter and May Be Slotted Diagonally Not to Exceed 1 3/4" Provided a Standard Cut Washer is Placed Between Plate and Nut. A Properly Sized Cut Washer May Be Used in Wall Lines Not Containing Brace Wall Panels. (R403.1.6.1 & R602.11.1)
 Where Ceramic Tile is used Cement, Fiber-Cement or Glass Mat Gypsum Backer in Compliance with Code and Installed in Accordance with Mfg Recommendations Shall Be used as Backer for Wall Tile in Tub and Shower Areas and Wall Panel in Shower Area. (R702.4.2)

MINIMUM EXHAUST RATES (M1507)

KITCHEN - 100 CFM Intermittent or 25 CFM Continuous
 BATHROOMS - Mechanical Exhaust Capacity 50 CFM Intermittent or 20 CFM

If Natural Ventilation is Less Than 5 air changes per hr Then A Whole-House Mechanical Ventilation System Capable of Supplying Outdoor Air of 15 Cubic Ft Per Minute Per Occupant. Contractor and/or Electrical Sub-Contractor to indicate exact location of fan units if not already indicated on the plan set.

The included text is provided for the contractor's convenience. All text as found in the IBC-2015 codes shall override any text within these plans if there is a conflict.

SMOKE ALARM (907.2.9)

If not already indicated on plans, Contractor and/or Electrical Subcontractor shall indicate on plans the location of all smoke alarms. Smoke alarms are required in each sleeping room, outside each sleeping area, and on each level or story of the structure. All smoke alarms to be interconnected such that the actuation of one alarm will actuate all alarms. Smoke alarms are required to be wired to the primary power source and have battery backup.

CARBON MONOXIDE ALARM (908.7)

If not already indicated on plans, Contractor and/or Electrical Subcontractor shall indicate on plans the location of all carbon monoxide alarms. Smoke alarms are required outside each sleeping area within which fuel-fired appliances are installed and dwelling units that have attached garages.

MINIMUM INSULATION R-VALUE

Ceiling R-49
 Walls R-20 + R-5

VAPOR RETARDING

Contractor must specify a vapor retarder on all non-vented "warm-in-winter" side of all framed ceilings, walls, and crawl space floors. Contractor may specify plastic vapor barrier or Vapor Retarder rated Paint. All breaches in the barrier system to be caulked and sealed.

CONTRACTORS NOTES

- Contractor to verify all site dimensions and location prior to construction to ensure that all information within this plan set conforms to existing conditions, and to ensure compliance of local codes and ordinances as it pertains to the site location.
- Contractor to verify all beam/header sizes have been properly determined to match loading for the area in which this structure is to be built.
 Refer to Engineered Roof Truss Layout, and Engineered Floor Joist Layout for information regarding structurally loading data used to design this structure.
 (Note: These plans do not provide this data as it is provided by the distributors of the respective Roof Truss / Floor Joist Suppliers)
- Contractor to locate and supply information in regards to all foundation vents on all crawlspaces.
- Contractor to verify with local codes for all Design Requirements with Asphalt Emulsion on Exterior Side over Concrete Footing Systems.
- Contractor to verify with local codes for all Design Requirements over Undisturbed Soil.
- Contractor to verify prior to construction all footing sizes, load requirements, soil bearing data, and SE requirements.
- Contractor to verify with owner prior to construction all exterior materials, colors and types.
- Contractor to verify all location of solid surfaces that require foundation adjustments.
- Contractor to provide information on all areas requiring glazing with safety materials.
- Contractor to verify all exterior siding systems that owner may specify. Contractor is responsible for all material details regarding products specifications, installation, and engineering data that may be required by owner or building department when obtaining permits.
- Building shall have approved address numbers. The numbers shall be contracted with their background. Numbers shall be 4" high, min stroke width of 1/2", arabic or alphabetical letters in a visible area.
 Electrical, HVAC, or Plumbing notes, layouts, etc. are bidder designed

NOTES:

- All Dimensions for Exterior Walls are Measured from Inside of Sheathing.
- Unless Otherwise Specified All Dimensions Are Measured from Framing.
- Unless Otherwise Specified All Angles Are 45 Degrees
- Unless Otherwise Specified All Exterior Walls Are to be 2x6 with 8'-0" Ceilings.
- Unless Otherwise Specified All Foundation Walls Are to be 8" Concrete - See Structural
- Unless Otherwise Specified All Window Headers Are to be at Approx 6'-8" Above Floor.

HEADER TABLE

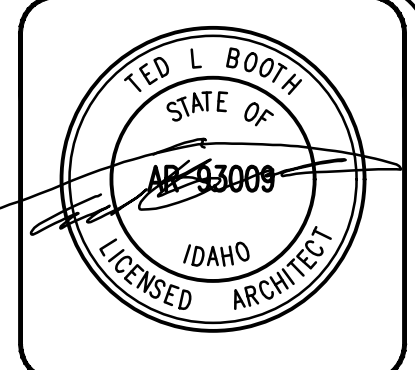
Unless noted otherwise the following header list Shall be used.
 Headers 5" or Less = (2) 2x10 Dim. Lumber
 BASED ON 35 psf LOAD - Per Structural

ATTIC VENTILATION

1/300, 7.5 s.f. min. with 1/2 above and 1/2 below

MINIMUM SPECIFIED COMPRESSIVE STRENGTH CONCRETE

(IBC 2015 Table 1904.2)
 Bsmnt walls, fnd and other concrete not exposed to the weather 2,500 psf
 Bsmnt walls, fnd and other concrete exposed to the weather 3,000 psf
 Porches, carport slabs and steps exposed to the weather and garage floor slabs 3,500 psf



New Complex For:
Targee Employee Housing
 Lots 3-6, Winter Business Park Subdivision
 Driggs, ID 83422

340 East Clark Street, Suite A
 Pocatello, Idaho 83201
 Phone (208) 233-4548
 Fax (208) 233-0263
 email ted@bootharchitecture.com



Code Review
 Energy Code
 Notes

Date
 7/30/2020
 Sheet No. C1.0

GENERAL NOTES:

- All work to comply with IRC and all other local and international codes that may apply.
- Contractor to verify all utilities, setbacks, etc.
- All lumber in contact with concrete or masonry to be pressure treated.
- All exterior walls to be 2x6's @ 16" o.c. with R-19 insulation.
- All interior walls to be 2x4 @ 16" o.c. construction other than 2x6 plumbing walls as shown.
- Provide blocking at toilets and tubs for future grab bars.
- All switches, etc., to be at 48" a.f.f.
- All "standard" outlets to be at 18" a.f.f.
- Electrical, plumbing & mechanical to be bidder designed.
- Provide "lever" style door handles.
- units to be accessible per ICC/ANSI.
- All thresholds to be ADA compliant.
- Provide single handle ADA faucets.
- At accessible units; provide shelf & rod @ 48" a.f.f. at all closet units (in addition to standard shelf & rod), provide blocking if not installed at this time.
- Contractor to verify all dimensions & conditions.
- Contractor to coordinate all utilities locations, etc.
- Provide rain gutters & down spouts.

FRAMING NOTES:

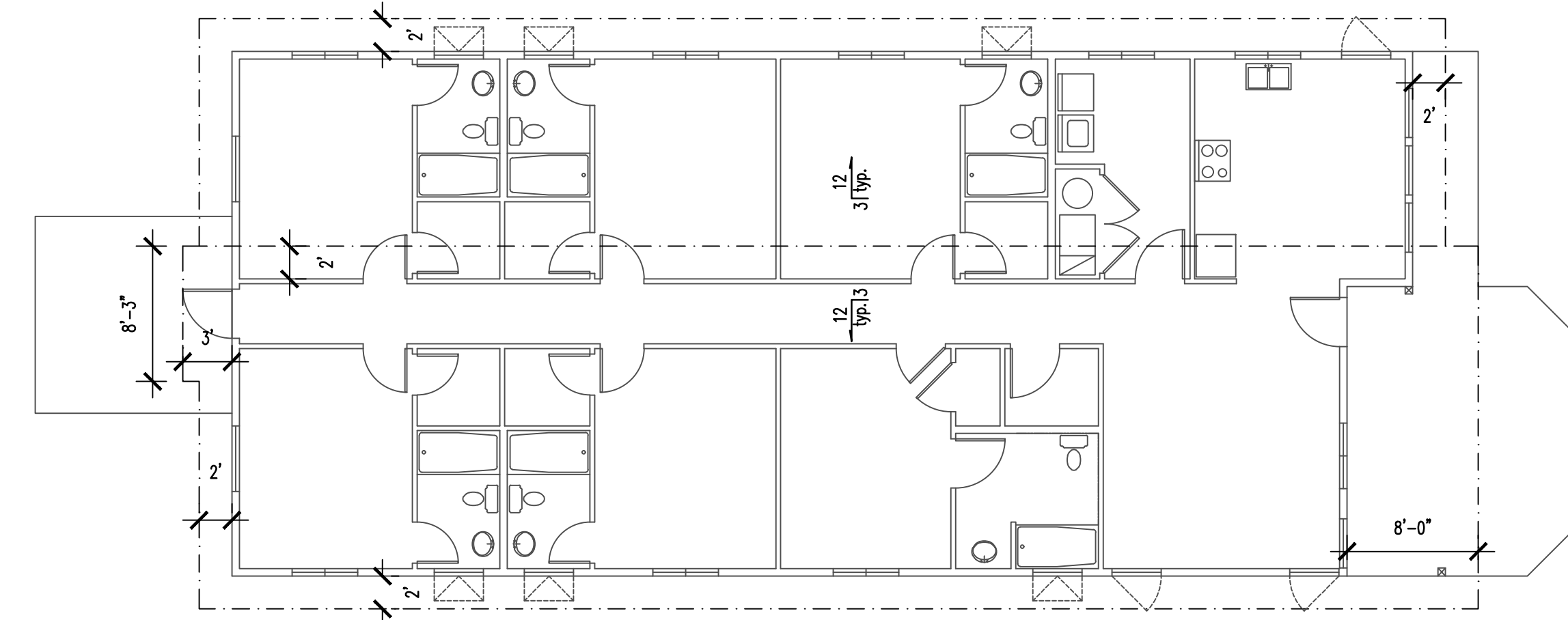
- Provide min. (2) 2x4 posts under each end of all beams and headers unless noted otherwise on plan.
- Sheath all exterior walls with 7/16" exterior grade OSB. Nail OSB sheathing with staples at 4" o.c. at edges and 12" o.c. at intermediate members. Full shear panels located on all corners and middle of walls, and to be held down to foundation 2x6 sill.
- All metal connectors to be Simpson strand tie or equivalent.
- All exterior walls to be framed with 2x6 studs at 16" o.c. with double top and single bottom plate.
- All interior walls to be framed with 2x4 studs at 16" o.c. with double top and single bottom plate.
- All trusses to be stacked directly on studs below.
- Glue and nail all multiple members (2)2x10 and larger with 16# nails @6" o.c. fully block webs. glue and nail all multiple T&I floor joists.
- Roof sheathing to be min. 7/16" exterior grade sheathing.
- Framer responsible for plumbing runs.
- Provide Simpson H2.5 or equal at all truss and roof rafter bearing locations.
- All framing to be in conformance with latest edition of international residential code adopted.
- Ladder blocks to replace channels where interior walls meet exterior.
- Provide 20"x30" attic access hatch.

CONNECTORS & FASTENERS:

- All nailing and fastening shall comply with the applicable codes nail fastening schedule.
- All flush beams and girders shall use joist hangers to support abutting joists and rafters.

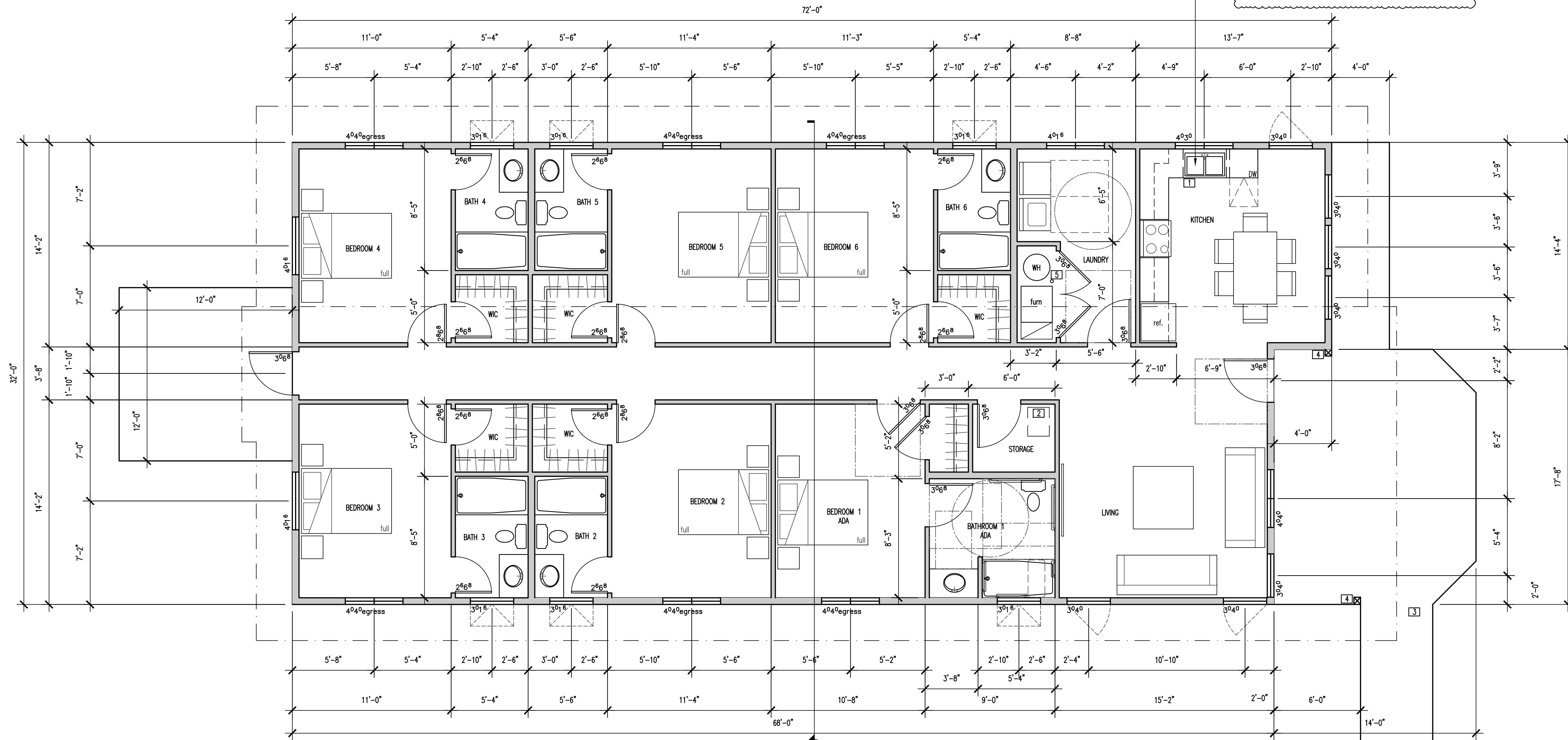
ACCESSIBLE UNIT NOTES:

- All switches, t-state, etc. to be at 48" above finish floor.
- All receptacles to be at 18" above finish floor.
- Provide lever handles.
- Cabinets to be 34" high.
- Provide switch to hood fan at 48" above finish floor.
- Closet rods to be at 48" above finish floor.
- Provide door viewer at 48" above finish floor.
- Provide ADA shower with grab bars.



ROOF PLAN

SCALE: 1/8"=1'-0"



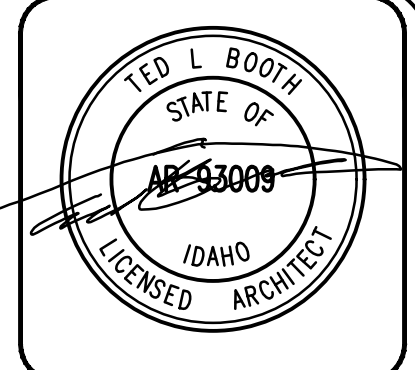
MAIN FLOOR PLAN

SCALE: 1/4"=1'-0"

Floor Area: 2,233 sq.ft.

DRAWING NOTES:

- ADA counter and sink-see detail
- Provide 20"x30" attic access hatch
- ADA ramp to building designed by Civil - see civil
- Pool - see structural
- Floor Drain



New Complex For:
Targete Employee Housing
Units 1-4 (ADA)
 Lots 3-6, Winter Business Park Subdivision
 Driggs, ID 83422

340 East Clark Street, Suite A
 Pocatello, Idaho 83201
 Phone (208) 233-4548
 Fax (208) 233-0263
 email ted@bootharchitecture.com



Main Floor
 Roof Plan
 Date: 7/30/2020
 Sheet No. **A1.0**

GENERAL NOTES:

- All work to comply with IRC and all other local and international codes that may apply.
- Contractor to verify all utilities, setbacks, etc.
- All lumber in contact with concrete or masonry to be pressure treated.
- All exterior walls to be 2x6's @ 16" o.c. with R-19 insulations.
- All interior walls to be 2x4" @ 16" o.c. construction other than 2x6 plumbing walls as shown.
- Provide blocking at toilets and tubs for future grab bars
- All switches, etc., to be at 48" a.f.f.
- All "standard" outlets to be at 18" a.f.f.
- Electrical, plumbing & mechanical to be bidder designed
- Provide "lever" style door handles
- units to be ADA adaptable per ICC/ANSI
- Contractor to verify all dimensions & conditions.
- Contractor to coordinate all utilities locations, etc.
- Provide rain gutters & down spouts

FRAMING NOTES:

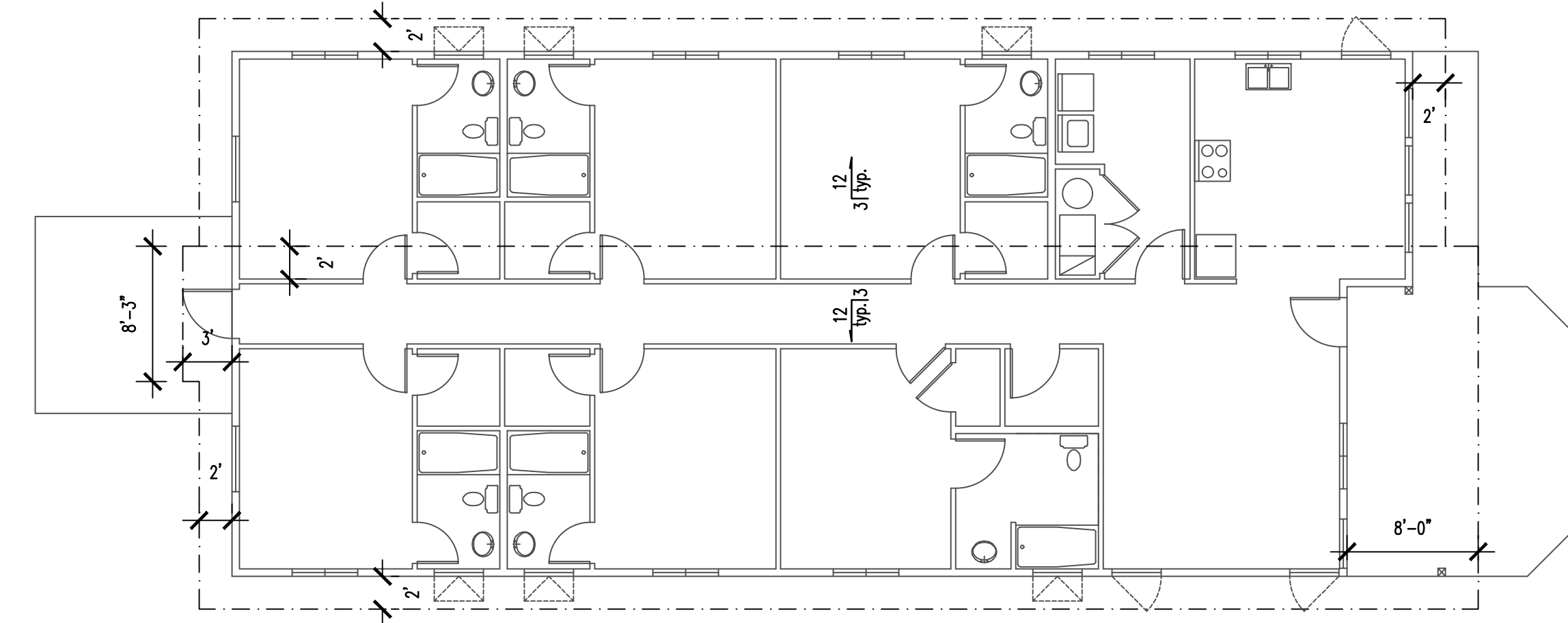
- Provide min. (2) 2x4 posts under each end of all beams and headers unless noted otherwise on plan.
- Sheath all exterior walls with 7/16" exterior grade OSB. Nail OSB sheathing with staples at 4" o.c. at edges and 12" o.c. at intermediate members. Full shear panels located on all corners and middle of walls, and to be held down to foundation 2x6 sill.
- All metal connectors to be Simpson strand tie or equivalent.
- All exterior walls to be framed with 2x6 studs at 16" o.c. with double top and single bottom plate.
- All interior walls to be framed with 2x4 studs at 16" o.c. with double top and single bottom plate.
- All trusses to be stacked directly on studs below.
- Glue and nail all multiple members (2)2x10 and larger with 16# nails @6" o.c. fully block webs. glue and nail all multiple T&I floor joists.
- Roof sheathing to be min. 7/16" exterior grade sheathing
- Framer responsible for plumbing runs.
- Provide Simpson H2.5 or equal at all truss and roof rafter bearing locations.
- All framing to be in conformance with latest edition of international residential code adopted.
- Ladder blocks to replace channels where interior walls meet exterior.
- Provide 20"x30" attic access hatch.

CONNECTORS & FASTENERS:

- All nailing and fastening shall comply with the applicable codes nail fastening schedule.
- All flush beams and girders shall use joist hangers to support abutting joists and rafters.

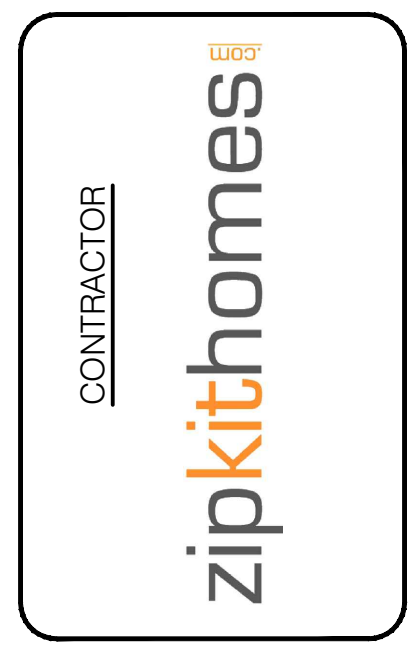
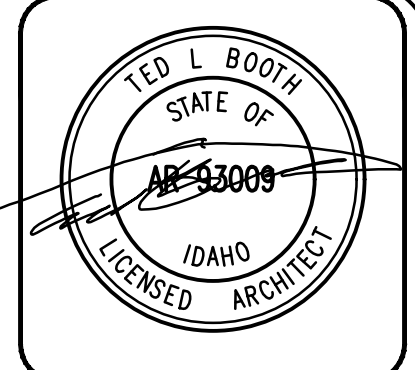
ADA ADAPTABLE UNIT NOTES:

- All switches, t-state, etc. to be at 48" above finish floor.
- All receptacles to be at 18" above finish floor.
- Provide lever handles
- Cabinets to be 34" high.
- Provide switch to hood fan at 48" above finish floor.
- Closest rods to be at 48" above finish floor.
- Provide door viewer at 48" above finish floor.
- Provide ADA shower with additional blocking for future grab bars.



ROOF PLAN

SCALE: 1/8"=1'-0"



New Complex For:
Targete Employee Housing
Units 5-16 (ADA Adaptable)
Lots 3-6, Winter Business Park Subdivision
Driggs, ID 83422

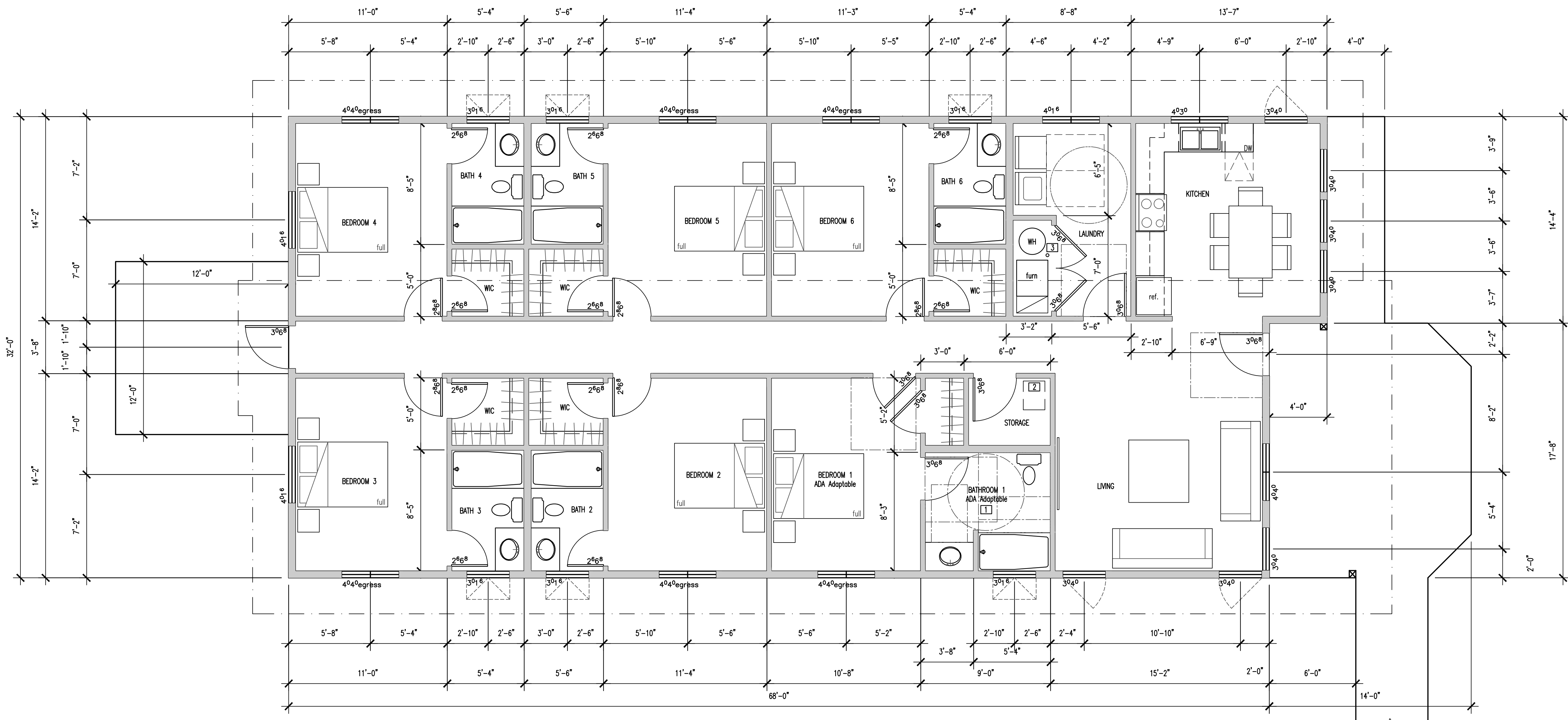
340 East Clark Street, Suite A
Pocatello, Idaho 83201
Phone (208) 233-4548
Fax (208) 233-0263
email ted@bootharchitecture.com



Main Floor
Roof Plan

Date
7/30/2020

Sheet No.
A1.1



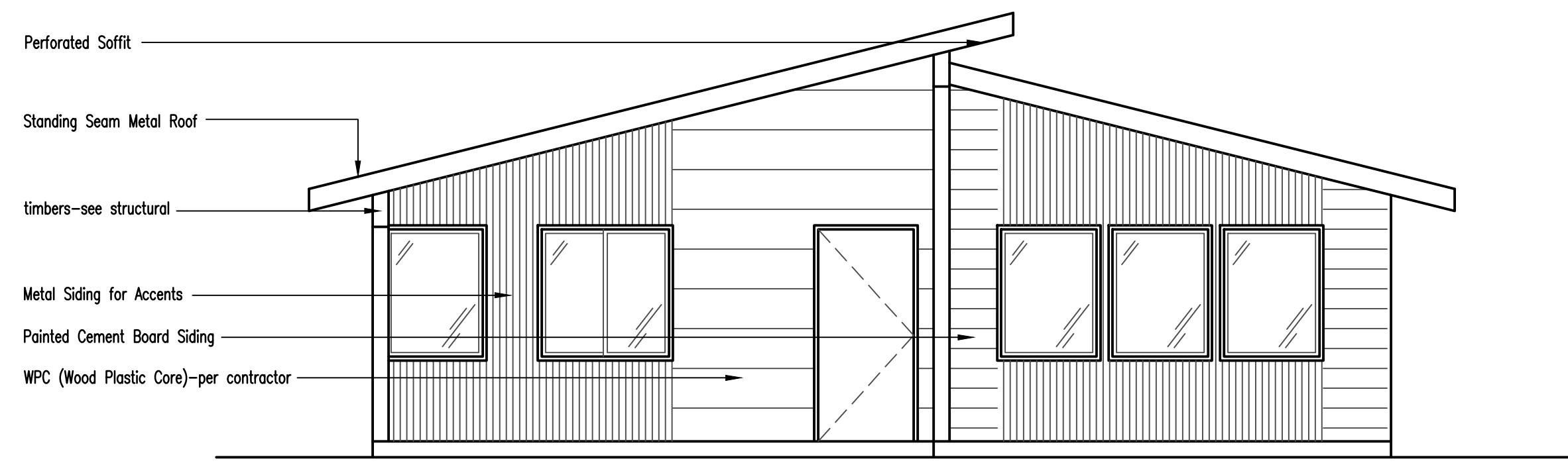
MAIN FLOOR PLAN

SCALE: 1/4"=1'-0"

Floor Area: 2,233 sq. ft.

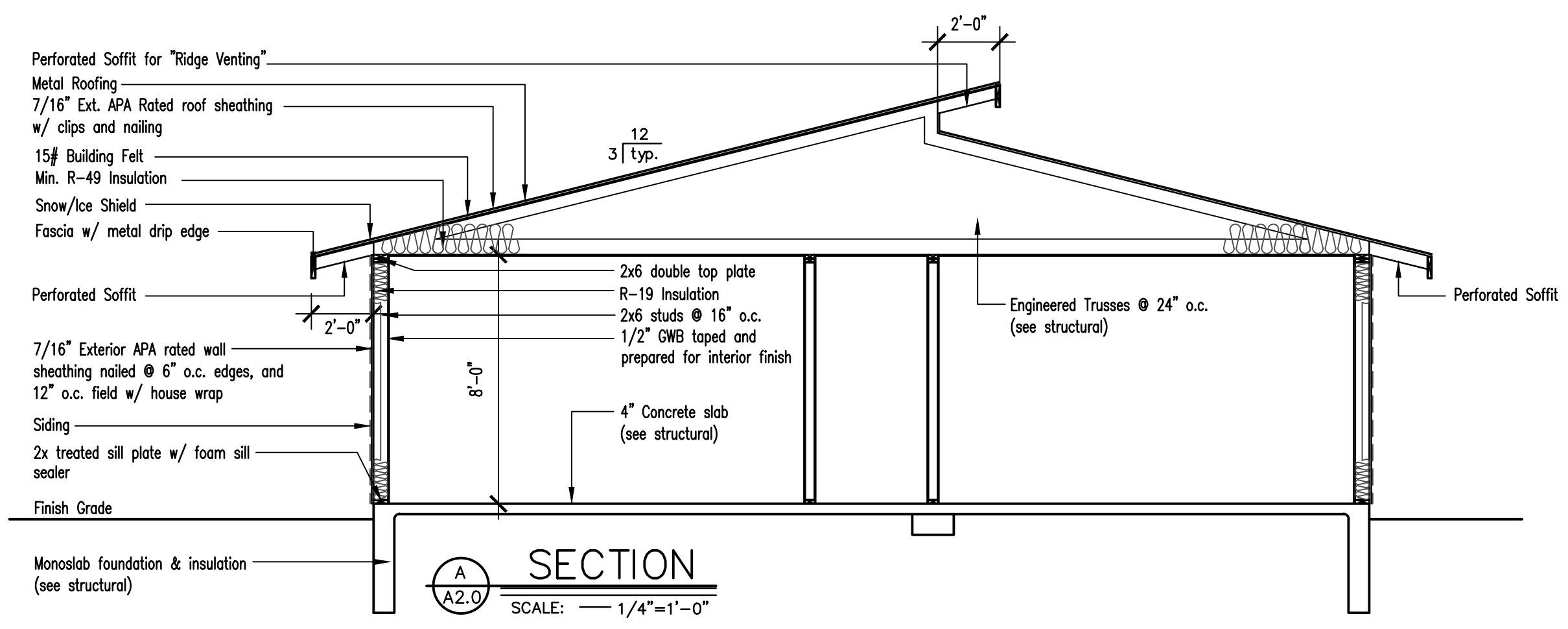
DRAWING NOTES:

- Provide additional blocking for ADA adaptable bathroom grab bars.
- Provide 20"x30" attic access hatch
- Floor Drain



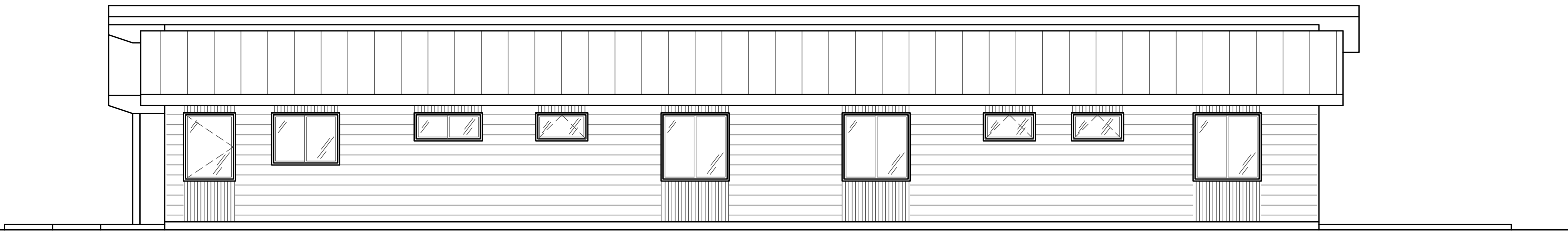
FRONT ELEVATION

SCALE: 1/4"=1'-0"



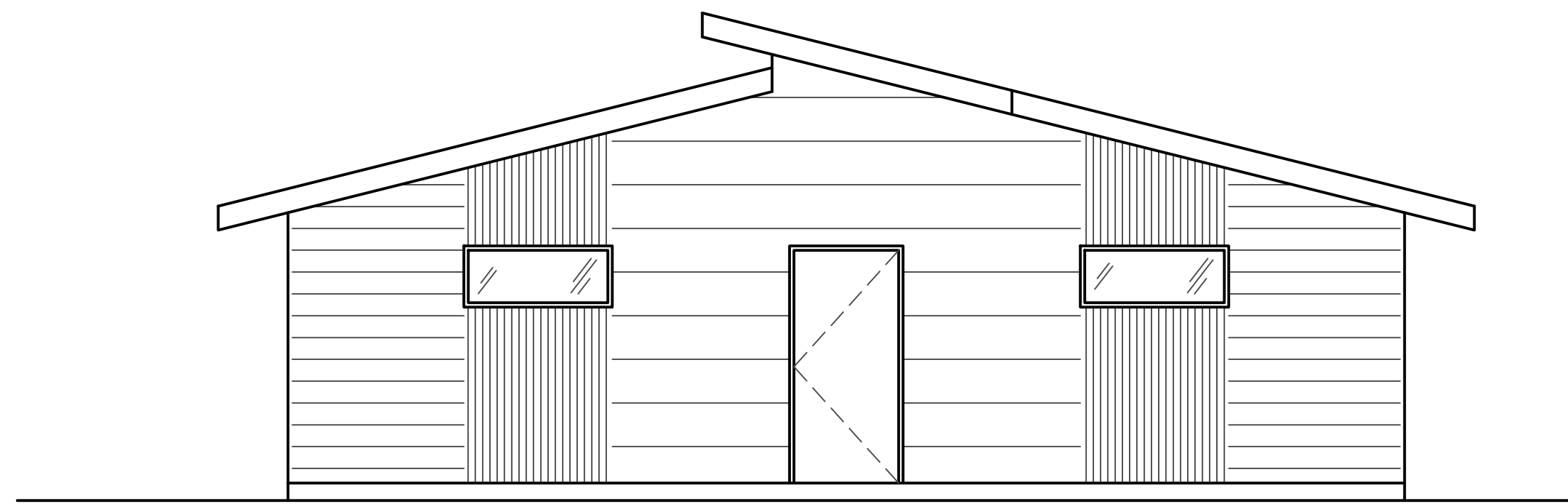
SECTION

SCALE: 1/4"=1'-0"



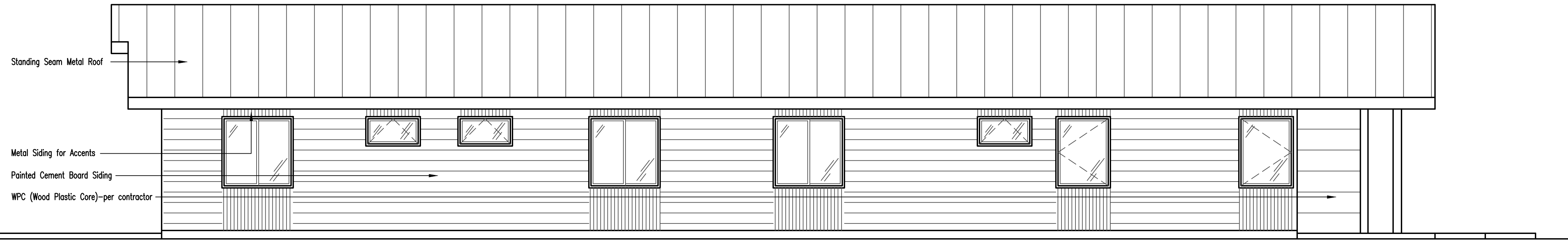
RIGHT ELEVATION

SCALE: 1/4"=1'-0"



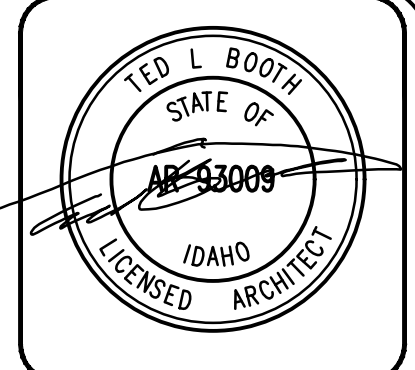
REAR ELEVATION

SCALE: 1/4"=1'-0"



LEFT ELEVATION

SCALE: 1/4"=1'-0"

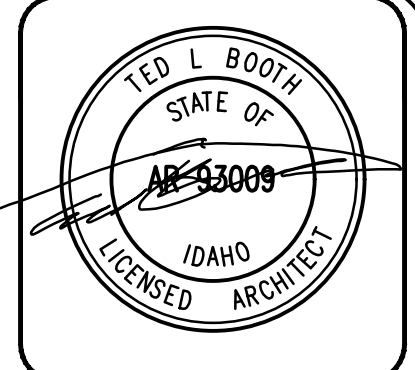
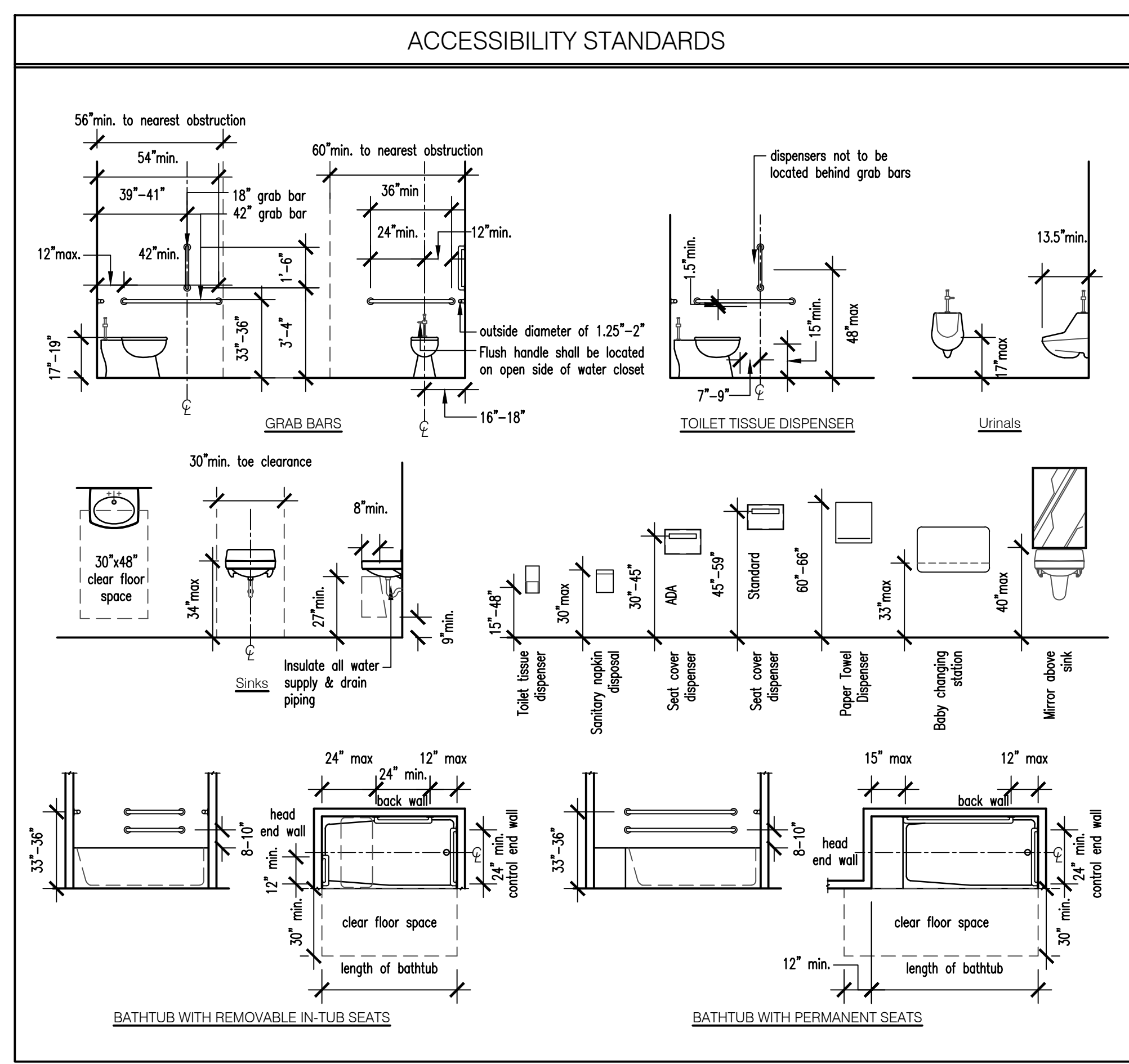
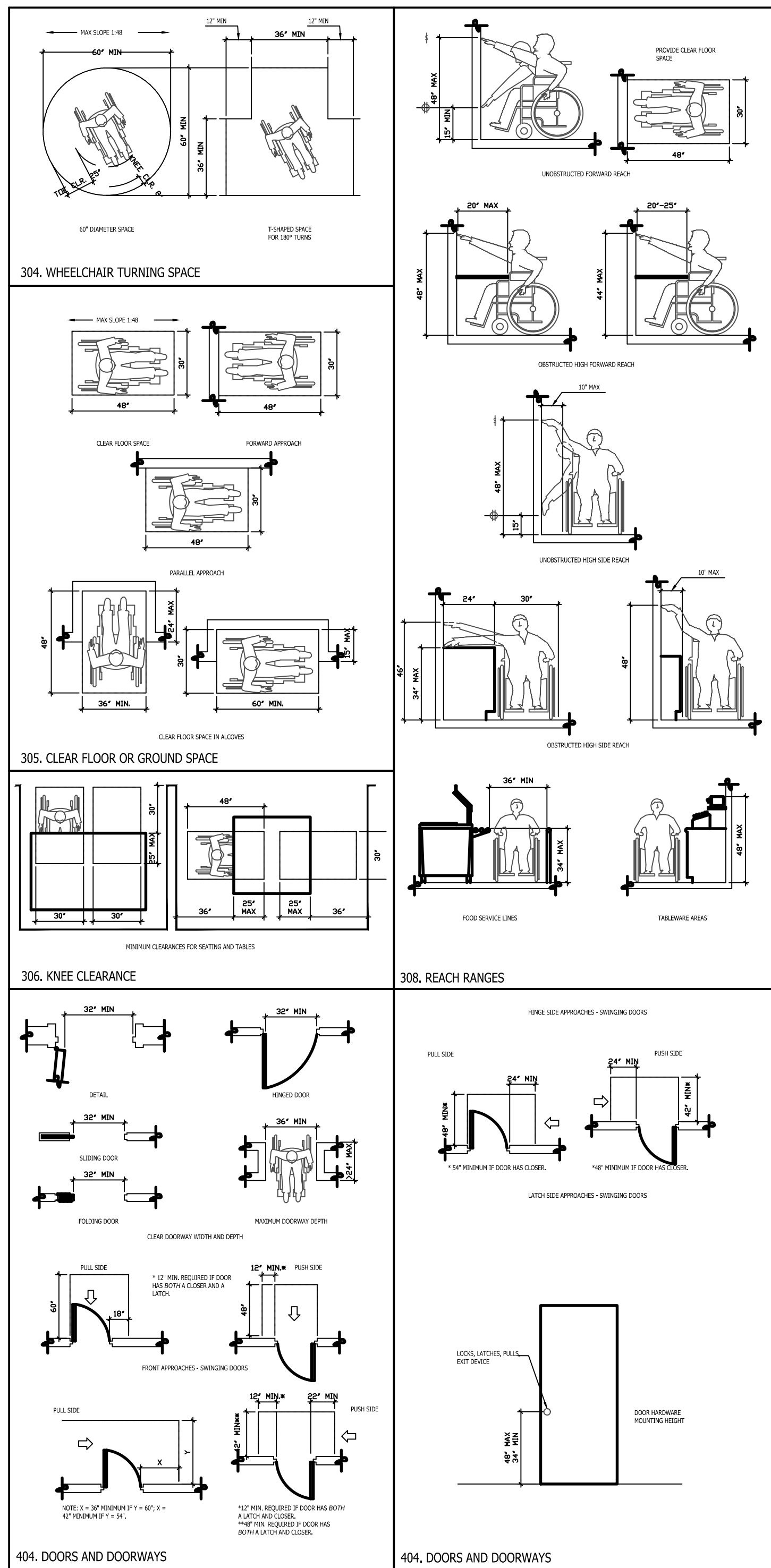


New Complex For:
Targee Employee Housing
 Lots 3-6, Winter Business Park Subdivision
 Driggs, ID 83422

340 East Clark Street, Suite A
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 Phone (208) 233-4548
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 email ted@bootharchitecture.com



Elevations
 Section
 Date
 7/30/2020
 Sheet No. **A2.0**



New Complex For:
Targee Employee Housing
 Lots 3-6, Winter Business Park Subdivision
 Driggs, ID 83422

340 East Clark Street, Suite A
 Pocatello, Idaho 83201
 Phone (208) 233-4548
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 email ted@bootharchitecture.com



**Deed Restriction for Property
Located at Lot 7, Winter Business Park Subdivision
Driggs, Idaho**

This Deed Restriction (“Restriction”) is made and entered into this ___ day of _____, 20___, by the undersigned owner of the property, Driggs Housing, LLC, an Idaho Limited Liability Company. (“Declarant”), and Teton County, Wyoming.

RECITALS:

WHEREAS, Declarant holds fee ownership interest in that certain real property, located in Teton County, Idaho, and more specifically described as follows:

Lot 7, Winter Business Park Subdivision, Driggs, Idaho, Parcel No. RA02560000070, located at 493 Mill Creek Drive, Driggs, Idaho.

See attached Exhibit A (the “Property”)

WHEREAS, pursuant to the 2019 Amended Grand Targhee Resort Master Plan (the “GTRMP”), for each bedroom of short-term rental housing approved for development at the Grand Targhee Resort (the “Resort”), the Resort is required to provide .13 units (each a “Unit”) of employee housing;

WHEREAS, Section 3.4.E of the GTRMP states as follows: “affordable and employee housing will be built, or acquired and deed restricted, predominantly within the communities of Victor and Driggs. The Units in Idaho will be managed and offered for rent or sale based on [Teton County Wyoming/Town of Jackson] Housing Department housing guidelines, and be available in conjunction with Grand Targhee Resort employment;

WHEREAS, Section 3.4.C.5 of the GTRMP requires that employee housing be first made available to Grand Targhee Resort employees, and if no Grand Targhee Resort employees are qualified renters, then the housing shall be made available according to the [Teton County Wyoming/Town of Jackson] Housing Department housing guidelines;

WHEREAS, on or about the ___ day of _____, 2023, the Board of County Commissioners approved DEV2022-0008, which requires housing mitigation of twelve (12) units;

WHEREAS, the Resort, by and through the Declarant, has constructed sixteen (16) dormitory-style buildings on the Property, each containing seven (7) employee housing units;

WHEREAS this Restriction will restrict two (2) of the buildings on the Property, namely:

Building One: Located at 437 Mill Creek Drive, Driggs, Idaho

- Unit ___ containing one bedroom
- Unit ___ containing one bedroom
- Unit ___ containing one bedroom
- Unit ___ containing one bedroom

Unit ___ containing one bedroom
Unit ___ containing two bedrooms

Building Two: located at 436 Ruby Street, Driggs, Idaho

Unit ___ containing one bedroom
Unit ___ containing one bedroom
Unit ___ containing one bedroom
Unit ___ containing one bedroom
Unit ___ containing one bedroom
Unit ___ containing two bedrooms

(together or individually a “Residential Unit”).

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners resolved to form the Jackson/Teton County Housing Authority, a duly constituted housing authority pursuant to Wyo. Stat. §15-10-116, as amended, and its successors or assigns, known as the Jackson/Teton County Housing Authority (“JTCHA”);

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners further resolved to create the Jackson/Teton County Affordable Housing Department (“Housing Department”) who are employees of Teton County and agents acting on behalf of the JTCHA, empowered to enforce this Restriction;

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners have duly enacted the Jackson/Teton County Housing Department Rules and Regulations (“Rules and Regulations”) and this Restriction is subject to such Rules and Regulations as they are amended from time to time;

WHEREAS, in furtherance of the goals, objectives, requirements, and conditions of the GTRMP and DEV2022-0008, and consistent with Teton County’s goal of providing decent, safe, and sanitary housing to qualified employees that is affordable, Declarant agrees to restrict the use and occupancy of the Residential Unit as set forth herein;

WHEREAS, Declarant desires to record this Restriction and declare that the Residential Unit and Property shall be held, sold, and conveyed in perpetuity subject to this Restriction and the Rules and Regulations, as they may be amended from time to time, which Restriction shall be in addition to all other covenants, conditions, or restrictions of record affecting the Residential Unit, and shall be enforceable by JTCHA and Teton County, Wyoming. Furthermore, Declarant hereby declares that where the term “Declarant” is used in this Restriction it includes and means each and every subsequent owner, unless otherwise specifically clarified.

NOW, THEREFORE, in satisfaction of the conditions in and consideration of Section 3.4 of the GTRMP and DEV2022-0008, Declarant hereby declares, covenants, and agrees for itself and each and every person acquiring ownership of the Property that they shall be held, used, occupied, developed, transferred, and conveyed subject to this Restriction in perpetuity.

**ARTICLE I
RENTAL BY A QUALIFIED HOUSEHOLD**

1.1 Qualified Household. The rental of the Residential Unit shall be limited to natural persons who meet the definition of a Qualified Household, as set forth herein and as further defined in the Rules and Regulations (“Qualified Household”).

1.1.2 Employment. At time of rental, and in perpetuity during any and all rental periods, at least one member of the Qualified Household must work a minimum of 1,560 hours per year for Grand Targhee Resort, or a Local Business if no Grand Targhee Resort employees are qualified purchasers, as that term is defined in the Rules and Regulations.

1.1.3 Income Limit. At time of rental and in perpetuity during any and all rental periods, the Qualified Household’s gross income shall fall (insert required income range)

1.1.4 Residential Real Estate. At time of rental and in perpetuity during any and all rental periods, no member of the Qualified Household may own (whether individually, in trust, or through an entity including without limitation a partnership, limited partnership, limited liability company, corporation, association, or the like) real estate except as set forth in the Rules and Regulations.

1.2 Qualification Determination by the Housing Department. The Housing Department shall determine, in its sole discretion, whether a prospective tenant is a Qualified Household. The Department shall use written applications, representations, and information to make the determination, which shall include the verification of those materials as necessary and appropriate to establish and substantiate eligibility.

**ARTICLE II
OCCUPANCY, IMPROVEMENT, AND USE**

2.1 Rules and Regulations Applicability. All applicable limitations on occupancy, improvement, and use set forth in the Rules and Regulations and the GTRMP, apply to the Residential Unit.

2.2 Business Activity. No business activities shall be carried out in a Residential Unit, except to the extent allowed in the Rules and Regulations.

2.3 Guests. Guests shall only be allowed to occupy the Residential Unit as set forth in the Rules and Regulations.

2.4 Maintenance. Declarant shall be responsible for the cost and expense to keep and maintain the interior of the Residential Unit, and all other aspects of the Residential Unit not otherwise maintained by a homeowner’s association in a safe, decent, and sanitary condition pursuant to the Rules and Regulations. In the event Declarant fails to maintain the Residential Unit in a safe, decent, and sanitary condition, the Housing Department may take action, and be reimbursed for costs thereof, all as set forth in the Rules and Regulations.

2.5 Insurance. Declarant shall keep the Residential Unit continuously insured as set forth in the Rules and Regulations. Declarant shall, as often as necessary to prove compliance herewith at all times, furnish and deposit with the Housing Department certificates of such insurance policy to be maintained by Declarant with evidence of payment of the premiums thereon.

2.6 Compliance with Laws and CC&Rs. The Residential Unit shall be occupied in full compliance with this Restriction; the Rules and Regulations; all laws, statutes, codes, rules, regulations of state, local, and federal law; Covenants, Conditions & Restrictions; and all supplements and amendments thereto.

2.7 Inspection. Upon reasonable notice to Declarant, the Housing Department shall have the right to inspect the Residential Unit from time to time as set forth in the Rules and Regulations. Due to the Property's location in Teton County, Idaho, the Housing Department may charge a reasonable inspection fee.

2.8 Records. Declarant shall maintain records of service, rental, repair, and maintenance for a period of 2 years after their issuance. The Housing Department shall have the right to review the written records required to be maintained by Declarant.

2.9 Renting. The Residential Unit may be rented to the extent allowed in the Rules and Regulations and the GTRMP.

2.10 Periodic Reporting. In order to confirm compliance with this Restriction, the Rules and Regulations, and other covenants, regulations, ordinances, or rules governing the ownership, occupancy, use, improvement, or transfer of the Residential Unit, Declarant shall timely comply with information requests, application material submission, and all supplemental requests as set forth in the Rules and Regulations. The Declarant is responsible for timely compliance with all reporting requirements for rentals.

2.11 No Owner Occupancy. Declarant shall not reside in or occupy the Residential Unit. For purposes of this paragraph, if Declarant is an entity (including without limitation, a partnership, limited partnership, Limited Liability Company, corporation, association, or other) or a trust, this prohibition on owner-occupancy extends to any partner, member, shareholder, other principal or owner of the entity, and any trustee or beneficiary of the trust.

ARTICLE III SALE

3.1 Sale of the Property. The Property may be bought and sold, except that all reporting and record-keeping required herein for the Residential Unit shall be continuous and any new owner shall obtain the required records from the prior owner. Every conveyance of the Property shall be subject to this Restriction. Within 10 days prior to the closing of the sale or other transfer of the Property, seller shall notify the Housing Department of the pending sale or transfer and, prior to closing, provide the Housing Department with contact information (including without limitation, mailing address, phone number and email) for the purchaser.

ARTICLE IV TERMINATION, AMENDMENT, CORRECTION

4.1 Termination by Teton County, Wyoming. This Restriction may be terminated after a determination by Teton County, Wyoming that this Restriction is no longer consistent with the goal of providing affordable housing.

4.2 Amendment. This Restriction may be amended by a signed, written amendment executed by both Teton County, Wyoming and Declarant and recorded in the Teton County Clerk's Office against title to the Property. At such time as the Teton County, Idaho housing department is fully operational and will participate in an agreed-upon system of oversight of the Residential Unit, this Restriction shall be amended by the parties to accurately reflect any material changes to the oversight and compliance system.

4.3 Correction. JTCHA may unilaterally correct this Restriction to address scrivener's errors, erroneous legal descriptions, or typographical errors.

ARTICLE V GENERAL PROVISIONS

5.1 Breach.

5.1.1 Breach Defined. Each of the following shall be considered a breach hereof ("Breach").

5.1.1.1 A violation of this Restriction, the Rules and Regulations, the Declaration of Covenants, Conditions & Restrictions, or any rule or law a violation of which could result in a lien recorded against the Property.

5.1.1.2 Failure to pay any financial obligation due or failure to perform a non-monetary obligation with respect to the Residential Unit which failure to pay or perform could result in a lien recorded against the Property. This includes, without limitation, homeowner dues, property taxes, contractor and servicer bills, and payment required by a promissory note secured by a mortgage recorded against the Property. Declarant shall notify the Housing Department in writing of any notification received from any party of past due payments or failure to perform within ten (10) calendar days of the date on the first notice of any such failure to pay or perform.

5.1.1.3 The Property is taken by execution or by other process of law, or Declarant is judicially declared insolvent, or Declarant assigns or attempts to assign the Property for the benefit of creditors, a receiver, trustee, or other similar officer being appointed to take charge of any substantial part of the Residential Unit or Declarant's property by a court of competent jurisdiction.

5.1.1.4 Fraud or material misrepresentation by Declarant or an occupant in the provision of information or documents included in an application, or additional submissions of requested documentation by the Housing Department, and related to the mission, goals, objectives, requirements, and conditions of JTCHA and its programs.

5.1.2 Administrative Process. Upon any alleged Breach, the parties must proceed in accordance with the default process set forth in the Rules and Regulations, as they may be amended from time to time.

5.1.3 Court Enforcement. After exhausting the administrative process required by Article 5.2 of this Restriction any order of the Housing Authority Board may be appealed via a court of competent jurisdiction.

5.1.4 Breach Remedies. In addition to any other remedies the JTCHA may have at law or equity, in the event of Breach, the JTCHA's remedies shall include, without limitation, and at its discretion,

the right to invoke any remedies available to it and seek any such relief, at law or equity, as may be appropriate, including but not limited to, specific performance of this Restriction and the Rules and Regulations; temporary, permanent, or preliminary injunctive relief (including prohibiting a proposed sale or transfer); a declaration that a sale or transfer is void; and monetary damages. Any equitable relief may be sought singly or in combination with such other remedies the JTCHA may be entitled to, either pursuant to this Restriction, the Rules and Regulations, the applicable Land Development Regulations, or under the local, state, or federal law. In the event the JTCHA believes there to be a Breach, the JTCHA shall send written notice to the Declarant of such violation, the required action to cure, and the timing for such cure. If Declarant disputes the JTCHA's decision, Declarant shall proceed in accordance with the Rules and Regulations.

5.1.5 Hold Harmless. In the event of a Breach, Declarant hereby holds Teton County, Wyoming, JTCHA, and the Housing Department, their officials, employees, and agents harmless against any and all claims, suits, or actions of every name, kind, and description and any other loss or cost, including but not limited to that caused by the concurrent active or passive negligence of Teton County, Wyoming, JTCHA, and the Housing Department, their officials, employees, and agents.

5.1.6 Reimbursement. In the event of a Breach, Declarant hereby agrees to reimburse the actual expenses, attorney's fees, and costs for any action the JTCHA and/or Housing Department expends to enforce this Restriction.

5.2 Jackson/Teton County Housing Department Housing Rules and Regulations. The term "Rules and Regulations" is defined as the Jackson/Teton County Housing Department Rules and Regulations, as the same may be amended from time to time and which are codified in the Municipal Code of the Town of Jackson, and enacted by resolution of Teton County, Wyoming pursuant to the Wyoming Administration Procedures Act. If there are no such written policies, procedures, or guidelines (or a written policy, procedure, or guideline with respect to a specific matter) then the reference shall be to the current applied policy or policies of the Housing Department or its successor. Procedural and administrative matters not otherwise addressed in this Restriction shall be as set forth in the Rules and Regulations, as the same may be amended from time to time. In the case of a conflict between this Restriction and the Rules and Regulations, this Restriction shall apply.

5.3 No Legal Action. Neither the Declarant, nor any prospective purchaser, tenant, renter, occupant, or other party shall have the right to sue or bring other legal process against Teton County, Wyoming or the Housing Department, or any person affiliated with the Town of Jackson, Teton County, Wyoming, or the Housing Department arising out of this Restriction. Neither the Town of Jackson, Teton County, Wyoming, nor the Housing Department shall have any liability to any person aggrieved by the decision of the Town of Jackson, Teton County, Wyoming, or the Housing Department regarding eligibility of a Qualified Household or any other matter relating to this Restriction.

5.4 Restriction as a Covenant. This Restriction shall constitute covenants running with the Land and the Residential Unit, as a burden thereon, and shall be binding on all parties having any right, title, or interest in the Land, the Residential Unit, or any part thereof, their heirs, devisees, successors and assigns, and shall inure to the benefit of and shall be enforceable by JTCHA, the Housing Department, and the Town of Jackson, Wyoming.

5.5 Notices. All notices required to be served upon Declarant and Teton County, Wyoming and shall be transmitted by one of the following methods: prepaid overnight courier; or by postage paid certified mail, return receipt requested, at the address set forth below for said party. Notice shall be effective 1 day after being deposited with an overnight courier, or 5 business days after being placed in the mail.

To JTCHA / Housing Department:
Jackson/Teton County Affordable Housing Department
P.O. Box 714
Jackson, WY 83001

With a Copy to:
Teton County, Wyoming.
Attn:
P.O. Box [Click or tap here to enter text.](#)
Jackson, WY 83001.

Declarant:
Driggs Housing, LLC
3300 Ski Hill Road
Alta, WY 83414

5.6 Attorney's Fees. In the event any party shall be required to retain counsel and file suit for the purpose of enforcing the terms and conditions of this Restriction, the prevailing party shall be entitled to recover, in addition to any other relief recovered, a reasonable sum as determined by the court for attorney's fees and costs of litigation.

5.7 Incorporation of Recitals. All of the recitals hereof are incorporated by this reference and are made a part hereof as though set forth at length herein.

5.8 Choice of Law, Forum. This Restriction and each and every related document, are to be governed by and construed in accordance with the laws of the State of Wyoming. The parties agree that the appropriate court in Teton County, Wyoming and/or the Ninth Judicial District for the State of Wyoming shall have sole and exclusive jurisdiction over any dispute, claim, or controversy which may arise involving this Restriction or its subject matter. Declarant by accepting a deed for the Property hereby submits to the personal jurisdiction of any such court in any action or proceeding arising out of or relating to this Restriction.

5.9 Severability. Each provision of this Restriction and any other related document shall be interpreted in such a manner as to be valid under applicable law; but, if any provision, or any portion thereof, of any of the foregoing shall be invalid or prohibited under said applicable law, such provision shall be deemed modified to the extent necessary and possible to render it valid and enforceable, or if such modification is not possible, such provision shall be ineffective to the extent of such invalidity or prohibition without invalidating the remaining provision(s) of such document.

5.10 Section Headings. Paragraph or section headings within this Restriction are inserted solely for convenience or reference, and are not intended to, and shall not govern, limit or aid in the construction of any terms or provisions contained herein.

5.11 Waiver. No claim of waiver, consent or acquiescence with respect to any provision of this Restriction shall be valid against any party hereto except on the basis of a written instrument executed by the parties to this Restriction. However, the party for whose benefit a condition is inserted herein shall have the unilateral right to waive such condition.

5.12 Indemnification. Declarant shall indemnify, defend, and hold JTCHA, the Housing Department, and Teton County, Wyoming, and each entity's directors, officers, agents and employees harmless against any and all loss, liability, claim, or cost (including reasonable attorneys' fees and expenses) for damage or injury to persons or property from any cause whatsoever on or about the Residential Unit, or for Declarant's breach of any provision of this Restriction. Declarant waives any and all such claims against JTCHA, the Housing Department and the Town of Jackson, Wyoming.

5.13 Successors and Assigns. This Restriction shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors, heirs, devisees, administrators, and assigns.

5.14 Governmental Immunity. Neither Teton County, Wyoming nor the JTCHA or Housing Department waives governmental immunity by executing this Restriction and each specifically retain immunity and all defenses available to either of them as government pursuant to Wyo. Stat. Ann. § 1-39-104(a) and any other applicable law.

SIGNATURES ON FOLLOWING PAGE

IN WITNESS WHEREOF, Declarant has executed this instrument on the _____ day of _____, 20__ (the "Effective Date").

OWNER:

By:
Its:

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

On the _____ day of _____ 20____, the foregoing Restriction was acknowledged before me
by _____ as _____ of _____.

Witness my hand and official seal.

(Seal)

Notary Public

Teton County, Wyoming

Chair, Teton County Board of County Commissioners

ATTEST:

County Clerk



April 11, 2023

Hamilton Smith
Teton County Planning Dept.
P.O. Box 1727
200 South Willow Street
Jackson, WY 83001
-Digitally delivered to hsmith@tetoncountywy.gov-

Dear Hamilton:

In anticipation of the April 18, 2023 Board of County Commissioners' meeting, Grand Targhee Resort wanted to provide additional information regarding efforts being made to address wildfire-related concerns that were raised by Jay Pence, District Ranger for the US Forest Service, in communications dated November 30, 2022 and February 28, 2023. Following the Planning Commission meetings, representatives of the Resort met with Mr. Pence, and further discussed how to best address the issues and questions raised. Resort representatives are also working closely with Jackson Hole Fire/EMS Chief Stephen Jellie and Jackson Hole Fire/EMS staff.

- 1. Administrative Access.** Mr. Pence requested administrative access routes through the Resort to the National Forest for USFS agency personnel and contractors for inspection, fire suppression, general administration, and potential vegetation manipulation. The Resort is willing to provide the requested administrative access to the USFS via an easement. Conceptual locations have been identified and will be presented to the USFS for final agreement as part of the Resort's final Emergency Management Plan.
- 2. Fuels Reduction.** Mr. Pence has requested fuel reduction during the construction phase for the proposed development. The Resort will work with the USFS on fuel reduction effort, likely to occur within a 300-foot buffer around the outside of the Resort. Fuel reduction will also be planned to protect the areas around Ski Hill Road. It was acknowledged by both the Resort and the USFS at their recent meeting that this work will require appropriate permitting at a level to be determined by government officials.
- 3. Secondary Emergency Access to the Resort.** The Resort intends to explore a second access road in and out of the Resort **for emergency access only**. The emergency access will likely be via South Leigh Canyon road over to Kiln Creek, via an existing two-track, and then through Rick's basin.
- 4. Concern Regarding Prohibited Creation of Trails.** Mr. Pence expressed concern that, where development is adjacent to a National Forest, owners often create routes into the National Forest which are not allowed. Section 3.7.C of the 2019 Grand Targhee Resort Amended Master Plan specifically prohibits the creation of trails by owners to U.S. Forest Service lands. In addition, it is important to note that the current project being considered is a Townhome Plat containing 22 residential lots for short-term rentals, and owners may stay in residences only on a limited basis. Each lot is essentially limited to the footprint of the residential structure, with a Common Area Lot that will be owned by the homeowner's association. The development will be governed by Covenants, Conditions, and Restrictions that will likewise prohibit the construction of any trails leading to forest service lands, and a Townhome Owners Association will regulate activity within the subdivision. The Resort will install signage along property lines reminding owners and users of this prohibition.

5. **Other:**

- a. Landscape plans will be developed so that outdoor spaces will not encroach on the 5-foot site development setback.
- b. The Resort is continuing to analyze looped road redundancy within the Resort, and has discussed the same with Jackson Hole Fire/EMS. A looped road will help to lower the IR construction requirements, but this needs to be weighed against other options and impacts. The Resort will have its analysis of the loop road option complete prior to its application for grading and building permits, and any request for a loop road will be presented at that time.
- c. All buildings will comply with 2021 International Wildland Urban Interface Code. Jackson Hole Fire/EMS's review will be required as part of the building permit process. The Resort has already met with Jackson Hole Fire/EMS staff to guide the project through this process, including a preliminary analysis of each unit and its specific defensible space and potential IR rating.
- d. All proposed townhome units will have indoor sprinkler systems, as required for short-term lodging units.

Thank you for your consideration of this information, and please don't hesitate to reach out if you have questions or would like to discuss further.

Sincerely,



Brendan Schulte
Chief Operating Officer
JORGENSEN ASSOCIATES, INC

Grand Targhee Master Plan Deadlines and Requirements

Version Dated April 10, 2023

This Deadline and Requirement Chart is intended to assist the Teton County Board of County Commissioners and others in more easily locating sections of the 2019 Grand Targhee First Amended Master Plan that are relevant to applications DEV2022-0008 and AD2022-0013.

In the event of a conflict between this Chart and the 2019 Amended Master Plan, the requirements of the Master Plan govern.

Master Plan Requirement or Fee	Timing Required / Master Plan Reference	Current Status
Wildland Urban Interface (WUI) Assessment	Prior to Construction of First Phase of Development (aka building permit approval) <i>Master Plan Sec 3.9.C.4</i>	In progress. GTR is currently cultivating contacts and compiling an RFP for this Wildland Urban Interface Assessment. The Assessment will be commenced this summer (2023) and conclude prior to building permit submittal this fall or winter of 2023/2024.
Emergency Management Plan (EMP)	Within one (1) year of the approval and recordation of the first Plat under the Amended Master Plan <i>Master Plan Sec 1.3.D.4.a.</i>	In progress. GTR has been working diligently on Emergency Management planning within the Resort and is in the process of compiling updated management plans for all of its operations. GTR takes the safety of its employees and patrons very seriously, and effective risk management remains paramount for the Resort. GTR has met with Teton County Emergency Management-WY (TCMWWY), the Teton County Sheriff's Office, and JH Fire/EMS, and recently requested and received feedback from Teton County, ID Fire and Rescue on its latest forest plan. All of this work will culminate in a collaborative process to compile a comprehensive Emergency Management Plan that will be completed and approved at or prior to the deadline set forth in the Master Plan.
Monitoring Report	Due upon approval of first Development Plan <i>Master Plan Sec 3.10.B</i>	For the past three years GTR has provided voluntary traffic monitoring reports to the Teton County-WY Engineer. Beginning at approval of the first Development Plan, the traffic monitoring will be accompanied annually by the full Monitoring Report which will contain current data on Physical Development, Housing Mitigation, Traffic/Transit Ridership, Infrastructure, USFS Permit Monitoring, Exactions, Teton Creek Corridor Monitoring, Conservation Easements, and Transfer Fees.
Communications with USFS and Teton County, WY	When Plans are approved on USFS or Private Land <i>Master Plan Sec 3.12</i>	This requirement of the Master Plan ensures that there is communication between the TCWY Planning Department and USFS to ensure that mitigation requirements are met when development is approved on either USFS or private lands. For example, if a restaurant is built on USFS land, then GTR will have to notify TCWY and ensure mitigation for those impacts are addressed per the requirements of the Amended Master Plan.
CCRs	Due at Recordation of First Plat <i>Master Plan Sec 1.3.D.4</i>	Will be submitted to Teton County, WY with application for the first Plat. Establishment of the Master Association is required per Master Plan Sec. 3.6.B.
System for Oversight of Affordable and Employee Housing	Prior to approval of first Development Plan <i>Master Plan 3.4.A</i>	In progress. Addressed in detail in Staff Report as well as in the April 6, 2023 Memorandum from Jackson/Teton County Affordable Housing.
Employee Transit Shuttle System	Ongoing <i>Master Plan 3.5.A.3</i>	The existing employee transit shuttle system is required to continue to operate and will be expanded to carry a minimum of 70% of total Employees At One Time <u>at buildout of the Resort</u> . DEV2022-0008 represents only the initial phase of Phase One of the development, and as such there is no current requirement for any specific percentage of employee ridership. Notwithstanding, GTR continues to implement all requirements of the Transportation Demand Management plan, and continues to work to increase shuttle ridership.
Road Impact Fee	Prior to Approval of DEV or issuance of any physical development permit at GTR that will utilize Ski Hill Road, whichever is earlier <i>Master Plan Condition #2</i>	GTR has been working with the Teton County Engineer and the Teton County Road and Levee Department on the Road Impact Fee requirement since the fall of 2022. A final, verbal agreement was reached in February 2023, and the written agreement for a Road Impact Fee is pending approval by the Teton County Engineer.

<p>Exaction Fees</p>	<p>Due at recordation of first final Plat <i>Master Plan Sec 3.3.</i></p>	<p>Exaction Fees that are paid in lieu of land dedication are required to be set aside primarily to provide for funding of services in Alta, Wyoming (ie: fire, police, EMS and roads) and will be segregated into a separate fund. All exactions shall remain in compliance with the terms of the Master Plan, and exaction fees may eventually be used to dedicate land at the Resort for community facilities such as fire/EMS.</p>
<p>Real Estate Transfer Fee (0.5 %)</p>	<p>Due upon sale of units <i>Master Plan Sec 3.4.B</i></p>	<p>Due on all sales and resales, except those initial sales of Lots by the Developer. This revenue will go into the "Grand Targhee Affordable Housing Fund" managed by the Teton County WY Treasurer, and funds will be utilized to build or purchase affordable housing for the Resort. Requirements must be met at each phase.</p>
<p>Community Service Transfer Fee Agreement 2% and then 1%</p>	<p>Due on all sales <i>Master Plan Conditions #5 & #6</i></p>	<p>Due on ALL sales (initial sale - 2%, subsequent sales - 1%). The 2% will be used to buy easements or fee simple acreage for 300 acres of conservation. Once complete, the 1% will go the Teton Creek Corridor project in perpetuity. Community Services Transfer Fee Agreement shall be recorded against all properties at GTR that are subject to the Agreement and must be included in CCRs.</p>



MEMORANDUM

To: Hamilton Smith
Teton County Planning and Building

From: Kristi Malone
Jackson/Teton County Housing Department

Re: Housing Department Review of Development Plan (DEV2022-0008) for Grand Targhee Cabins (Supplemental Application materials received 3/17/23)
3300 E Alta Ski Hill Road

Date: March 23, 2023

The following comments are an addendum to the Housing Department letter dated January 4, 2023 and are in response to the supplemental application materials received March 17, 2023. The supplemental application materials include the content required of a Housing Mitigation Plan, as outlined in section 6.3.6 of the Teton County LDRs. Where applicable, the materials identify Grand Targhee Resort Master Plan standards that vary from the typical LDR standards. These housing Department review comments focus on Housing Mitigation Plan items that were previously found insufficient in review of the initial application.

Applicability & Amount of Housing Required (LDR Sec. 6.3.2 & 6.3.3): The supplemental materials confirm that proposed development is not exempt from generation of housing requirements, and that the Master Plan Table 2.2.C.2 - Use Requirements (RAPA) designates 11.05 employees (rounded up to 12) required to be housed as a result of the proposed 22 lodging units (reduced from 28 units). It is the role of the Planning Department to verify the amount of restricted housing required for the type and amount of new employee-generating development.

Type of Housing Required (LDR Sec. 6.3.4):

Unit Types Allowed: Per the Master Plan, "Accessory Residential Units, Alternate Dwelling Units, mobile homes, hotel/motel rooms, cabins, attached dwelling units, detached dwelling units, boarding houses and campground space are all acceptable methods for providing employee housing." The applicant proposes using recently completed six-bedroom dormitory unit types to meet this standard. The applicant has demonstrated that the proposed dorm units are consistent with the Master Plan's allowance of "boarding houses" as listed in section 3.4.C.4 (excerpted above). The Master Plan does not define "boarding houses," but deference to the LDRs' definition of "dormitory" includes "boarding houses or rooming houses" (Sec. 6.1.4.F).

Unit Size: The Housing Department Rules & Regulations require a minimum of 150 square feet net livable floor area per person, including sleeping, bathroom, kitchen, and lounge space. Net livable floor area shall not include interior or exterior hallways, parking, patios, decks, laundry rooms, mechanical areas, and storage. The Master Plan also requires a minimum of 150 square feet per unit, per person. Supplemental application materials indicate that 227 square feet of net livable space will be provided per person in the dorm units proposed to be used for mitigation. This value will be confirmed in the Livability Standards site inspection of as-built facilities performed by Housing Staff.

Livability Standards: Each required housing mitigation unit shall include, at a minimum, the components of livability required by the Housing Department Rules and Regulations. Preliminary building plans of the units were reviewed for Livability Standards by Housing Staff in March 2021. One condition was included in the pre-build approval: A minimum of a 25 CF refrigerator will be provided. The Housing Department still needs to inspect the built units to ensure that they were built to plans, including all Livability Standards. This task is added as a recommended condition of approval of this application, below.

Compliance with Rules & Regs: As discussed in the previous comment letter from the Housing Department, both the recorded Grand Targhee Resort Employee and Affordable Housing Agreement and the Teton County LDRs give the Jackson/Teton County Housing Department authority for oversight of restricted housing units. However, the Master Plan (and associated conditions of approval) require that a collaborative oversight program be established between Teton County, ID and the Jackson/Teton County Housing Department for Grand Targhee Resort mitigation units prior to approval of this first Development Plan. The Master Plan condition of approval states, "If the Housing Department cannot reach an agreement for a system of compliance and oversight with Teton County, Idaho for any reason, the approval to build the housing requirement in Teton County, Idaho will be null and void, and a revised system shall be approved by the Board prior to approval of the first development plan." Acknowledging that the Teton County, Idaho Joint Housing Authority is currently building staff capacity with recent hire of an Executive Director, and that locating Targhee staff residences in Driggs, Idaho, closer to existing services and amenities, may have positive impacts on overall employee quality of life, the Jackson/Teton County Housing Department recommends an interim revised system of compliance until a formal shared agreement can be established. The following recommended condition of approval for this first development plan allows for the proposed twelve restricted dorm units to serve as a test case for development of a shared compliance system within a codified structure to be evaluated in a defined timeline:

"Administration of Deed Restriction Terms: Pursuant to the requirements of Grand Targhee Resort First Amended Master Plan dated February 12, 2019, a phased system of restricted housing oversight is in place to be evaluated by the Board of County Commissioners on or before _____, 2025, two years from the date of approval of this Development Plan. Until this time, the Jackson/Teton County Housing Department shall take primary responsibility for administration of deed restrictions on the housing mitigation units required by approval of this Development Plan and shall work with Teton County, Idaho to develop a transfer of administration."

Method for Providing Required Housing (LDR Sec. 6.3.5):

Location: The applicant has demonstrated that the proposed dorm location is consistent with the Master Plan’s locational criteria for restricted mitigation housing to be located off-site in Teton County, ID (below, excerpted from Sec. 3.4.E):

1. *Located in an area that is appropriately zoned for residential use.* The site on which the proposed mitigation units are located is zoned RS-3 which, according to the Driggs, Idaho Land Development Code, is “primarily intended to accommodate single-family detached houses with a minimum lot size of 3,000 square feet. Additional building types are allowed that include backyard cottage, cottage court, duplex and attached house.”
2. *Connected to an existing municipal water and sewer service or connected to a private community water and wastewater distribution and collection system.* The supplemental application materials state that the mitigation units are currently hooked up to City of Driggs water and sewer.
3. *Located in proximity to public transportation or connected to existing employee shuttle system for Grand Targhee Resort.* The supplemental application materials state that there is a shuttle stop on the site of the mitigation units. The Grand Targhee Winter 2022-2023 Shuttle Schedule posted online identifies the subject housing mitigation site as a regular stop on shuttle routes running from 5:35am to 10:30pm.
4. *Located in proximity to community services.* In the south-central area of the City of Driggs jurisdictional boundaries, the mitigation housing site is less than ½ mile from the Downtown Mixed Use Area where many services and amenities are located.
5. *Located in proximity to the existing community of Driggs, Idaho.* Proposed housing mitigation units are located within the city limits of Driggs, ID.

Deed Restriction: As these dorm units are already completed, the LDRs for restriction of existing units require that, “A restriction approved by the Housing Department shall be placed on the existing unit prior to the granting of the applicable certificate of occupancy or use permit for the employee generating development.” This task, and a required compliance conference for rental managers to understand terms of the restriction, are added as recommended conditions of approval of this application, below.

Recommended Conditions of Approval:

1. Administration of Deed Restriction Terms: Pursuant to the requirements of Grand Targhee Resort First Amended Master Plan dated February 12, 2019, a phased system of restricted housing oversight is in place to be evaluated by the Board of County Commissioners on or before _____, 2025, two years from the date of approval of this Development Plan. Until this time, the Jackson/Teton County Housing Department shall take primary responsibility for administration of deed restrictions on the housing mitigation units required by approval of this Development Plan and shall work with Teton County, Idaho to develop a transfer of administration.

2. **Required components of livability.** Each required restricted housing unit shall include, at a minimum, the components of Livability Standards required by Sec. 2-3 of the Housing Department Rules and Regulations.

Prior to issuance of Certificate of Occupancy on the short-term rental units,

- the Housing Department shall inspect the housing mitigation units to ensure units were built to terms of approval.

3. **Deed Restriction.** To ensure continued compliance with the standards of the Grand Targhee Resort Master Plan and the Teton County Land Development Regulations, the property on which the mitigation housing units are to be located shall be subject to a deed restriction for Affordable Workforce housing (0-120% MFI) in perpetuity, in a form established and approved by the Housing Department.

Prior to issuance of Certificate of Occupancy on the short-term rental units,

- a special restriction drafted by the Housing Department using the applicable approved Restriction Template will be recorded on the mitigation units/property. The applicant will be responsible for payment of recording fees.
- The leasing agent or person managing residents in the mitigation housing shall attend a Compliance Conference with the Housing Department to learn how Affordable Workforce households are qualified for residency in restricted units.

From: Cheyenne Stewart, Wyoming Game and Fish Department, Wildlife Coordinator
Sent: Monday, December 5, 2022 3:00 PM
To: Hamilton Smith
Cc: Alyson Courtemanch
Subject: Re: DEV2022-0008, Application Comments Request

Mr. Smith,

Thank you for the opportunity to comment as well as your time on the phone today. Regional personnel have reviewed the project and do not have any comments on the proposal.

**Cheers,
Cheyenne**

From: [Dave Gustafson](#)

Sent: Tuesday, November 22, 2022 12:26 PM

To: [Hamilton Smith](#)

Subject: RE: DEV2022-0008, Application Comments Request

Hi Hamilton,

One comment for Road & Levee, the access road within the Alta Ski Hill Road right-of-way will require asphalt pavement, matching the County Road surface. My review indicated the access road will be gravel within the County Road right-of-way. Appreciate the opportunity to review,

Dave

David Gustafson, PLS
Teton County Road & Levee
307-732-8586

From: Lisa L. Potzernitz
Sent: Monday, November 28, 2022 8:10 AM
To: Hamilton Smith
Subject: RE: DEV2022-0008, Application Comments Request

Good morning, Hamilton

Comments from JH Fire include but are not limited to the following.

Division 1. Grand Targhee Planned Resort Zone of the development plan application (DEV2022-0008) identifies some fire protection and life safety systems for the proposed 28 lodging cabin units. These include additional water storage to meet fire flow requirements and installation of fire hydrants with 500' spacing or as needed to provide good coverage for firefighting (3. Water Storage e.). Storage tanks with hydrants shall be sized to provide the minimum required fire flow for not less than 2 hours. Access to, location of and adequacy of hydrants to be reviewed pending approval of the development application.

The resort shall meet the requirements of the Teton County, Wyoming Fire Protection Resolution for New Subdivisions based upon the International Fire Code. Current requirements for Fire Apparatus Access Design and Fire Protection Water Supplies as stated in the Teton County Fire Protection Resolution for New Subdivisions and Fire Protection and Life Safety Systems and Appendix D – Fire Apparatus Access Road codes from the International Fire Code will be from the 2021 editions.

Sprinklers in the lodging cabin units shall meet requirements of the most current edition of NFPA 13D. A stamped set of sprinkler plans shall be submitted to this office for review and approval prior to any work being done.

Site must anticipate a Fire Protection Program (FPP) during the course of construction in accordance with the current edition of NFPA 241.

**Thanks,
Lisa**

Hamilton Smith

Subject: FW: Grand Targhee Comment Letter (DEV2022-0008/ADJ2022-0013)

From: Bobbi Clauson <bclauson@tetoncountywy.gov>

Sent: Monday, April 10, 2023 8:46 AM

To: Raymond Lane <rlane@tetoncountywy.gov>; Hamilton Smith <hsmith@tetoncountywy.gov>

Subject: RE: Grand Targhee Comment Letter (DEV2022-0008/ADJ2022-0013)

Good morning, Hamilton,

The Prevention Bureau has not seen revised drawings for the Grand Targhee Cabins Project. The comments from Lisa Potzernitz are still appropriate, however, we'd like to add one more item:

-Each structure will be reviewed and inspected, individually, under the IWUIC code adopted at the time of permitting.

Thank you,

Bobbi Clauson

Wildfire Prevention Specialist- Jackson Hole Fire/EMS

(o) 307-732-8588

(m) 307-690-0794

tawpc.org



From: [Todd Cedarholm](#)

Sent: Tuesday, December 20, 2022 10:35 AM

To: [Hamilton Smith](#)

Subject: RE: DEV2022-0008, Application Comments Request

[NOTICE: This message originated outside of the Teton County's mail system -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Hi Hamilton,

I left you a message a while back regarding this project. Since JA appears not to have performed a real survey nor presented any boundary information in their application I felt there was nothing for me to comment on. However, I've attached the BLM metes and bounds boundary survey approved in 2001 that actually created this parcel out of the Public Domain. JA should have included this map in their application. An important detail to note is that the acreage stated in the original patent from the USA and on this map is 119.94 acres not the 120.0 acres stated in the application. Feel free to contact me with any questions.

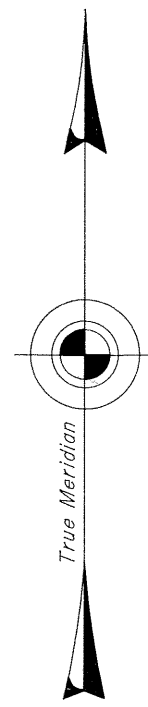
Regards,

Todd Cedarholm PLS
On Sight Land Surveyors, Inc
155 West Gill Ave
PO Box 12290
Jackson, WY 83002

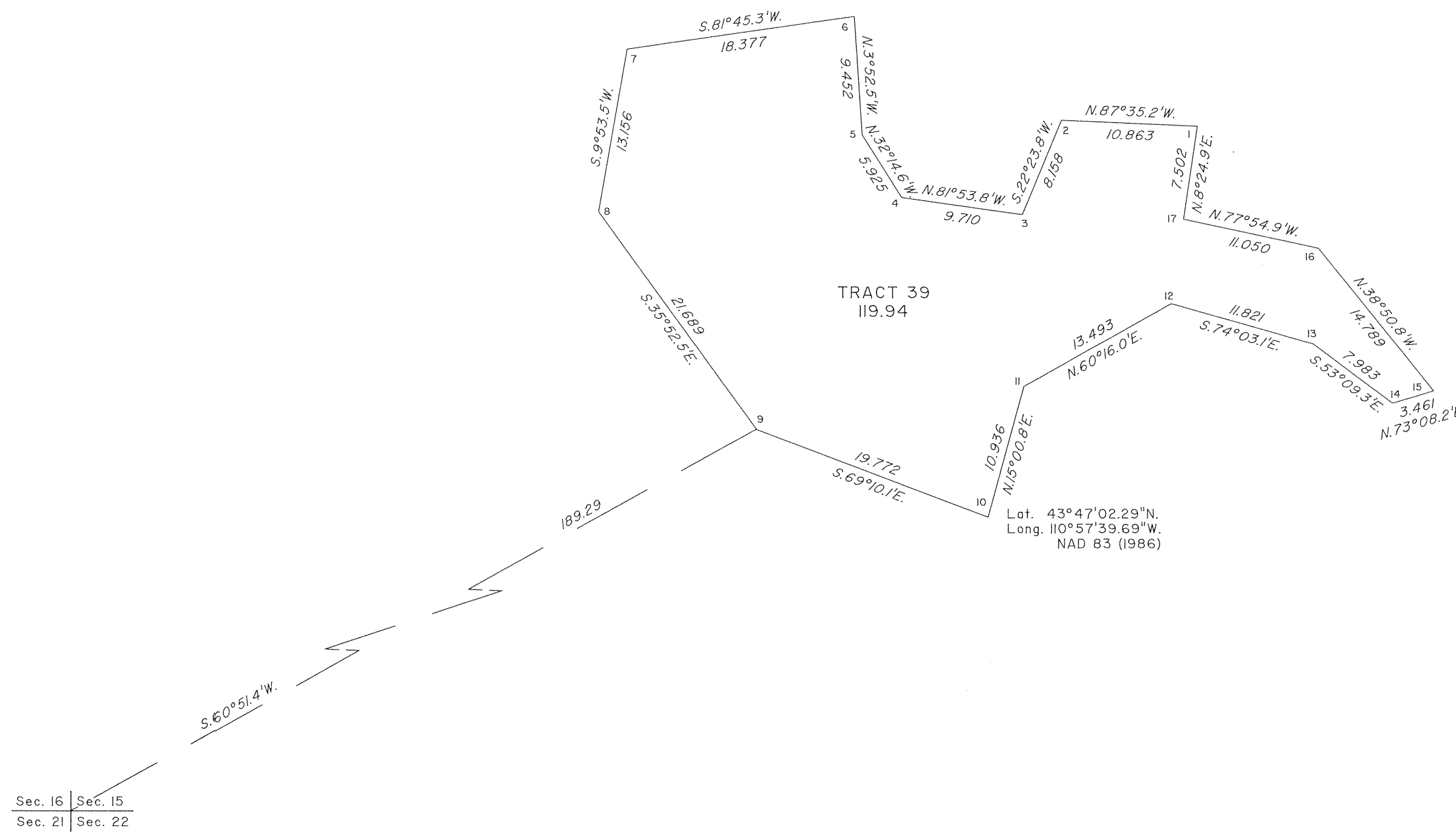
Cell (307) 413-1219
Office (307) 734-6131

TOWNSHIP 44 NORTH, RANGE 118 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, WYOMING.

METES AND BOUNDS SURVEY



Mean magnetic declination
14 1/2° E.



A history of surveys is contained in the field notes.

This plat represents the metes and bounds survey of Tract 39, in unsurveyed sections 11 and 12, T. 44 N., R 118 W., Sixth Principal Meridian, Wyoming.

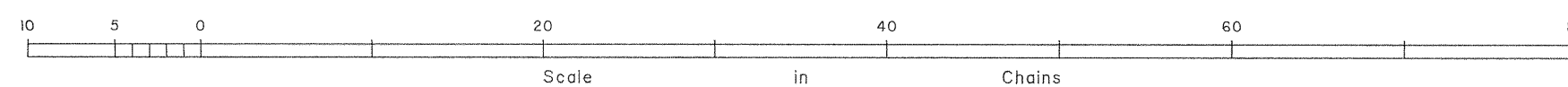
Survey executed by Kendall F. Adams, Supervisory Cadastral Surveyor and Shelby L. Jordan, Cadastral Surveyor, U.S.F.S., beginning October 20, 2000, and completed October 23, 2000, pursuant to Special Instructions dated October 16, 2000, for Group No. 683, Wyoming.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Cheyenne, Wyoming April 23, 2001

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director
John P. Lee
Chief Cadastral Surveyor for Wyoming



Handwritten initials



December 12, 2022

Dear Mr. Smith,

I have reviewed Development Application 2022-0008 concerning the construction of 28 lodging cabin units. I offer the following comments from the perspective of transportation planning and demand management.

The desired future character of this area is a "year-round, small-scale resort that is pedestrian-oriented". Inconsistent with this character, the applicant is choosing to provide 56 parking spaces instead of the minimum requirement of 48 spaces. The applicant also notes on page 25 that a pathway will be provided to allow pedestrian and cyclist movement between the cabins and the resort area. **No specific pedestrian access is indicated in the conceptual drawings on pages 73 through 78.** The road concept on page 75 shows a 20 foot road, which may not be sufficient for safe separation cyclists, pedestrians, or skiers. A pathway could cross driveways, like a sidewalk, or be a separate pathway north of cabins 16, 20 and 24.

A pathway would permit pedestrians and cyclists to travel between the cabins and the resort amenities. The pathway could be groomed in winter to increase the likelihood of ski in/ski out (or at least skiing in) for the tenants of these cabins. Given the distance between the proposed cabins and the base of chairlifts (~1500-3000 feet), I am concerned that tenants would choose to drive their vehicles to the main parking area to access the resort since no pathway alignment is indicated in this application.

Based on the distance from proposed Cabin 1 to the Dreamcatcher chairlift, I offer the following suggestions to improve the likelihood that cabin tenants will use modes other than driving to access resort amenities:

1. Provide a shuttle stop directly east of proposed cabin 1 along Ski Hill Road to support the possible 242 trips per day. Initially this could be a concrete pad with a pole sign to indicate it is the stop serving the cabins.
2. Design a pathway or trail that will allow walk/ski access to the shuttle stop from cabins (See Figure 1 below for general placement, grading/slope permitting).
3. Provide sidewalks or pathways along one side of Ski Hill Road with a safe separation from vehicle traffic to permit cabin tenants to safely walk adjacent to Ski Hill Road.
4. Provide sidewalks or pathway connections between Cabin 15 on west end and Cabin 28 on east end, or with the connection to Ski Hill Road listed in suggest #2 above. Currently there are no sidewalks or pathways shown in drawings.

I am available to review additional materials related to this application as needed.

Thank you,



Charlotte Frei

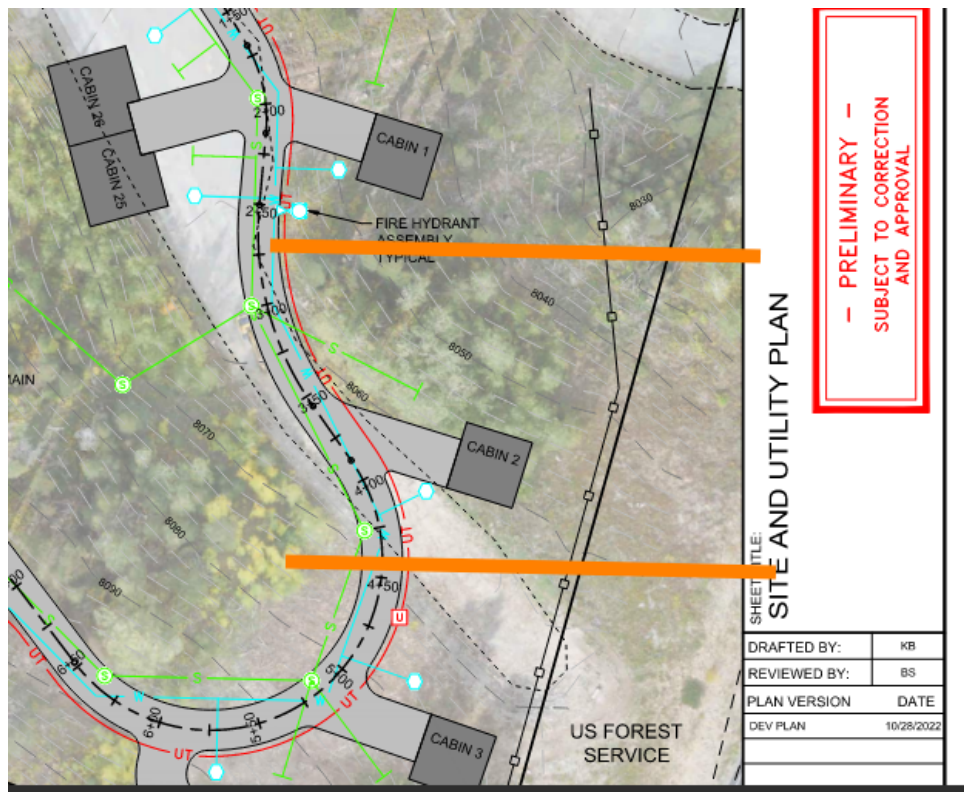


Figure 1. Potential Pathway Locations. Anywhere between cabins 1 and 3 could permit tenant access to walking along Ski Hill Rd.



United States
Department of
Agriculture

Forest
Service

Caribou-Targhee National Forest
Teton Basin Ranger District

P.O. Box 777
Driggs, ID 83422
208-354-2312

File Code: 1560/5460

Date: February 28, 2023

Teton County Board of County Commissioners
P.O. Box 1727
Jackson, WY 83001

Dear Commissioners,

This letter is in response to the development plan application for 22 lodging cabin units at Grand Targhee Resort (GTR). I have a meeting with the developer scheduled on Thursday March 2, 2023, to discuss some of my concerns. Since I learned today was the timeline required to provide information to be included in your packet this letter will hopefully help you understand the Ranger District's concern with the development prior to that meeting.

The Forest has an extensive working relationship with the applicant, both Teton County Wyoming and Idaho related to this property proposal and look forward to continuing positive collaboration on this project.

Wildfire: GTR is an area the Forest is highly concerned with the threat of a wildfire impacting life, property, recreation, and infrastructure values. Grand Targhee Resort is in the Wildland Urban Interface (WUI) as identified in the Teton County Wildfire Protection Plan and determined to be a direct threat of a wildfire potentially impacting the values at GTR.

I have attached three scenarios that were run using standard wildfire modeling programs for the 97th percentile (hot dry summer conditions). These models portray the potential severity of where a fire could be within six hours of ignition. It would be most helpful to have a clear and agreed to emergency plan for the entire resort and how the entire development is envisioned to be constructed, structures, roads (preferably loop) to make informed comments on these initial development phases.

The application and construction need to comply with the 2021 International Wildland Urban Interface Code (IWUIC) that Teton County Wyoming has adopted, but the information in the package I reviewed did not include that information. I would encourage the applicant to work closely with the Fire Marshall from Jackson Hole Fire & EMS regarding the materials used to construct structures, water storage & flow rates, proper ingress/egress, and vegetation standards required by the IWUIC. I would strongly encourage needed fuels reduction be completed as the road and driveways system are constructed or jointly with construction. Fuels reduction is much easier to conduct during the construction phase rather than when landscaping and structures are in the vicinity.

Fire can burn from forest to private or from private to the forest lands. Ideally, the county should insist on a 300-foot setback from the National Forest property line for all structures. This setback would help ensure that there is not an undue burden placed on the taxpayers and National Forest to treat forest vegetation on public lands to protect private wooden structures. The current proposed application has a 10-foot setback from public lands for some structures.

According to Teton County Wyoming's IWUIC criteria to assess the wildfire hazard rating for the area, under moderate hazard the county should be requiring a minimum of at least a 30-foot setback for defensible space and up to a 100-foot setback under more extreme hazard ratings. The developer must commit to the highest ignition resistant construction materials available. The application states that the cabins are situated to minimize tree removal. The code requires conifers to be 10 feet from the structure and 10 feet from each other. Will this be enforced including the limbing up to 6 feet off the ground on NFS lands to accommodate this requirement? Any



vegetation removal on NFS lands will require compliance with the National Environmental Policy Act, Forest approval and permitting.

I have heard that the structures will require internal sprinkler systems. This is intended to prevent a home fire from starting and spreading to the forest, but this does not protect the structure from a wildfire. Without adequate fuels reduction around these facilities there is no safe location for emergency response personnel to operate in the vicinity of the cabins under high to extreme wildfire conditions. They would need to shelter in place in a predetermined designated safety zones and re-enter into the area after it is deemed safe. A larger defensible space would provide a greater safety margin for emergency responder were they to be trapped on the proposed dead-end road responding to a wildfire incident.

Administrative Access: We recently worked with the resort in this area to remove some timber that was blown down in a wind event. From this event we learned that we would need to cross private property to access the National Forest to remove the fuel buildup and hazard trees. Therefore, we are requesting appropriate administrative routes through the private property to the ridge on the National Forest for agency personnel and our contractors. These accesses could be vegetated, but the purpose is for inspection, fire suppression, general administration, and potential vegetation manipulation (vegetation removal to reduce fire risks).

Public Forest Access: There is a significant network of trails on the current private property and National Forest lands in this vicinity to accommodate public and resort recreation. Careful consideration of the location of pathways and the connection to these amenities that leave the resort center and access the National Forest need to be incorporated in the design and implemented project. These routes currently do not exist on the proposed documents.

When a development borders the National Forest, homeowners often create user created routes out their back doors onto the National Forest. For the cabins with a 10-foot setback where will they put their lawn furniture and potential fire pits, etcetera, typically found in back yards? Do they have room, or will they be tempted to illegally encroach on public lands?

While I encourage hiking and riding on the National Forest, it is a violation of 36 CFR 261.10a to construct or maintain any kind of road or trail on the National Forest without authorization. Any new trails from the development to the surrounding public lands are subject to permit and approval of the USFS. Any informal, unpermitted trails from the development onto the Forest Service Lands are prohibited. The boundary of the PUD will need to be actively monitored by the resort on a yearly basis. If unpermitted trails are identified, with the oversight of the USFS, the resort will need to close and revegetate these trails. It is easy to envision visitor to the resort or one of the cabin owners riding or walking on the street in front of the cabins but desiring to ride the current Jolly Green trail. It currently appears that they would need to go downhill to locate an entry to the trail. I predict they will likely cut across the lots or go out the back of their home to connect to it instead of going to an entry point. A developed connector in the appropriate location from the new roadway will help prevent anticipated braiding of new user created routes and trespass.

Please keep me informed and involved in the development of this project. If you need additional information, clarification or have questions please contact me at jay.pence@usda.gov or 208-354-2312.

Sincerely,



Digitally signed
by JAY PENCE
Date: 2023.02.28
13:19:24 -07'00'

JAY PENCE
District Ranger

Grand Targhee Resort

Wildfire Threat & Fire Behavior Modeling

The following images depict the fire behavior modeling completed for Grand Targhee Resort (GTR) using the Interagency Fuel Treatment Decision Support System. The model was run by using weather and fuel conditions that characterized a Fire Danger Rating of "Extreme". Under extreme conditions expect hot temperatures, low relative humidity, high winds, and vegetation that is very dry. Extreme conditions are conducive to rapid fire spread, large fire growth, and high resistance to fire suppression efforts. Firefighter and public safety are of high concern under these conditions. Each of the following images was a 6-hour fire behavior run with different ignition points and wind direction.

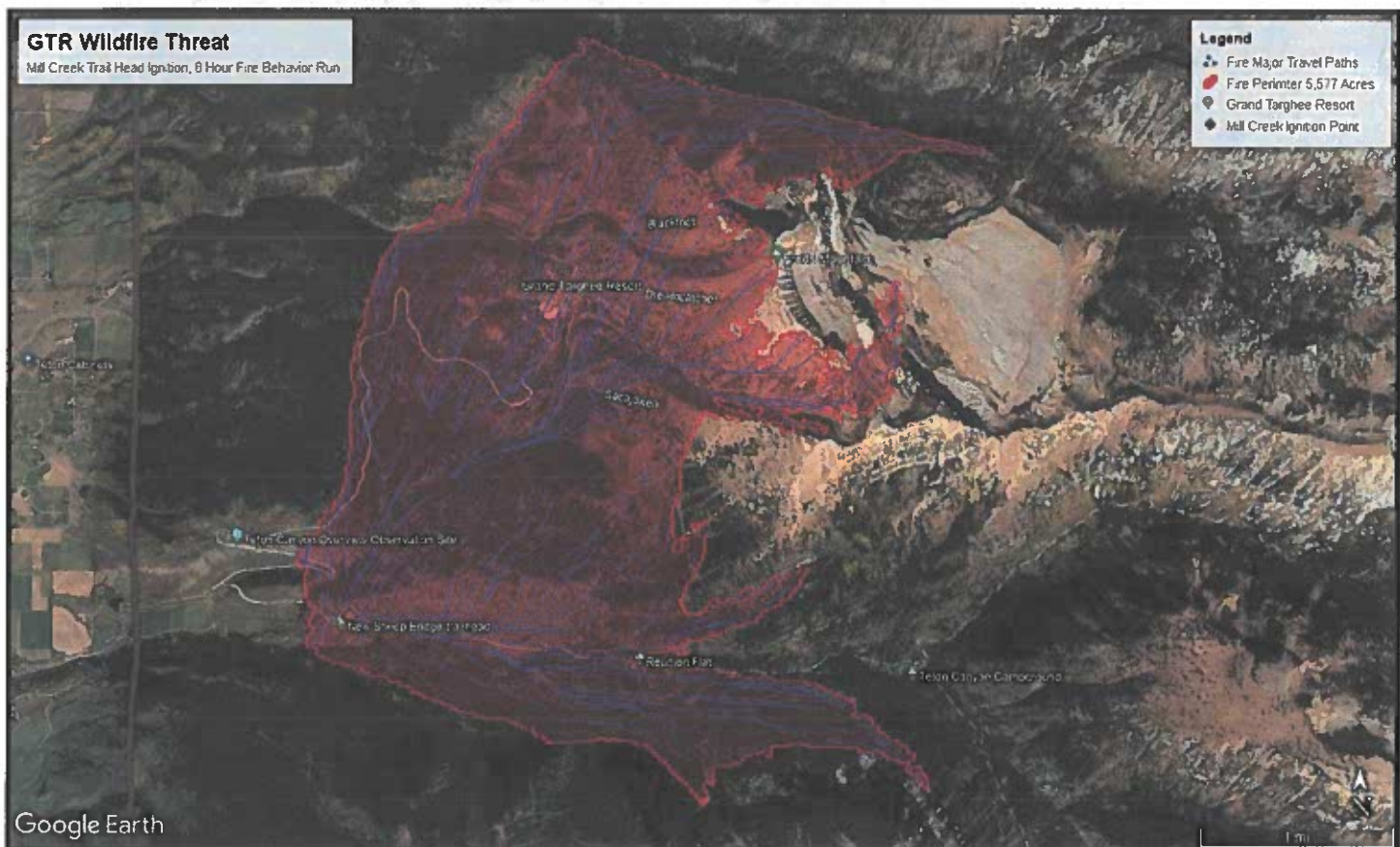


Figure 1: Mill Creek Trail Head ignition point, Blue Lines represent Fire Major Travel Paths, Red Polygon represents fire size at 6-hours under a southwest wind. Note major travel paths up Mill Creek Drainage and across Ski Hill Road into the Base Area. Also noteworthy, is fire spread laterally up Teton Canyon.

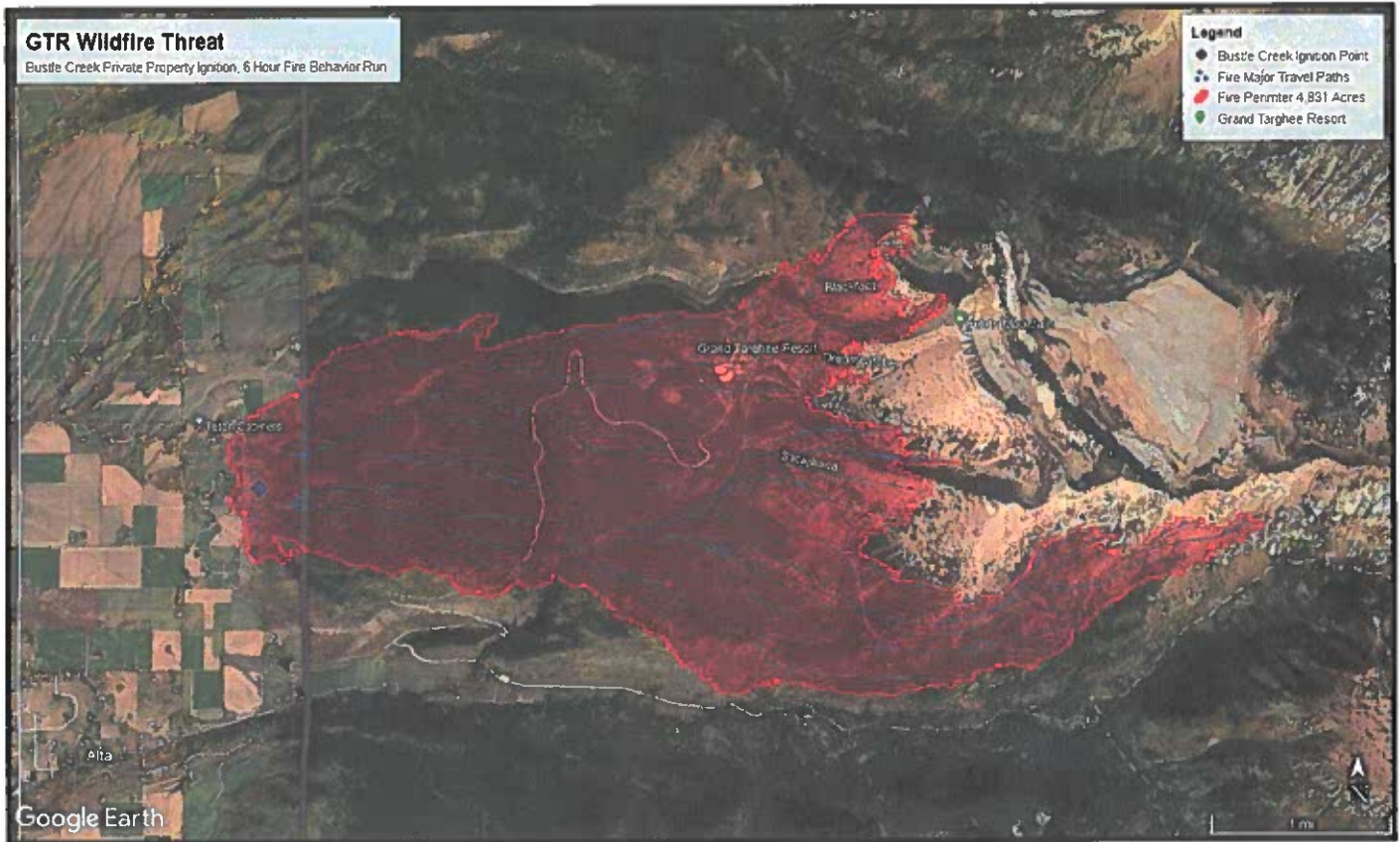


Figure 2: Ignition point on private property near the mouth of Bustle Creek, Blue Lines represent Fire Major Travel Paths, Red Polygon represents fire size at 6-hours under a west wind. Note major travel paths up Bustle Creek Drainage and across Ski Hill Road into the Base Area. Also noteworthy, is fire spread up Teton Canyon.

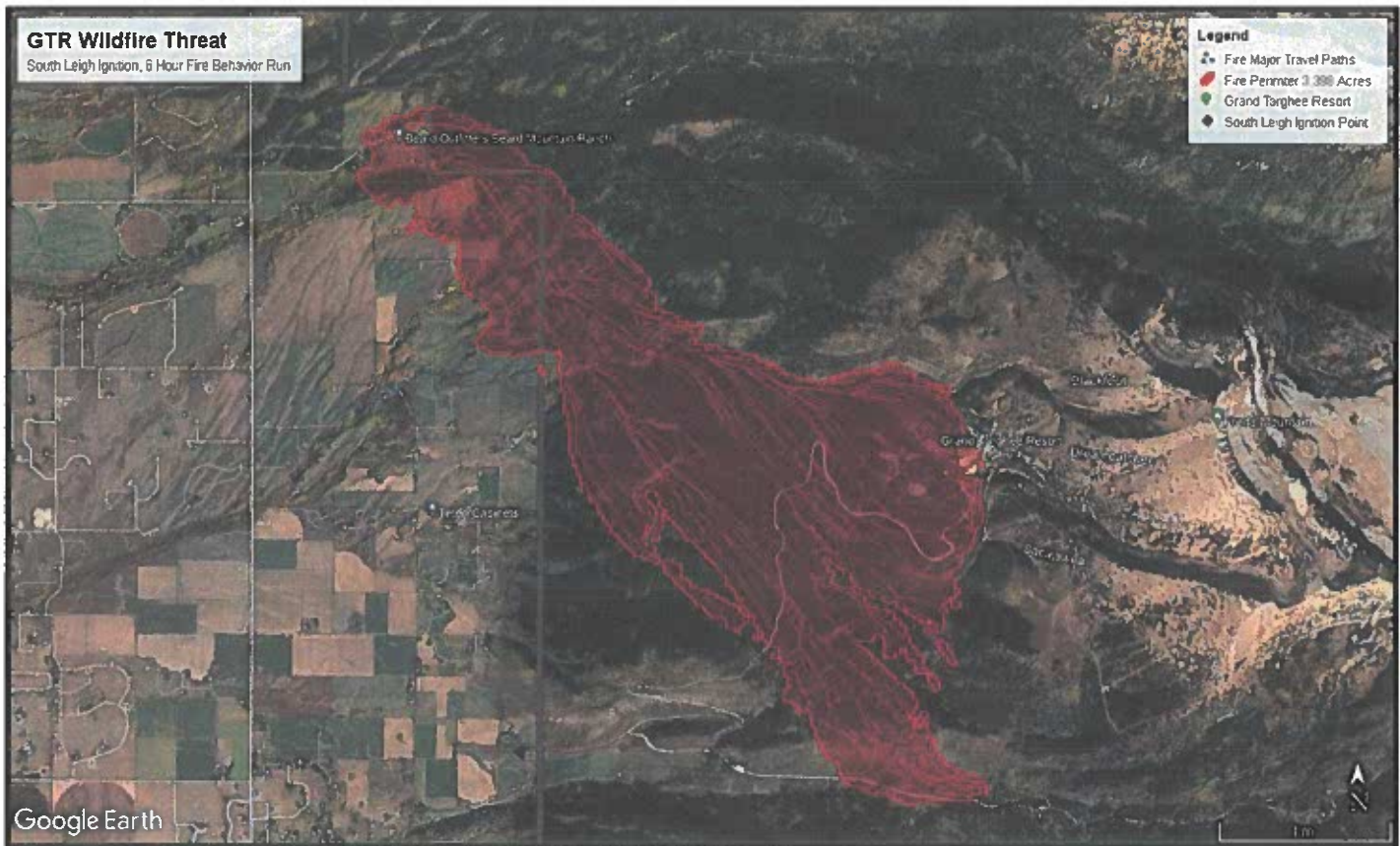


Figure 3: Ignition point in South Leigh, Red Lines represent Fire Major Travel Paths, Red Polygon represents fire size at 6-hours under a northwest wind resulting from a dry cold front passage that is common in late August-Early September. Note major travel paths up to GTR and across Ski Hill Road.



**Teton
Conservation
District
Est. 1946**

Hamilton Smith, Senior Planner
Teton County Planning and Building
PO Box 1727
200 South Willow Street
Jackson, WY 83001

December 2, 2022

RE: DEV2022-0008

Dear Hamilton,

Thank you for the opportunity to review and comment on DEV2022-0008, pertaining to subdivision and creation of 28 lodging cabins on Grand Targhee (3300 East Alta Ski Hill Road, Tract 39, PIDN 22-44-18-11-4-00-001). The Teton Conservation District (TCD) is reviewing this DEV permit focused on opportunities to reduce natural resources issues concurrent with the proposed actions. This review is not based on permitting compliance. TCD staff did not conduct a site visit, but we are generally familiar with the natural resources of the property and area. Primary comments will be categorized by water, soil, and vegetation.

General Comments

A general question that TCD was unable to discern from the application material was what the footprint of the forthcoming subdivision would look like. Based on the statement that a Condominium/Townhouse style subdivision would be sought, is it assumed that only the building footprint will be subdivided? In theory, would all of these lots be available for free market sale? If this information is found in the application, it was not apparent to us. This has implications for future landscaping and water use.

On page 18, the application refers to the Bridger Teton National Forest, where the Caribou Targhee National Forest is likely the correct jurisdiction.

Water

The expansion of the existing drinking water facility seems appropriate. Looking at the publicly available drinking water quality data from this public water system, three topics draw attention. Nitrate concentrations in 2014 spiked to 2.89 mg/L, while almost all other records were very low. In a similar timeframe, 2013, *E. coli* and total coliform were found to be present. Understanding these events and having a strategy to assure wastewater influence will not be an issue moving forward is encouraged. Recent testing shows lead concentrations (0.012 mg/L) nearing the action limit at the point of delivery. These notes are intended to highlight areas of focus, so that further water source development resolves issues, instead of inadvertently exacerbating them.

Conserving our natural resources – air, land, water, vegetation, and wildlife

420 W. Pearl Ave.	307/733-2110 P
P.O. Box 1070	307/733-8179 F
Jackson, Wyoming 83001	carlin@tetonconservation.org



**Teton
Conservation
District
Est. 1946**

Using the existing wastewater system also seems appropriate. TCD would encourage the applicant to not only assess this planned hookup relative to the available volume in the treatment plant, but also look at the system's design standards, relative to the actual wastewater character and quality of the inflow and effluent. Given that the proposed development will move the treatment plant very near to its total capacity, it becomes prudent to assure that the facility is capable of producing an effluent quality that does not degrade surface and groundwater resources. TCD has observed instances where the wastewater quality of the inflow is more concentrated than the anticipated wastewater quality from design specifications, resulting a need to reduce plant capacity to meet the desired effluent quality.

Soil

According to the Natural Resources Conservation Service Web Soil Survey, the predominant soil type is an Edgeway-Koffgo-Povey association, which generally consists of less than a foot of soil consisting of organic material and silty/ashy loam, proceeded by silty loam and or gravely loam. This soil type is well drained and not prone to ponding and flooding. The organic material and silty loam in the upper portion of the soil profile could be prone to erosion. Given the site's grade, which is stated to exceed 30% slope and even 36% slope, localized erosion control and reclamation is advised in areas where excavation of slopes occurs. The LDR standards for development on slopes greater than 30% appear appropriate. Quick and thorough reclamation will also reduce long term site destabilization.

Vegetation

Based on the application, landscaped vegetation does not seem to be present. Existing vegetation communities will likely be impacted by development and required fire fuel mitigation, being that this site is within the Wildland Urban Interface. Reclamation of disturbed areas with vegetation types present in the surrounding environment would be beneficial, given that this project is directly adjacent to high functioning, intact native habitats.

Please do not hesitate to reach out to TCD directly to discuss water, soil, vegetation, and other natural resources concerns regarding this and future development at Grand Targhee.

Sincerely,

Carlin Girard
Executive Director

Conserving our natural resources – air, land, water, vegetation, and wildlife

420 W. Pearl Ave.	307/733-2110 P
P.O. Box 1070	307/733-8179 F
Jackson, Wyoming 83001	carlin@tetonconservation.org



TETON COUNTY, IDAHO | Planning Department

December 7, 2022

Sent via email: hsmith@tetoncountwy.gov

Re: DEV2022- 0008 – Grand Targhee Resort Cabins Development Plan Comments

To Teton County Wyoming Planning Staff & Planning & Zoning Commission:

Thank you for the opportunity to review the development proposal for Grand Targhee Resort (GTR). We appreciate being stakeholders in the review process. Teton County, Idaho would like to present the following comments for this proposal:

Section 1: Comments on the GTR Master Plan and Phasing:

Teton County, Idaho (TCID) will have more detailed comments pertaining to the proposed GTR expansion on public lands within the Caribou-Targhee National forest when the Draft Environmental Impact Study (EIS) is released. As stated in the letter dated 6/28/2021, the TCID BoCC is concerned that resort expansion on public land combined with commercial resort development at the base area will result in substantial cumulative negative impacts on the natural resources, public infrastructure, and socio-economics of Teton Valley (both states). The 2022 socioeconomic study conducted by EcoNorthwest lends credence to these concerns. We have observed what happens to communities that allow the transformation of small regional ski resorts into international destinations while promoting real estate investment opportunities; Big Sky and JHMR are prime examples. The first sentence in the narrative associated with this resort cabin proposal confirms this vision: “Grand Targhee Resort, LLC is moving forward with a Development Plan for Targhee Cabins located at the base of *the World Class resort destination.*”

We are concerned about the long term impacts on both the iconic and lesser known wildlife species that use the habitat in and around GTR (including private and public lands in Teton County, Idaho). We believe the private land at the base of GTR was inadvertently left out of Teton County Wyoming’s Natural Resource Overlay (NRO), especially considering that private land at the base of Teton Village is included in the NRO. The Environmental Analysis (EA) for GTR was approved in a Sketch Plan by Teton County WY (SKC 2017-0007). TCID is concerned with the impacts of continued phased development without updated environmental impact studies before each phase.

TCID requested clarification from TCWY on the phasing plan and associated triggers for public hearings, impact assessment, mitigation measures, and monitoring reports after TCWY re-approved the previous Master Plan for GTR. The hope was that TCWY could help us better understand the requirements for Resort Master Planning and associated development applications for phased development. TCID has tried to compare current LDRs with the original and updated Master Plan for GTR and would still request assistance from TCWY. We are trying to understand *what specific mitigation measures can be requested to reduce impacts from various phases of development within the context of the approved Master Plan and associated conditions of approval?*





One item of note is that there are provisions in TCWY LDR's that requires planned resorts like GTR to identify the provider of all infrastructure facilities and services to meet projected demands: "Where services are to be provided by an entity other than the applicant, documents from the service provider shall demonstrate the commitment and ability to provide such service according to the Planned Resort master plan." (pg 4-25). Teton County, Idaho, City of Driggs, and Teton County Fire/EMS are service providers that have not yet provided the required documentation.

For reference, other items of note in TCWY LDRs as it pertains to Planned Resorts:

- *Planned Resort master plans shall contain a phasing plan that identifies the sequence of resort structures, uses and amenities, installation of infrastructure, implementation of the Transportation Demand Management Plan, Housing Mitigation Plan, and implementation of Planned Resort master plan conditions of approval. This needs to be coordinated with Public Services. The phasing is to have a relationship with the overall resort plan.*
- *Performance Objectives. The County shall establish performance objectives as part of the Planned Resort master plan approval that ensure that development within the Planned Resort achieves the required mitigation of projected impacts on the community.*
- *Monitoring Program. A program for monitoring compliance with performance objectives for each phase of development shall be designed in a collaborative effort between the applicant(s) and the County, and shall be set forth in the Planned Resort master plan approval. The monitoring program shall be implemented by the applicant, or an entity that equitably represents all landowners within the Planned Resort, and will include monitoring of TDM components, affordable workforce housing developments, and other such elements as identified by the Board of County Commissioners.*

We appreciate that monitoring reports are outlined in the master plan. However, we want to express concerns that required mitigation measures and associated monitoring reports connected to phased development lack specific guidelines, timelines, and clarity on how they will impact decision making moving forward.

Section 2: Fire, EMS, Transportation Comments specific to this phase of the GTR Master Plan (DEV2022-0008)

1. **Teton County, Idaho Fire Chief Comments:**

While Teton County (ID) Fire/EMS has no regulatory authority in regards to this proposal, we are under contract by Teton County, WY to provide for initial fire/EMS response to the areas named in the proposed development. Therefore, in the interest of life, safety and protecting values at risk, such as developed property and the property at Grand Targhee Resort (GTR), we would offer the following comments:

GTR and the proposed development is in the Wildland Urban Interface (WUI) as identified in the Teton County WY Wildfire Protection Plan and there is a direct threat of wildfire potentially impacting the values at GTR. A WUI study was required prior to the first phase of development. TCID requests that this be developed.

We recommend further refining planning for a wildfire response at GTR and developing properties adjacent to it. We also recommend the following:

- **Recommend** developing an evacuation plan for employees and public from GTR down Ski Hill Road. Should Ski Hill Road not be a viable option, a shelter in place plan should be developed.





- **Recommend** all fuel containers be buried to enhance the shelter in place option.
- **Recommend** developing an evacuation plan/policy to include a communications strategy for GTR to effectively communicate with visitors and employees using consistent evacuation language, identifying triggers for evacuation or shelter in place. Work with Teton County Sheriff's Office on development of this plan/policy.
- **Recommend** training and exercising GTR employees on policies and procedures in the event of a wildfire to protect employees and visitors.
- **Recommend** upgrading existing GTR structures to meet International Wildland Urban Interface Codes (IWUC) when possible.
- **Recommend** building all new construction to meet IWUC building code requirements, water storage and flow rate requirements, proper access/ingress requirements and vegetation standard requirements.
- **Recommend** creating a setback or creating defensible space between proposed development and National Forest property to make structures more survivable in the event of a wildfire.
- In conclusion, we **recommend** GTR work with responders from Teton County WY, Teton County ID and the USFS to continue to develop a wildfire response plan, train on the plan and exercise the plan regularly.

2. **Teton County, Idaho Emergency Management Comments:**

The additional units and all development in the Alta area and at the Grand Targhee Resort put increased pressure and demands on our Emergency Management and Emergency Response agencies. When disasters and emergencies occur, Teton County Idaho's agencies will be the first response agencies for all Alta residents and visitors until Teton County Wyoming assets are able to respond. It will likely be an hour or more for those resources to arrive if the Teton pass is open. If the pass is closed we will be the only resources available to assist for much longer. The weight of this additional responsibility hasn't been studied or discussed enough, and should be considered.

Part of the Master Plan for GTR (amended February 12, 2019) states that an Emergency Management Plan will be created and implemented within one year of the first final plat (p 52, Section B). TCID would like to be included in this and have the ability to comment on any draft as the primary service provider. This should be submitted with the first final plat, including the shelter in place plan.

3. **Review Criteria Compliance:**

TCID would like clarification on the definition of a condominium/townhouse plat. Is it condominium based ownership or townhouse based ownership? STRs under individual ownership (instead of owned by GTR) provide different emergency management issues in dealing with multiple property owners and their renters.

Findings for Approval #3. Division 8.3.2.C Development Plan:

The application states that it will not have a significant impact on public facilities and services, including transportation, potable water and wastewater facilities, parks, schools, police fire, and EMS facilities.

Applicant's response is: Complies. This proposal does not result in an increase in the development previously approved for the resort and it will not generate additional impacts on parks, schools, police, fire or EMS facilities beyond what the exaction fees required for this project will cover.





Teton County, Idaho finds that this proposal **does not comply**: The development does generate significant impact on public facilities and services beyond what the exaction fees will cover because the exaction fees only cover TCWY and impacts on facilities and services in TCID are not mitigated, which violates TCWY Comprehensive Plan policies, particularly: Policy 3.3.d: Strive not to export impacts to other jurisdictions in the region. The Town and County will remain conscious of the impacts of all land use decisions on the greater region and ecosystem. It is not the goal of the community to overextend our resources or jurisdiction into adjacent communities or State and Federally managed lands. The Town and County will work with neighboring jurisdictions and State and Federal agencies to develop common goals related to growth, work toward solutions, and identify resources that can benefit all parties. We will lead by example through planning that considers the entire region. TCID requests that an impacts analysis be completed for public facilities and services in Idaho that will be impacted by development at the resort in order to calculate a development impact fee component that will be part of a revenue sharing agreement between TCWY and TCID to mitigate ongoing impacts of GTR on facilities and services in TCID.

4. Comments Related to Transportation:

The shuttle is currently not running at the contracted capacity. How will this be addressed? Secondly, what level of contribution toward the park & rides and other transit facilities in Driggs / TCID is expected? GTR has agreed to provide \$130K (at the time, 1/3 of the local match required for the Driggs BUILD grant projects); this has been left up to City of Driggs to pursue and coordinate, with grant fund procurement, land procurement and 2/3 of local match left to the City. As TCID continues to grow, we are concerned about securing a location for a park-and-ride. Where will GTR be locating a park and ride and when will it occur during the phases of development? Further, a formula for GTR share of transit facility expenses should be developed to ensure appropriate participation and remove the burden of negotiation from the City of Driggs.

We are also interested in gaining a better understanding of how TCWY will calculate the fiscal impact of this project on TCID county services and infrastructure. For example, calculation of the road impact fee for Ski Hill Road east of the Idaho border is presently unknown, but is a required component for approval of this phase. A road impact fee should also be assessed for the Idaho side of Ski Hill Road. Additionally, we propose calculating the percentage of all impacts that will occur in Wyoming versus Idaho and sharing revenue accordingly.

5. Comments Related Housing/ Workforce Housing:

The 96 units appear to be already fully occupied, and the resort has contacted the City of Driggs about the need for overflow parking. If these units are already full, where are the additional 13 employees proposed to reside? Where will additional employee parking be provided? The shuttle has not been able to meet its contracted schedule obligations due to a driver shortage, which is likely due to a shortage of workforce housing. Teton County, Idaho would like an update on the workforce housing requirements with the resort proposal.

As a note, Teton County Wyoming Housing Department has not contacted Teton County Idaho Joint Housing Authority regarding compliance monitoring of GTR mitigation or employee housing units. There is full support for locating these units in the City of Driggs where there is existing infrastructure, transit, shopping and services. Teton County Idaho requests that TCWY contact Teton County Idaho Joint Housing Authority regarding GTR housing and monitoring.





Thank you in advance for your consideration.

Sincerely,

Teton County Idaho Planning Department
Teton County Fire/ EMS
Teton County Emergency Management
City of Driggs





Board of County Commissioners

To: Teton County Wyoming Board of County Commissioners
Luther Propst, Commissioner (Chair)
Natalia D. Macker, Commissioner
Mark Newcomb, Commissioner
Greg Epstein, Commissioner
Wes Gardner, Commissioner
P.O. Box 3594
Jackson, WY 83001

From: Teton County Idaho Board of County Commissioners
Cindy Riegel, Commissioner (Chair)
Bob Heneage, Commissioner
Michael Whitfield, Commissioner
150 Courthouse Dr
Driggs, Idaho 83422

RE: Grand Targhee Resort Applications ADJ2022-0013 & DEV2022-0008

Due to the complex nature of the Grand Targhee Resort (GTR) development which encompasses both private and public lands, we urge you to consider the big picture processes and critical details related to the two applications in front of you. There is a clear need to consider the cumulative effects of resort base development and terrain expansion rather than only piecemeal responses to individual project proposals. Adding to the complexity is the fact that GTR can only be accessed through Idaho, and the success of this growing year-round resort is only possible with the services and infrastructure provided by Teton County, Idaho.

Unfortunately, Teton County, Idaho was NOT notified or included as a stakeholder or service provider during the Master Plan amendment process in 2018-2019. We view this as a missed opportunity for Teton County, Wyoming leadership to demonstrate your commitment to Comprehensive Plan Policy 10.1.e:

Cooperate with regional communities and agencies to implement this Plan. The ability of the community to achieve the priorities of this Plan specifically related to wildlife stewardship, transportation issues, and workforce housing is intertwined with our ability to cooperate and communicate with neighboring communities and State and Federal agencies. The Town and County will continue to coordinate with nearby communities and land managers to implement the

framework of this Plan, identify shared interests and available resources, and address issues affecting the entire ecosystem.

Although the application for 22 (formerly 28) cabins is not complex, the 2019 Amended Master Plan is. We urge you to ensure the Amended Master Plan is strictly adhered to prior to approval of this development application, in order to set the stage for future development applications that will fall under this same master plan.

We appreciate being notified on November 18, 2022 of GTR's applications for an administrative adjustment and development of 28 single-family cabins in the Residential Accommodation Plan Area (RAPA). Our Planning Administrator was able to respond to the request for comment within the short time frame allotted. Subsequently, County Commissioner Chair Riegel was able to attend three Planning Commission meetings in person to provide public comment on behalf of our board.

After 4 hours of waiting, the GTR applications were not heard at the Planning Commission meeting on 1/23/23. Commissioner Riegel and Teton County GIS and Special Projects Coordinator Rob Marin both provided oral comments at the next Planning Commission meeting on 2/13/23. That meeting was continued to 2/27/23, when the applicant presented a new site plan with significant changes to the number, size, shape and placement of the proposed cabins and water tank as well as pedestrian and transit elements that were not on the original site plan, as required. No public comments were allowed at that meeting.

On 2/27/23, planning staff also presented a spreadsheet prepared by Jorgensen Engineering which was not included in the public record prior to the meeting. The purpose of the spreadsheet was for GTR to demonstrate how they believed they had met all the requirements in the 2019 Amended Master Plan. The Planning Commissioners were given 10 minutes to review the document prior to making a decision. Unfortunately, the required Housing Mitigation Plan was left off the list as was the overall Annual Monitoring Plan.

Since that meeting, additional documents and plans have been submitted in an attempt to meet the requirements outlined in the 2019 Amended Master Plan prior to the BCC public hearing on April 18th. It is not our intention to be watchdogging this development approval process, but it is critical that the applicant is held accountable for meeting the transit, housing, and environmental commitments to the community as outlined in the 2019 Amended Master Plan. This is a major resort development in a very remote area that is only accessible by traveling through Teton County, Idaho.

We have found that there are still many questions and deficiencies as outlined below:

Administrative Adjustment - Building on slopes greater than 30% violates the 2019 Amended Master Plan. There is no justification for allowing the developer a variance. GTR has claimed that building on steep slopes will reduce impacts to valuable natural resources but there is no Environmental Analysis (EA) presented to prove this theory. The approved Sketch Plan and associated Environmental Analysis (EA) need to be

thoroughly reviewed to understand that the proposed cabin development area extends beyond the disturbance zone originally anticipated for development in the Sketch Plan and associated EA.

Teton County, Idaho requests that either:

1. The Administrative Adjustment is denied or
2. An updated EA is presented that demonstrates the applicant's stated need to build on steep slopes to better protect natural resources

Emergency Management - This first development approval is a good opportunity to ensure GTR follows through with their commitment to participate in Emergency Planning in cooperation with all the agencies that they will have to rely on in a major emergency at the resort.

Teton County requests cooperative planning to create a comprehensive Emergency Management/All Hazard Mitigation Plan for GTR, ideally before development is approved. We further request that GTR regularly participate in Local Emergency Planning Committee (LEPC) meetings in Teton County, Idaho and associated EM exercises to ensure everyone knows their roles and responsibilities in the event of a major (or minor) emergency. In addition an Interstate Emergency Management cost-share agreement should be executed so that the complex funding element related to declared emergencies is worked out prior to an emergency happening.

Affordable Housing - Cabins are considered residential in the Amended Master Plan and therefore should require affordable housing mitigation (as opposed to employee housing mitigation). In fact, all development in the Residential Accommodation Plan Area (RAPA) should require affordable housing since this is the area that was approved for residential development. The 22 cabins must be classified as Residential since they will be sold to individuals and not deed restricted as lodging units only. Teton County, Idaho requests that the Master Plan requirements are enforced by TCWY, and an accurate Housing Mitigation Plan is completed and approved before this development application is allowed to move forward.

The Amended Master Plan also states that a system of compliance and oversight needs to be in place with Teton County, Idaho prior to any development approvals. It goes on to state that: "(I)f the housing department cannot reach an agreement with Teton County, Idaho for any reason, the approval to build the housing requirement in Teton County, Idaho will be null and void, and a revised system shall be approved by the Board prior to the approval of the first development plan." Teton County, Idaho requests that a system of compliance and oversight be completed in cooperation with the Teton County Joint Housing Authority. Otherwise the housing cannot be built in Idaho.

Wildfire Response - The fact that the resort is in a very remote location with only one access road creates serious safety issues that need to be addressed before any development applications are approved. Teton County Idaho Fire/EMS has a contract to respond to calls for service at GTR but no jurisdictional authority over Teton County, Wyoming lands or the Caribou-Targhee National Forest.

Teton County, Idaho requests completion of a cooperative Wildfire Management Plan with the USFS and Teton County Idaho and Wyoming Fire/EMS to include use of recent wildfire modeling information, vegetation management strategy for WUI mitigation, a detailed response plan in case of wildfire, and evacuation and shelter in place plans.

Wildland Urban Interface (WUI) Codes - Based on the current site plan for the cabins, the applicant will have to manage vegetation on the Caribou-Targhee National Forest in order to meet Teton County, Wyoming's adopted WUI code. It would be wise to understand if and how that can be accomplished prior to approving the proposed cabin development. Creating defensible space around the proposed cabins will likely require more than a 10 foot setback from the Forest Service boundary.

Teton County, Idaho requests a strategy for vegetation management around the proposed development that does not require use of public lands or public funds to be accomplished.

Traffic and Transportation Safety - There is a lack of clarity on how GTR plans to meet the transit goals outlined in the Master Plan. Phase 1 requires 33% of employees riding the Employee Transit Shuttle System. The resort is far from that goal and has estimated employee ridership is 12% (see TDM reports). There is no solid plan for reaching 33%. Clearly, traffic mitigation goals cannot be achieved without accurate monitoring and coordination with the local governments in Teton County, Idaho. To date, that has not happened.

We also have serious concerns about traffic and safety on busy days at the resort, considering the narrow, circuitous 2-lane road. Aside from accurate and professional TDM data collection and reporting, the resort needs a plan for traffic management when cars are backed up for miles waiting for an accident to clear up or a parking spot to open up. Currently, winter parking lot attendants stop outbound traffic from the resort to allow emergency vehicles to come up the hill in the left lane. Imagine this happening during a wildfire event when the public is trying to get out and the wildland fire-fighters are trying to get in.

Teton County requests that GTR meet the TDM Monitoring Report requirements outlined on page 33-35 of Master Plan prior to any development approvals and also presents a clear plan for achieving the required traffic and safety mitigation.

Roads - GTR is required to pay a road impact fee in conjunction with this proposed development. That fee will cover impacts related to additional construction traffic and vehicles on the Wyoming portion of Ski Hill Road. Teton County, Idaho is requesting the fee be extended to the Idaho portion of Ski Hill Road and the Teton County, Idaho collector roads that funnel construction traffic to GTR. You have considered the impact on your own taxpayers in making this request of the developer and we ask that the same consideration be extended to our taxpayers.

As you are likely aware, county road construction, maintenance and plowing are one of our county's biggest expenses. We are already vastly underfunded and have to ask our

property taxpayers to fund a special road levy that is voted on every two years. As such, we are concerned about the baseline impact to Teton County, Idaho roads that are used to get visitors to and from GTR. Because we do not receive any revenue to cover the impact on Teton County, Idaho roads leading to GTR (including Ski Hill Road), it puts us in the position of having to use general property tax and road levy funds to maintain these roads more than we would have to if there was not a resort in Wyoming that we are servicing with our roads.

Teton County, Idaho requests that this application be put on hold until a revenue sharing strategy for road construction and maintenance in Idaho is determined.

Annual Monitoring Plan - The 2019 Amended Master Plan states: "An Annual Monitoring Plan shall be required upon the approval of the first development plan" (Section 3.10.B). Submission of an Annual Monitoring Plan must address: "Physical Development, Housing Mitigation, Transportation, Infrastructure, USFS Permit, Exactions, Teton Creek Corridor Project, & Conservation Easements/Transfer Fees."

Annual Monitoring Reports (based on the required and approved Annual Monitoring Plan) are due June 1 of each year following the first development approval. Specific to Affordable Housing, Section 3.4.A states: "An Annual Monitoring Report shall be presented to the Housing Department to document compliance with the terms of the applicable Housing Mitigation Plan."

Teton County, Idaho requests that Teton County, Wyoming ensure GTR presents an Annual Monitoring Plan to meet the terms of the 2019 Amended Master Plan. The Annual Monitoring Plan is a document that the community should be able to review prior to any development approval in order to ensure that monitoring of impact mitigation occurs in a consistent, data-driven way. At this point to our knowledge, no Monitoring Plan has been made public.

Socio-Economic Disparity - As you know, Teton County, Idaho is concerned about the fiscal impact on our community of the proposed ski area expansion (public land) combined with significant residential and commercial development at the base area (private land).

The private inholding where the cabin development is being proposed has a long and sordid history. It was acquired after a controversial land swap with the US Forest Service that began in 1994 and was finalized in 2004. There was strong opposition to the land swap primarily because it would privatize public land and impact important wildlife habitat. Another consistent theme in the opposition comments and lawsuits was the socio-economic impacts on Teton Valley, Idaho. The Record of Decision signed by then Forest Supervisor, Jerry Reece, in December 2000 states:

"An exchange will likely result in large private development at the base at Grand Targhee, which would be expected to have proportional impacts for offsite housing and community services. **Teton County, Wyoming would receive the tax benefits, while Teton County Idaho would have a financial burden to provide the majority of**

government services (*emphasis added*). It's recommended that the two counties work to resolve this issue and develop inter-jurisdictional cooperation and revenue sharing."

The socioeconomic impacts of GTR expansion on Teton County, Idaho have consistently been ignored by the applicant and Teton County, Wyoming. A scheduled meeting between the two boards of county commissioners in February to discuss GTR development and revenue sharing was canceled. Yet the most accurate way to address revenue sharing is in the context of an actual development application like the one in front of you that will clearly produce more revenue for Teton County, Wyoming and more expenses for Teton County, Idaho.

We urge you to deny this development application until we can meet jointly to discuss how to move forward with the recommendations presented in the 2022 ECONorthwest study that the two counties co-funded. Without going into too much detail here, the report does include the following statement: "payments that include forest service lease payments, property taxes, sales taxes and other tourism related exactions largely flow to jurisdictions on the Wyoming side of the border...it is not unreasonable to prescribe a solution to this issue where affected jurisdictions in Wyoming engage in some form of cost-sharing on road services on the Idaho side."

The bottom line is that taxpayers in Idaho will be subsidizing development at GTR, and without an equitable revenue balancing strategy, we cannot support any new development at the resort.

Sincerely,

Cindy Riegel, County Commissioner (Chair)



Bob Heneage, County Commissioner



Michael Whitfield, County Commissioner



January 6, 2023

Sent via email awbarbour@aol.com

RE: Dev2022-0080-Grand Targhee Resort Cabins Development Plan
Dev 2022-0008-Request for Administrative Adjustment pursuant...to allow development on
Steep Slopes of up to 36%

TO: Teton County Wyoming Planning Commission, Board of County Commissioners, and
Planning Staff

FROM: Anne Callison, P.O. Box 1067, Driggs Idaho 83422

My letter is in response to two items on the January 9, 2023 agenda for the Teton County Wyoming (TCW) Planning Commission (PC).

The Biblical adage, “do unto others...” has great application here. The decisions being made by TCW regarding development on the west side of the Tetons and resultant implications for Teton County Idaho very much remind me of what TCW faces all too often from decisions made in Cheyenne and/or by the Wyoming State Land Board. If only the Teton County Wyoming Board of County Commissioners that passed the 2019 Amended Master Plan for Grand Targhee had considered this old and important adage and its implications.

My comments are numbered for easy reference. Each subject is underlined.

Cabins

1. That Grand Targhee Resort (GTR) first announced they wanted to build 18-24 cabins on their land, but now want to build 28 is just unacceptable. The **location right on the edge** of the National Forest is unacceptable. Many of their calculations for employee housing are flawed.
2. The traffic generated by construction traffic and then by users of the cabins on Ski Hill Road is unacceptable. It is patently wrong for GTR to state in any of their Traffic Monitoring Reports that persons staying at the resort will travel to Driggs or Victor or Teton by shuttle for meals and entertainment. This is simply not the way vacationers play.

3. The idea that vacationers will use transit to go back and forth to Driggs is a non-starter—just as the idea of using transit to transport skiers or GTR employees to the resort will ever work. Transit might work eastbound until 8 a.m., but after that the shuttles will sit in traffic with other vehicles. **And just where does TCW think a park and ride will be built in Teton County Idaho where a Conditional Use Permit will be approved by the decision makers, neighbors and community at large and where it will not foist flooding on adjacent parcels?** Is GTR prepared to provide water collection and treatment before rain/snow melt is released towards the Teton River?
4. There will also be an impact on solid waste collection and disposal. Does GTR intend to handle this themselves thereby increasing traffic impacts on Ski Hill Road and Idaho Highway 33? How will trash be contained and collected so as not to attract wildlife?
5. Ownership of the cabins and the land underneath them is a question that neither Hamilton Smith nor anyone else has a firm and honest grasp on. If the cabins and the land underneath and around the cabins is owned by GTR, that is one thing. If these cabins are to be solely managed by GTR then there can be some control on usage, and in particular, on lighting.
If GTR is to use the cabins as Short Term Rentals (STRs) then there will have to be strict rules about firepits, grills, parental control of children. How will parents control their children from wandering into the National Forest? They will establish unwanted paths and perhaps conduct activities that involve a lit match or fire. We like our views of the forest and do not wish to see it burn.
6. Lighting is a significant concern. We in Teton County Idaho (TCID) do not want to see more of a glow from Grand Targhee than we already do. All cities and counties on both sides of the Tetons are now realizing that light pollution is diminishing both the ownership and visitor experience of the areas. All outdoor lighting of any cabins or other development at GTR must meet Dark Skies requisites.
7. Lighting will also affect wildlife—both their migrations and perhaps their reproduction. And lighting seems to attract some wildlife. Why are these cabins being proposed **directly** adjacent to the National Forest? **How many more trees will have to be cut down to accommodate these 28 cabins on steep slopes? What impact will that have on storm water runoff and hillside erosion?** Why is this acreage not included in the TCW Natural Resource Overlay?
8. Where is the water source and the wastewater treatment capacity to support these cabins? Has a study been done to examine how the placement of these cabins may affect water sources in Alta and Driggs?

Proposed Slope of up to 36%

Reviewing Caribou-Targhee Forest Ranger Jay Pence's letter should give this Planning Commission pause.

Why could your Planning Staff not have foreseen the many concerns that Forest Ranger Jay Pence has when they began negotiations on this application for cabins so close to the National Forest?

Asking to build cabins—whether they are for sale to individual owners or renters—on such a steep slope is asking for injuries from falls. And it will be the Teton County Idaho Fire and EMS who will respond to these injuries.

Teton County Planning Commissioner
Page Three
1/6/23

It is time for TCW to build and operate the needed public services for this proposed expansion at GTR. TCW should be buying land to build a law enforcement center, a Fire and EMS station, and a Search and Rescue facility now. It will not be okay if a TCID resident calls for help, but our public services are helping at Grand Targhee. These public services will also require employee housing. Build that in Alta or at GTR as well.

Forest Ranger Pence calls for fuels reduction. Why did your staff not address this earlier? Were meetings held with Jay Pence on this subject? And if fuels reduction is required it will only mean that more trees will come down with two impacts in addition to the loss of trees. First, it will mean more trucks on Ski Hill Road. Second, it may mean that more of the cabins and their lighting is visible from Teton County Idaho.

To close I ask that this BOCC postpone any action on these two applications and reconsider the 2019 Amended Master Plan for GTR. It obviously was done without the involvement of the TCID, nor the city of Driggs, nor the taxpayers of TCID. GTR's first development applications shows how flawed that process was and how arduous the implications for TCID are to be. **The original GTR Master Plan was approved in 2008 and expired in February 2018. Yet GTR was allowed to renew this antiquated plan without any consideration for the drastically different economic and environmental conditions.**

Sleight of hand seems to be the modus operadi for Grand Targhee. Ask for 18 cabins, then bump that to 28. Use the requirements for Short Term Rentals instead of Residential Units and lower the required number of employee units needed. GTR and its consultants are dancing on your underfunded planning staff. This situation has to be remedied or this whole development needs to be delayed until you have more experienced staff on board.

Finally, stop burdening the taxpayers of Teton County Idaho. I request that the GTR application for cabins be sent back to the Planning Department and that meetings be held with the Forest Service and with Fire and EMS of Teton County and with the TCID Board of Commissioners.

To not do so means the TCW BOCC is acting just like Cheyenne or the Wyoming State Land Board.

Respectfully,

Anne Callison
Teton Valley Idaho

Hamilton Smith

Subject: FW: Fire Break/road for proposed GTR cabins
Attachments: image0.jpeg

All,

This email addresses just one reason that the Planning Commission review of the proposed cabins at Grand Targhee Resort (GTR) and the proposed variance to build on a 30 to 36 percent slope should be postponed again.

The issues surrounding the road servicing these cabins are many. Let's review what we have so far.

1. It is a dead-end road. This makes firefighting particularly hazardous.

2. The GTR proposal only calls for one parking space per cabin. This is ludicrous considering they want to build 2, 3, 4, and 5 bedroom homes. This would result in many vehicles being parked on both sides of the cabin road and make passage for EMS and fire vehicles difficult if not impossible at times. And the fire department could not push a vehicle off the road, as it might roll into a home.

Jay Pence, Forest Ranger for the Caribou-Targhee NF has suggested a "ring road" be built around the cabins. This follows up on his letter of November 30, 2022 in which he requested that GTR do a 300-foot fire break on the GTR side of the ridge that sits west of the cabins.

It is admirable of Jay to take this initiative and to discuss it with Brady Hansen of TCW Fire Chief Steve Jellie's staff and with our Teton County Idaho Fire Chief Mike Maltaverne. However in his heart, Jay has to know that a 30-50 ring road around the cabins and placed up against the forest boundary will never work.

If you build a road on such a slope you will be faced with pounding in tons of steel as a retaining wall that would probably then have to be shot-creted. Then, on both ends of this retaining wall there would need to be snowmelt and storm runoff collection. Might this mean a huge culvert under Ski Hill Road and then where does the runoff go? On the north end would this impact the wetlands that sit just north of the GTR property line?

Attached with my note above is Page 48 from the GTR 2019 Amended Master Plan. Again, I thank Jay Pence and Brady Hansen and Mike Maltaverne for working on these issues now, not after the proposals might be approved. The Master Plan says a wildland/urban interface study should be done prior to construction, but after approvals are granted. Clearly this was poorly thought out by those who wrote the Amended Master Plan. You worry about these things first—before a Planning Commission or Board of Commissioners has to waste their time asking questions.

How this is resolved should not involve any construction of a fire break--- whether 30-50 feet or 300 feet on public land. To cut down trees on the west side of the ridge would create a new viewshed for residents of Teton Valley Idaho into the bowels of GTR. Clearly the 120 acres granted to GTR in the Squirrel Meadows Land Swap were sited "in a hollow" so that the resort would not be seen by Teton Valley. We need to keep this true.

I ask again that these two proposals be postponed until both fire departments and GTR can come up with a site plan that promotes safety and does not involve taking of any public land for a fire break.

Anne Callison

Tetonia Idaho

303.921.1008

B. Emergency Management Plan

An **Emergency Management Plan** shall be developed and implemented within one year of the approval of the first final plat within the Resort.

C. Fire Protection

1. **Existing Fire Protection.** Teton County has used property tax collected in the Alta area, including Grand Targhee Resort, for fire protection and has contracted with Teton County, Idaho Fire District to provide fire protection.
2. **Future Fire Protection.** The Resort shall meet the requirements of the Teton County Fire Protection Resolution for New Subdivisions based upon the International Fire Code as adopted by Teton County, Wyoming. Fire protection shall continue as existing methods.
3. **Fire Department Access.** Fire Department access design shall meet the standards of the LDRs and all approved Teton County Fire Resolutions.
4. **Wildland/Urban Interface Assessment.** Grand Targhee Resort will cooperate with the U.S. Forest Service to develop a fire management plan for the suburban wilderness interface. The Resort shall prepare a wildland/urban interface study prior to construction of the first phase of development of the project.

3.10 Monitoring Plans and Requirements

This Section provides detail regarding the monitoring plans and requirements for the Resort, including: the required data to be collected, techniques to be used in analyzing data, how the data should be used to determine achievement of performance objectives, how monitoring plans are required to be reported in conjunction with the Phasing Plans for the Resort, and the schedule for reporting to the County the results of the monitoring efforts.

A. Achievement of Performance Objectives

Approval of future final development plans may be delayed until the performance objectives of the previous phases are met, or a strategy for achieving performance objectives of the previous phases has been approved by the BCC.

B. Annual Monitoring Timing

An annual monitoring plan shall be required upon the approval of the first development plan, and shall continue until complete build-out of the Resort. Once the Resort is completely built out, the annual monitoring requirement will expire.

C. Monitoring Plans Tied to Phasing Plans

The Resort is planned to be developed in accordance with the Phasing Plan sequence and the individual Plan Area Phasing Plans as described in Sections 1.3.D and Section 2 of the Master Plan. It is in the interest of the Resort and Teton County that the sequence and pace of development be tracked in a manner that connects the monitoring and phasing plans to ensure development is undertaken in a predictable manner.

January 27, 2023

To TCW Planning Commission, Board of Commissioners, Chris Neubeck, Hamilton Smith

From: Anne Callison, Tetonia Idaho

RE: Additional Questions Regarding two applications to the Teton County Wyoming (TCW) Planning Commission for proposed cabins at Grand Targhee Resort (GTR)

DEV 2022-0080-Grand Targhee Resort Cabins Development Plan

DEV 2022-0008-Request for Administrative Adjustment...for Slopes up to 36%

As Grand Targhee lays on the west side of the Grand Tetons just over the state line in Wyoming and only eight miles from Driggs Idaho, I write these questions such that the TCW Planning Commission might think of a different way to approach their decision regarding the two request above.

Checklists

Would this process of reviewing Grand Targhee's first development application have been different if the Planning Department had developed a checklist of studies, guidelines, and regulations (LDRs) that must be met prior to GTR submitting their application?

Would this process have been different if the Planning Department would admit that holding off on some studies, such as the Wildland Fire Interface , the slope survey not finished, the geotechnical report on the stability of slopes, and so on is not wise? One has to wonder how the proposed cabins would even be insurable.

An Easier Future

Couldn't conversations such as you have been forced to have at the meeting on January 23 be avoided if surveys of slope angles and slope stability are done now for all areas of GTR's 120 private acres, not when development applications are submitted? GTR needs to recognize they may not be able to build every structure they desire, and moving any of their infrastructure onto US Forest Service (public) land is unacceptable.

GTR and its consultants are trying to force through their application without meeting the letter of your laws. My suggestion is that the Planning Commission and/or the Board of County Commissioners get GTR and your Planning Department on a better, more rational path.

Respectfully,

Anne Callison
Tetonia Idaho
303.921.1008

Public Comment on ADJ2022-0013 and DEV2022-0008

Cindy Riegel - Comments (extended version)

We all know Grand Targhee Resort (GTR) can only be accessed through Idaho, and the success of the ski resort is only possible with the services and infrastructure provided by Teton County, Idaho.

Fiscal Impacts

Teton County, Idaho is concerned about the fiscal impact on our community of the proposed ski area expansion (public land) combined with significant residential and commercial development at the base area (private land). We jointly hired EcoNorthwest with Teton County, WY to conduct a socioeconomic study that highlights the discrepancy between the costs and benefits this resort expansion will have on our County versus yours.

The EcoNorthwest report gets into the details about the financial challenges counties in Idaho face. We can not increase our property tax budget more than 3% per year no matter how fast we are growing. We can not charge sales or lodging tax. Development impact fees can not be used for affordable housing or public transportation. We have to ask our residents to vote on an increasing supplemental road levy every 2 years, just so we can keep up with our basic road maintenance needs. Development does not pay for the cost of growth even when it is in our own County.

The bottom line is that taxpayers in Idaho will be subsidizing development at GTR, and that is simply not acceptable to our community. Without an equitable revenue balancing strategy, we can not support any new development at GTR.

Outreach in Idaho

It is important to note that Teton County was NOT notified or included as a stakeholder or service provider during the Master Plan Amendment Process by Teton County, WY like we were for this application. Teton County provides roads, solid waste, and emergency management services to the resort. The Teton County Fire District provides fire/EMS. We did make your BoCC aware of what we saw as a major oversight by your planning staff, but it has put us in an awkward position of having to comment on a specific development application for which we believe the Master Plan is deficient in some areas.

The developer has also misrepresented its outreach to our local governments. What was done in 2006-08 does not count as outreach for a Master Plan renewal in 2018. The main reason the Master Plan had to be updated in 2018 is that it was set to expire in Feb 2018. I am certain that the reason Teton County, Wyoming put a 10-year time limit on the original Master Plan is because environmental and economic conditions change over time. That has certainly been the case in both of our communities.

Note: The story the resort tells about why the Master Plan Amendment was initiated always fails to mention the expiration date.

I also would like to point out that Teton County, Idaho was not a part of the Teton Creek Corridor Project (TCCP) deal which replaced environmental mitigation in the original Master Plan (299 acres of conservation easement in TC, Idaho or Wyoming) with a \$100,000 payment to the TCCP and a potential 1% real estate transfer fee on secondary sales at an unknown time in the future.

Human Health and Safety

Aside from the cost TCID will have to bear to support this development in Wyoming, we have serious concerns about human health and safety.

The fact that this resort is in a very remote location with only one access road creates some pretty serious safety issues that need to be addressed before any development applications are approved. It is discouraging that the developer has been allowed to put off critical emergency planning until after development approvals are granted (one of the deficiencies in the Master Plan that is carried over into this application)

Wildfire Management Plan - On Page 48 (C-4) under Wildland/Urban Interface Assessment, the Master Plan says: **“Grand Targhee Resort will cooperate with the U.S. Forest Service to develop a fire management plan for the suburban wilderness interface. The resort shall prepare a wildland/urban interface study prior to construction of the first phase of development of the project”**. Right now certainly qualifies as “prior to construction”. Nothing in this

requirement says that GTR has to be granted a development approval before they provide this critical plan.

Given the devastating impacts of wildfire that Western communities are experiencing, there is no excuse for allowing a developer to build units in a wildfire prone area without first understanding the risks and how to mitigate them at the design level. The required Fire Management Plan should inform the safest site plan for residential units rather than come in after cabins in a “remote forested area” are already approved for development.

Recommendation: Figure out how you are going to protect life and property BEFORE these structures are approved, not after.

Emergency Management Plan - Also on page 48, (B) of the Master Plan “An Emergency Management Plan should be developed and implemented within one year of the approval of the first plat within the Resort.” It seems downright irresponsible to let development be platted without first figuring out how natural disasters (fire, blizzard, windstorms, earthquake), evacuations, and other emergencies will be handled. Teton County, Idaho’s Emergency Manager is very interested in being involved in the development of the Emergency Management Plan for the resort since our County will inevitably handle the first response to emergencies that occur up there. Moving forward without this plan to help guide your development approvals would be negligent.

Recommendation: Require the Emergency Management Plan be developed before the first plat is filed, not after.

Building on Steep Slopes - Health and safety is also compromised by the the developers' request for a variance to build on slopes greater than 30%. Developing on slopes greater than 30% is a clear violation of the Master Plan. In the section of the 2019 First Amended Master Plan that addresses standards for the RAPA on page 20 section B.9. it explicitly states: "Natural Hazards to Avoid LDR Sec 5.4.1. Development Prohibited: on Slopes > 30%".

The Master Plan (page 20) goes on to state that the only exception is for roadways and driveways, if mitigation requirements can be met. I imagine the planning staff might explain this as a contradiction between the LDRs and Amended Master Plan since the LDRs allow for an administrative adjustment application for building on slopes greater than 30%.

However, guidance from the Master Plan itself is clear. On page 6 of the Master Plan, it states "In the event of a contradiction between the Master Plan the the LDRs, the Master Plan shall govern and control. From my perspective, the request for a variance to build on steep slopes requires a Master Plan amendment not an administrative adjustment.

Additionally, there is plenty of room to put 28 cabins in the Residential and Accommodation Plan Area (RAPA) and avoid steep slopes. The developer has arbitrarily designated a 17.5 acre area within the entire 84 acre RAPA as the only area these 28

cabins can go. If they want to arbitrarily restrict themselves to just these 17.5 acres in phase 1 (nothing in the Master Plan requires that), then they can certainly reduce the number of cabins and avoid building on steep slopes.

Recommendation: Deny the administrative adjustment to build on steep slopes because it violates requirements in the Master Plan and request a site plan that complies with the Master Plan.

Environmental Analysis - The Environmental Assessment (EA) was completed and revalidated based on two different concept plans that do not need to be strictly followed during the phased development approvals, as this application demonstrates.

However, the developer claims that the location of 28 cabins, some on steep slopes, reduces the impact on natural resources and wildlife by concentrating development in the arbitrary 17.5 acre area and providing “open space”, but it fails to show where that open space is and what habitat values will be protected.

Recommendation:

If the planning commission believes that granting an administrative adjustment to build on steep slopes is valid, make sure to get a map of the meaningful open space they are describing that will be protected in future phases of development as a result.

Comments on the Conditions of Approval offered by the Planning Administrator:

1. NO comment

2. We have worked hard to try to understand the actual requirements for affordable/employee housing but are struggling because the Housing Mitigation Plan is not complete. Is all the required housing going to be paid for by the .5% real estate transfer fee or will housing exactions on building permits also apply? Where will those housing exaction fees be spent? Note: the .5% real estate transfer fee does not apply to initial sales by the owner/developer only secondary sales.
3. The Master Plan says final development plan approval will not be granted until a sufficient Road Impact fee has been determined. All we know at this point is that this has not been done. Also, there is no mention of the impact to Ski Hill Road from Driggs to the Wyoming border, which obviously will suffer the same impacts along with other roads under Teton County, Idaho's jurisdiction that collect the traffic going to and from GTR.
4. **This condition amends the Master Plan.** It changes the requirement in the Master Plan from having the restricted housing oversight issue be resolved prior to approval of the first development plan and pushes it off to 2025. In the Master Plan (3.4.A. 4 - page 28), it also says "If the Housing Department can not reach an agreement for a system of compliance and oversight with Teton County, Idaho for any reason, the approval to build the housing requirement in Teton County, Idaho will be null and void, and a revised system shall be approved by the Board prior to approval of

the first development plan” (FYI: The Teton County Joint Housing Authority has been operating for over 2 years, contrary to what was stated in the Planning Commission meeting on Jan 23, 2023).

5. **This condition amends the Master Plan.** The Master Plan says a Housing Mitigation Plan must be submitted with each development plan application (page 30 section D.1). Your LDRs actually require a Housing Mitigation Plan as one of the minimum requirements for the application for a Master Plan (Sec. 4.3.1.E.3). This condition pushes it off yet again by saying a housing mitigation plan needs to be submitted prior to issuance of building permits. We urge you not continue to allow the developer to push off this critical plan until construction is already underway.
6. **This condition amends the Master Plan.** This one follows the same path as number 5 by changing the requirement in the Master Plan and allowing Livability Standards for required restricted units that are supposed to be outlined in the Housing Mitigation Plan which was supposed to be submitted with the development application you are reviewing today. This condition allows it to be put off until after the proposed cabins are constructed but prior to issuance of a Certificate of Occupancy.
7. Conditions 7-10 address the fact that the site plan you received did not have any transit or pedestrian features depicted or designed to ensure that phase 1 development

meets the requirement for the resort to minimize travel by individual vehicles and make the resort pedestrian friendly and safe. It seems prudent for a planning commission to actually see these features on a detailed site plan before recommending approval.

Considering that several conditions of approval presented to you by staff circumvent requirements in the Master Plan (as does the application for an administrative adjustment for building on steep slopes), we believe additional conditions of approval should be placed on this development or alternatively, the application should be put on hold until the Master Plan is amended to accommodate the changes proposed by the planning administrator.

Conditions that address issues stated above:

1. Work with Teton County, Idaho's Planning Administrator and City of Driggs Community Development Director to establish an effective process for getting technical review by service providers in Idaho for this and subsequent development applications.
2. Establish a revenue sharing system that ensures Teton County, Idaho taxpayers are not subsidizing this Teton County, Wyoming resort development (as per you Comprehensive Plan policies). Note: This can be done by estimating property and sales taxes as well as exaction fees that will be collected from this and future phases of development at GTR. Calculate how they would be allocated to

cover county infrastructure and services if they were being provided by Teton County, Wyoming. Once that is determined, remit a proportion of the taxes and fees collected to Idaho to cover the infrastructure and services we have to provide.

3. Complete an All Hazard Mitigation and Evacuation Plan prior to any development approvals in conjunction with Teton County Idaho Fire/EMS and Emergency Management
4. Complete a Housing Mitigation Plan now
5. Require that Grand Targhee Resort cooperate with the U.S. Forest Service to develop a fire management plan as required by the Master Plan and use that to guide site planning for each phase of development.

Planning Commission comments 1/23/2023

Doug Self
Community Development Director, City of Driggs

- regarding phase 1 development plan comments regarding employee & affordable housing mitigation and several additional approval conditions.

1) Employee vs. Affordable Housing Mitigation:

- There is no clear criteria to determine when a Cabin is "Primarily Short Term Rental" meaning lodging, which requires Targhee Employee Housing mitigation vs. residential, which requires broader community affordable housing mitigation. It appears possible that all units could be labeled as "primarily short term rental" and thus no community affordable housing mitigation would ever be provided
- (Quick Note: If the units were "residential", then the GTR Master Plan would require affordable housing for 17-18 persons across Categories 1, 2 and 3). Furthermore, it appears that no land exaction for community facilities will be required unless units are designated as Residential.
- Additionally, the employee housing mitigation requirement is proposed to be met by housing units that are already completed and fully occupied (whereas the Development Master Plan requires that the TCWY Housing Department inspect the units prior to occupancy certificate).

>**Recommendation:** Classify all non-resort-owned townhomes, cabins and condos as Residential uses And consider whether existing occupied employee housing can satisfy the employee housing mitigation requirement for the unbuilt Phase 1.

2) Housing Compliance Monitoring:

- The system of compliance monitoring is tied - by the master plan - to the location of employee and affordable housing, which also is linked to transit infrastructure planning. The location of employee and affordable housing needs to be known and thus the system of compliance monitoring needs to be established, as scheduled in the master plan, prior to approval of the first development plan.
- We are also concerned with the proposal to bend the master plan standards and allow this first development plan to move forward prior to a system of compliance being established since the master plan language states that approval for units to be built in Idaho will be void if a system of compliance cannot be worked out with Teton County Idaho.

> **Recommendation:** Table the application until the system of compliance monitoring is established and a full Housing Mitigation Plan is submitted.

3) Housing Mitigation - Real Estate Transfer Tax:

- The collection of a real estate transfer tax for affordable housing mitigation is a welcome recognition of the housing impacts in Teton Valley.
- *Completion of Housing and Fee Accrual.* Following the completion or purchase of all housing required, the transfer fee shall accrue to the Housing Department. 3. *Use of Fee.* Transfer fee funds shall be used to fund housing construction, acquire land or existing housing, administer housing programs, or manage deed-restricted housing developed under the **Grand Targhee Housing Mitigation Plan**. The transfer fee shall continue into the future unless otherwise terminated by the BCC and the developer, both of whom must agree.
- There is no commitment that this substantial revenue would be used for any affordable housing mitigation in Teton Valley beyond the stated master plan requirements.

> **Recommendation:** Request agreement from the Developer and TCWY Housing Dept that collected fees will continue to be used for affordable housing mitigation in Teton Valley as a first priority to ensure that the development's impacts on workforce and community housing are fully mitigated.



March 1, 2023

Dear Teton County Board of Commissioners,

DEV2022-0008 and ADJ2022-0013 do NOT COMPLY with The Grand Targhee Resort Master Plan for the following reasons.

- The Grand Targhee Resort Master Plan (GTRMP) requires preparation of a fire management plan prior to the first phase of development. This plan should be approved by Teton County, WY, Teton County, ID and the Caribou-Targhee Forest prior to consideration of any development application for the Grand Targhee Resort (GTR).
- Due to required wildfire mitigation, the proposed building envelopes will result in avoidable impacts on the adjacent forest service land. An approved fire management plan and wildfire mitigation plan should steer the location of the building envelopes to provide for human safety, protection of property and avoidance of natural resources, wildlife habitat and financial impacts on the Caribou-Targhee Forest land.
- The GTRMP (and the Land Development Regulations) prohibit development on slopes >30 percent. The west residential area of GTR is 84.3 acres. There is plenty of room to develop the allowable residential units without impacting slopes >30 percent.
- If development of slopes >30 percent is considered by the Board of County Commissioners (BCC), an amendment to the GTRMP is required; the Administrative Adjustment is the wrong tool.

The Jackson Hole Conservation Alliance objects to Grand Targhee Resort's applications for development of 22 cabins (DEV 2022-0008, ADJ2022-0013). Our issues with the proposed project are outlined below.

1. Threat to human safety and protection of property.

The proposed development lacks a fire management plan. GTR is in a remote, high fire-risk location, only accessible by Ski Hill Road. Having only one way in and one way out poses a huge risk to occupants and rescue workers in the event of a wildfire, or just about any other natural disaster.

Given the recent history of extreme wildfires and the devastation of numerous communities in the west, coupled with the fact that climate change will make this problem worse over time, it is imperative that

GTR establish a fire management plan prior to approval of their Cabins application. The fire management plan should steer the design and location of the development, not be created as a remedial action after development permitting. GTR is in a remote location within Teton County's wildland/urban interface that is situated downwind and uphill of forests that support high-severity fire, and its only access is Ski Hill Road. It is irresponsible to approve a remote residential development in a wildfire prone area, with only one access road without a fire management plan.

GTRMP, page 48, Section 3.9.C.4, agrees with this assessment in that "the resort shall prepare a wildland/urban interface study prior to the construction of the first phase of development". The Conservation Alliance contends, THIS IS THE FIRST PHASE OF DEVELOPMENT; the fire management plan is required. While the definition for "development" is not included in GTRMP, the LDRs define "development" in part as any development option or subdivision. The definition of development option includes any division of land.

It is unfathomable that this development has been brought forward without the common sense of a fire management plan in place prior to the approval of site planning of the development.

The Jackson Hole Conservation Alliance requests that the BCC require a fire management plan to be approved by Teton County, WY, Teton County, ID and the Caribou-Targhee Forest prior to consideration of the proposed applications.

2. Natural Resource Impacts.

To ensure human safety and protection of property, any development on GTR, will require a wildfire mitigation plan. The proximity of the proposed cabins to US Forest Service land will inevitably result in wildfire mitigation in the form of vegetation clearing and fuels reduction on forest service land. The 120-acre Resort was sized and configured by the forest service in part to avoid valuable wildlife habitat, wetlands and waterbodies within GTR. If structures are located so close to forest service property, impacts to natural resources for the purpose of fire mitigation (vegetation removal) will be located on the more ecologically valuable federal land. The proposed private development would result in natural resource, wildlife habitat and financial impacts on public lands.

Section 2.2.B.1 of the GTRMP states that minimum setbacks for residential uses will be established by building envelopes. Approval of setbacks and locations of the building envelopes have been left open for approval at the Final Development Plan stage. Now is the time to ensure safe and compliant placement of building envelopes. Placement of building envelopes should utilize information generated in the fire management plan to be located to minimize wildfire risk and eliminate offsite impacts as much as possible.

The Jackson Hole Conservation Alliance requests that the BCC, prior to approval of the proposed site plan, require GTR to prepare a fire management plan and a wildfire mitigation plan that will guide the

safe location of building envelopes and alleviate natural resource, wildlife habitat and financial impacts on the Caribou-Targhee National Forest.

3. Impacts to slopes >30 percent.

The 17.5-acre development area for the Cabins is self-imposed by GTR; the west residential area of the GTRMP is 84.3 acres. Certainly, there are locations within the 84.3 acres that protect natural resources and are on slopes less than 30 percent. The project should be required to locate development to avoid slopes in excess of 30 percent as required by the GTRMP. The GTRMP itself calls out steep slopes (>30%) as “natural hazards to avoid”. Allowing adjustments to the established development standards whether in the GTRMP or the LDRs, when alternative development locations exist, reduces the protection to our community not only for this proposal but also for future development proposals. The validity of established development standards for future developments cannot be defended if they are easily adjusted in situations where alternatives are available. GTR could avoid steep slope development without changing regulations – the effect of which may have additional consequences outside of this development.

The Jackson Hole Conservation Alliance requests that the BCC uphold the prohibition of development of slopes >30 percent.

4. Administrative Adjustment vs Amendment to the GTRMP.

GTR is asking for an Administrative Adjustment from the LDRs to develop on steep slopes where development would otherwise be prohibited. We believe this to be the wrong approach.

Development of slopes >30 percent is prohibited in both the LDRs and the GTRMP. If the BCC, would like to entertain development on slopes in excess of 30%, then the appropriate process should be followed.

An Administrative Adjustment is permitted to adjust the LDRs under certain circumstances and within specific limits. The GTRMP dictates the development standards for GTR unless the GTRMP is silent then development standards default to the LDRs. The GTRMP specifically calls development of slopes more than 30 percent “natural hazards to avoid” and prohibits development of slopes >30 percent. The correct process to request development on slopes >30 percent is an amendment to the GTRMP, not an Administrative Adjustment to the LDRs.

The Jackson Hole Conservation Alliance requests that the BCC, require GTR to follow the correct process, amendment to the GTRMP, to construct on slopes >30 percent.

Thank you for considering our comments and for your service to our community.

Best,

Dave Sollitt, Executive Director

Amy Kuszak, Community Planning Director



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Planning Commission comments 1/23/2023

Rob Marin, Teton County, Idaho GIS Manager and Community Projects Coordinator

Greetings Commissioners,

Our submitted comment letter, appreciated by planning staff, apparently didn't carry much weight. The letter outlines many of our specific concerns, and my Idaho colleagues shall further elucidate some of those concerns tonight. Let me provide some context for those concerns, and relate them to some fundamental TCWY policies.

Reading the staff report, a person unfamiliar with local geography might conclude that this project represents a few structures causing negligible community impacts. But that's because the report takes an excessively narrow view of compliance with the 2019 PUD Master Plan, a plan developed without input from Teton County, Idaho government. Our region has undergone dramatic changes since that plan was approved, particularly in terms of housing affordability and local attitudes regarding the diminishing returns of ongoing tourism promotion and development.

We do not wish to re-write the entire Master Plan, but there are some components of the plan, and this application, that warrant re-examination under current realities. Particularly those related to housing mitigation, equitable sharing of revenues, and cooperation with Idaho service providers.

For context, let's look at some big picture facts as they relate to Idaho:

- Tax revenues from the resort go to Wyoming
- Grand Targhee resort relies on public services based in Idaho, such as Fire/EMS, solid waste disposal, the Driggs hospital, County emergency management and of course roads
- Grand Targhee relies on an Idaho-based workforce
- Teton Valley's workforce is also Jackson's workforce, and is experiencing an unprecedented affordable housing crisis, so housing mitigations should be meaningful
- The 28 cabins in this application, destined to be STRs, represent the first phase in a resort development that can expand from the current 90 or so lodging units to 450, along with significant increases to commercial and retail infrastructure.
- How this application is treated by Teton Co., WY will set a precedent for all future phases of the PUD development.
- The PUD is closely linked to the proposed resort expansion on national forest lands, currently under consideration under the federal NEPA process
- The cumulative impacts of both public and private lands resort development will absolutely have significant adverse fiscal impacts on Teton Valley, Idaho, as documented in the 2022 EcoNorthwest study commissioned and funded by both Teton Counties. This study looked at cumulative impacts from resort development on private lands as well as public lands.

Let me connect this resort development overview with a couple of Teton County, Wyoming's most fundamental stated policies:

TCWY LDR 8.3.2.C.3 states that a development plan shall be approved when the plan ***“Does not have significant impact on public facilities and services, including transportation, potable water and wastewater facilities, parks, schools, police, fire, and EMS facilities.”*** While resort impacts from resort development on Teton Co., Wyoming may be minor, such impacts do not stop at the state line. In fact, they will fall disproportionately on the Idaho side.

Furthermore, Principle 3.5 of the 2012 Jackson/TCWY Comprehensive Plan states that the town and county should “Manage growth with a regional perspective.” Comp Plan Policy 3.5.b states:

“The Town and County will remain conscious of the impacts of all land use decisions on the greater region and ecosystem. It is not the goal of the community to overextend our resources or jurisdiction into adjacent communities or State and Federally managed lands. The Town and County will work with neighboring jurisdictions and State and Federal agencies to develop common goals related to growth, work toward solutions, and identify resources that can benefit all parties. We will lead by example through planning that considers the entire region.”

So let me ask this commission, and the elected leaders of Teton County, Wyoming: are you ready to lead by example, and take a regional perspective?

Request:

This application should be tabled until:

1. Required housing mitigations for Teton Valley are re-evaluated in detail by the housing authorities from both Teton Counties;
2. Equitable revenue sharing for public services and transportation infrastructure is negotiated;
and
3. The concerns of Idaho service providers, particularly Fire/EMS and Emergency Management, are addressed adequately.



Hello. My name is August Christensen and I am the Mayor of Driggs.

The documents before you lack acknowledgement of my town, Driggs and Teton County, Idaho.

GTR may be remote, but it does not operate in isolation and your Comp Plan states to look beyond state lines when considering the impacts of this major resort expansion. I am certainly NOT anti-Geordie Gillette or Grand Targhee. I am pro-Teton Valley, and I am responsible to the residents of Driggs who elected me. This is about ensuring the public services and infrastructure needed to support resort expansion is paid for by the development rather than the taxpayers in Idaho.

In regards to transportation...

The Shuttle: The city of Driggs has helped GTR implement their transit program. We have secured funding for shuttle buses, shuttle stops, a transit center, park & ride lots and a bus storage facility in Driggs. Without this cooperation and access to city owned land and funds, there would be no Targhee shuttle. At full build out, 70% of the employees are supposed to be riding the shuttle. Information in the application in front of you indicates that current ridership is somewhere between 12 and 17%. Not the 30% as stated in the staff report. The goal for now and this first phase of development is 33%. Currently it is *half* this amount.

My Request: Require Targhee to submit implementation plans for transit improvements, including increased employee shuttle use as described in the Master Plan.

Parking Lots: There are currently two Park and Ride parking lots in the City of Driggs. One, the Downtown Transit Center, serves the START bus and the Targhee shuttle bus. It currently has 55 spaces and it is planned to add another 55 spaces in 2024 at no cost to GTR. The second, 5th St Park and Ride lot, is exclusively for the Targhee Shuttle. Future development of the property to expand the amount of parking to 47 spaces and pave the lot will be matched by GTR by only one-third of the cost. The Master Plan states that GTR will actively participate to locate, plan and design transportation needs. City of Driggs is not planning on adding any additional Park and Ride lots for GTR.

My Request: Require GTR to identify and purchase additional appropriately zoned property for GTR Park and Ride lots now to be able to meet current and future target ridership levels of 70% of employees and 30% of visitors.





Impact Fees: Ski Hill Road begins in my city, Driggs. Your planners, engineer, and BoCC clearly understand that construction traffic related to resort development will cause Ski Hill Road to deteriorate faster than normal. TCWY has since received information for a road impact fee from the developer, but for the Wyoming portion only. There was no consideration for the impacts on the 7-8 miles of roads in Idaho that lead to the resort despite your Comp Plans mandate. Ski Hill Road is not the only city and county road used to move traffic to and from GTR. There are several minor collector roads that access Ski Hill Road from the north and south that will be impacted by the construction traffic as well as the expected increased number of employees and visitors to the resort.

My Request: Please require the calculation and collection of an impact fee for the development's road impacts in Idaho during and post construction.

There is also no mechanism identified for mitigation of ongoing increases in road maintenance costs in Idaho due to increased resort traffic. Property tax, lodging tax, real estate transfer tax, etc. all go to TCWY. How will ongoing road maintenance be addressed for Idaho? I encourage discussion between our communities (TCWY and TCID) to address revenue sharing moving forward.

My Request: Require that a mechanism for addressing ongoing road maintenance impacts in Idaho be established.

Conclusion: There are many concerns stated in the Teton County Idaho letter that need to be addressed before this development plan is approved. Please direct your staff to ensure we can do it right from the start. This is the first phase of many. Phase 1 needs to be met before moving onto phase 2. Our counties and cities need to come together in a formal structure to work on shared issues that cross state lines instead of limited to using public comments. Please do not approve this application until all necessary items are complete. City of Driggs supports comments from our Teton County Idaho Joint Housing Authority and encourages Dark Night Sky compatible lighting for GTR.

