





Teton County Planning & Zoning Commission
150 Courthouse Drive
Driggs, ID 83422

Re: Fin and Feather Rezone Application

Dear Commissioners:

While our organization heartily supports the use of B&B's as part of our community's critically important recreation economy, we very regretfully cannot support the rezone component of this dual application for a rezone and conditional use permit.

However, there may be another way to accommodate this business' needs. It is our understanding that the owners of the Fin and Feather Inn seek R1 zoning in order to allow for the four (4) guest rooms necessary to obtain business insurance.

In the past, our organization has requested this Commission remove potential legal roadblocks to commercial uses that fit within the Comprehensive Plan's support for recreation development.

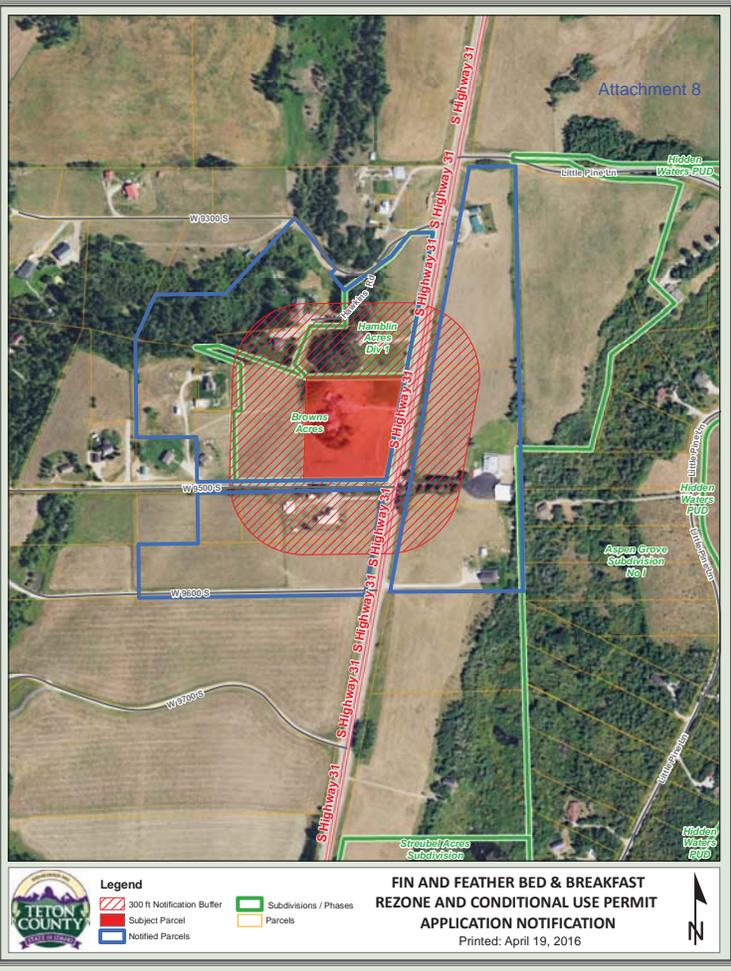
If the Planning & Zoning Commission is amenable to this type of ordinance change, Valley Advocates will gladly offer our assistance to the Fin & Feather Inn in the preparation and assembly of an ordinance change application.

Respectfully,

Handwritten signature of Shawn W. Hill

Shawn W. Hill
Executive Director
Valley Advocates for Responsible Development

285 E Little Ave, PO Box 1164, Driggs, Idaho 83422
208.354.1707 ph • 208.354.1709 fax • www.tetonvalleyadvocates.org



Attachment 8



Legend
300 ft Notification Buffer
Subject Parcel
Notified Parcels

Subdivisions / Phases
Parcels

FIN AND FEATHER BED & BREAKFAST
REZONE AND CONDITIONAL USE PERMIT
APPLICATION NOTIFICATION

Printed: April 19, 2016



A REQUEST FOR PLAT & DEVELOPMENT AGREEMENT AMMENDMENT APPROVAL BY:
BCI Other Real Estate, LLC; 211 West Rim, LLC,
FOR: River Rim Ranch PUD Division II, Phase I
WHERE: West of Tetonina, on Highway 33.
Prepared for the Planning and Zoning Commission
Public Hearing of May 10, 2016

APPLICANT: GBCI Other Real Estate, LLC; 211 West Rim, LLC
LANDOWNER: GBCI Other Real Estate, LLC; 211 West Rim, LLC

REQUEST: GBCI Other Real Estate, LLC & 211 West Rim, LLC, is proposing an amendment to the River Rim Ranch PUD Division II, Phase I, Final Plat that includes the following changes:

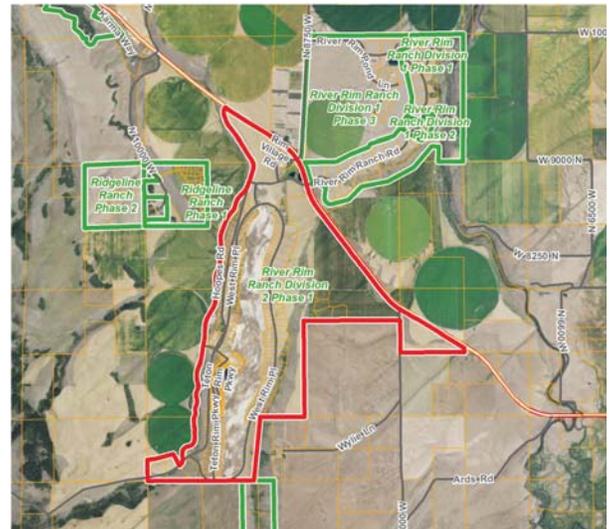
- Return of the golf course portion of the PUD
Return of the "incidental uses" associated with the golf course
West Rim Village (entrance) Area:
office, conference space, and spa uses in the existing headquarters building;
A commercial support center with a gift shop, coffee shop, and convenience store uses;
A recreation center;
12 work force housing units;
Storage facility.
Golf Village Area:
Modifying Tract D from 45-Cluster Chalets to 48- two room "Hospitality Suites";
Modifying Tract E from 12 residential lots to 48- two room "Hospitality Suites" and Pro Shop, dining and spa uses;
Eliminating the 3 residential lots on Tract G for the O&M facilities;
Removing the 6 lots from Tract J for the driving range.
The Development Agreement would be modified to:
Allow the golf course and associated incidental uses;
Identify the uses of each lot/tract in Phase I;
Update the cost estimate and timelines.

APPLICABLE COUNTY CODE:

- Title 8- Zoning Regulations
9-3-2: Procedure for Approval Subdivision/PUD;
9-5: Planned Unit Developments
9-7-1-B: Review of proposed changes to Recorded Plats, Easements, Rights-of-Way, Master Plans, or Development Agreements;
Teton County Comprehensive Plan (A Vision & Framework 2012-2030)

LEGAL DESCRIPTION: Block 1 Lots 2-4, 6 & 8; Block 6 Lots 29-34; Tracts D, E & G- of River Rim Ranch Div. II Phase 1 Plat
ZONING DISTRICT: A-20
PROPERTY SIZE: 1,464 acres

VICINITY MAP: River Rim Ranch PUD Division II Phase 1.



PROJECT DESCRIPTION:

This amendment proposes to re-introduction of the golf course amenity into the River Rim Ranch PUD Division II, similar to what was originally master planned. Associated or "incidental uses" associated with the golf course are also proposed to be re-introduced in two areas- 1) Golf Village area - a club house/pro-shop, restaurant, spa and other resort services; 2) West Rim Village- limited commercial uses such as a coffee shop, café, small grocery store, fly fishing shop. These uses were eliminated in Amendment #5, which was recorded in 2014.

In addition to the re-introduction of the above the uses, the applicant is proposing the following layout/density changes-

Golf Village area:

- Utilizing a 2-key "hospitality unit" as a unit on Tracts C, D & E
Adding 3 units to Tract D
Adding 36 units to Tract E
Eliminating 3 residential lots on Tract G
Eliminating 6 residential lots on Block 6 (lots 28-34)

West Rim Village area:

1. Addition 12 work force housing units
2. Adding large storage area

Plat Amendment No. 5 (# 231394) and the associated Development Agreement (# 231392) amended not only Phase 1 of Division II, but also amended the Master Plan for River Rim Division II. This application is not amending any aspect of the other phases (open space, entitlements or uses). The portions of the Amend #5 Development Agreement and Master Plan will remain in effect. A new Development Agreement is being proposed for Phase 1, which will identify all the specific for Phase I, and reference the previous approvals for the other Phases. Each of the other phases will be required to go through the approval process individually. At that time the maximum entitlements, design and uses will be proposed and approved. The entitlements that were agreed to in the approved Master Plan (Amend. #5) will need to be reviewed as each Phase seeks approval to ensure they meet the adopted standards of the code.

This proposal would require Phase 1 to utilize the area calculations (open space, density and incidental use) of all of Division II. Teton County Code does not require each phase of a PUD or subdivision to provide adequate areas for these calculations independently. When the Master Plan and Development Agreement for all of Division II (# 231392) was amended in 2013 the units and open space for each of the future phases was agreed to by the property owners of each of those phases. Ass approved and agreed upon calculations, those are the ones used by staff.

**PROJECT BACKGROUND:**

**River Rim Division II Master Plan Amendments–**

- 2006-6-26- BoCC Approval of Master Plan and Phase 1
  - 2006-08-07- Development Agreement for River Rim Ranch Division II recorded (#179247)
  - 2006-09-08- Division II Master Plan recorded (#180225)
  - 2007-04-13- Master Plan Amendment #1 (#18667)
  - 2008-7-21- Division II Master Plan Amendment #2 (#198983)
  - 2012-06-06- Master Plan, Amendment #3 (#222435)
  - 2012-12-14- Master Plan, Amendment #4 (#225470)
  - 2014-2-7- Division II Master Plan Amendment #5 (#231393)
- (THIS IS NOT AN APPLICATION TO AMMEND THE MASTER PLAN)

**River Rim Division II, Phase 1 PLAT Amendments–**

- 2006-6-26- BoCC Approval Phase 1
- 2006-08-07- Development Agreement for River Rim Ranch Division II, Phase 1 recorded (#179247)
- 2006-09-08- Division II, Phase 1 Final Plat recorded (#180225)
- 2007-04-13- Phase 1, Amendment #1 (#192110)
  - This amendment adjusted some property lines, added trail easements and rearranged a few lots.
- 2008-7-21- Division II Master Plan (PLAT) Amendment #2 (#198983) AMEDNED PHASE 1 Plat Revised Phase 1 boundaries and County ROW adjustment.
- 2012-06-06- Master Plan (PLAT), Amendment #3 (#222435)- AMEDNED PHASE 1 Plat Revised the access road, relocated 9400 west, and several lot lines.
- 2012-12-14- Master Plan (PLAT), Amendment #4 (#225470)- AMEDNED PHASE 1 Plat -Reduced number of cabins and added it to the open space.
- 2014-2-7- Plat Amendment #5 (#231392) (#231394)
  - Amended the plat to reflect the elimination of the golf course, lodge site and reduced residential lot entitlements.
- 2015-3-10- Plat Amendment #6 (#235774)
  - Amended a property line along the western boundary to allow irrigation pivot to be used by the adjacent property owner.

River Rim Div. II, Phase 1- Amendment #7 Preliminary Plat Application - PZC

**Development Agreement Amendments-**

- 2011-12-13- Development Agreement Amendment (#220042)
  - Amended the timelines for completion of the infrastructure, after Big Sky Western Bank acquired the property.
- 2012-5-14- Development Agreement Amendment (#22136)
  - Amended the ownership of the open space and the water rights of the Teton County Pipeline Association
- 2014-2-7- Development Agreement Amendment (#231392) Plat Amendment #5
  - Amended the timelines for completion of the infrastructure, eliminated the golf course, and reduced residential lot entitlements.

GBCI Other Real Estate, LLC; 211 West Rim, LLC submitted a completed application to the Teton County Planning Department on April 5, 2016.

Prior to this staff and the county attorney met with the applicant on March 3<sup>rd</sup> and just planning staff on February 28<sup>th</sup>.

**Application Defined-**

This application is considered a Substantial Change- Increase Scale, Impact, because it is adding additional units, and rearranging lots/uses in an Overlay Area (9-7-1 (B-2-b)).

River Rim Ranch Division II is considered a Planned Community PUD, as it has over 101 dwelling units.

**Application Review/Approval Process-**

9-7-1-B-1 Purpose and Intent. The purpose and intent of this Subsection is to provide an efficient procedure for reviewing changes or proposed vacations to previously recorded rights-of-way, easements, to recorded plats of subdivisions and Planned Unit Developments or to recorded Development Agreements. It is the further purpose and intent to ensure the revised plats, and Planned Unit Developments or recorded Master Plans comply with all applicable regulations but it is desirable to avoid unnecessary duplication of studies and analyses that may have been required as part of the initial plat application and approval. The purpose and intent also is to reduce the intrusion of development into sensitive natural areas of the county and reduce governmental costs associated with scattered development by expediting changes to recorded plats that reduce the number of vacant platted lots in the county.

Specific for a Substantial Change- Increase Scale, Impact application, the review process is to follow the Preliminary & Final Plat approval processes (9-7-1 (B-4-b)). This means there will be two (2) public hearings for Preliminary approval (PZC & BoCC), and one (1) public hearing for Final Approval (BoCC) (9-3-2).

**Criteria for Review/Approval-**

For a Substantial Change- Increase Scale, Impact application the following is the criteria for approval ((9-7-1 (B-2-b)):

- i. The master plan and plat for a subdivision or Planned Unit Development, including the proposed changes, shall comply with all applicable criteria and standards of the current county regulations.
- ii. Any proposed changes to a recorded plat or master plan that increase direct or indirect impacts may require additional mitigation pursuant to the criteria and standards of county regulations.

River Rim Div. II, Phase 1- Amendment #7 Preliminary Plat Application - PZC

**PUD Approval Criteria (9-5)-**

**9-5-1-B PURPOSE:**

1. To encourage development that is consistent with the policies and objectives of the Comprehensive Plan through the use of innovative designs and the application of sound design principles. When the County adopts a Projected Land Use Map (PLUM) as a part of the Comprehensive Plan, or to supplement the Comprehensive Plan, this purpose shall be interpreted to encourage development that is consistent with that PLUM.
2. To preserve high quality open space in meaningful amounts and in desirable locations.
3. To permit clustering and similar design solutions that encourage protection of scenic areas, wildlife habitats and migration routes, skylines, wetlands, and riparian areas.
4. To encourage compact rather than scattered developments.
5. To provide opportunity for development where site constraints or other similar factors make the PUD approach more reasonable and desirable than the standard subdivision design.
6. In the Rural Reserve area to encourage development that protects the rural, open character by minimizing the visual impacts of the development and preventing the appearance of large, scattered, free-standing communities in those areas.
7. In the Rural Reserve area to encourage development designs that cause the least possible disruption of farming, ranching, or other established and ongoing land use activities.
8. In the Rural Reserve area to encourage open space along the scenic corridors or in the most aesthetically pleasing areas of the land to shield development from view from the Scenic Corridors.
9. In the Rural Reserve area, to encourage development designs that protect migration corridors and breeding areas for those species and habitat identified on the Wildlife Habitat overlay map.

**9-5-1-D COMPLIANCE WITH ZONING OVERLAYS:**

All PUD applications must comply with all procedural and substantive requirements of any applicable overlay provisions of Title 9 and Title 8, including but not limited to the regulations in section 8-5-2 Overlay Regulations....

**9-5-3 PLANNED COMMUNITY PUD'S:**

- A. SIZE: There is no maximum size limit.
- B. PERMITTED LAND USES: The primary land use in a Planned Community PUD is residential. Non-residential uses may be included provided that the land area of the lots on which they are located does not exceed two (2) percent of the developed land area (excluding required open space) of the PUD. In a Planned Community PUD, non-residential uses may include (a) non-commercial institutional uses such as schools, churches, or clubhouses, (b) commercial uses designed and sized to serve the daily needs of PUD residents, or (c) commercial operations related to the recreational, sports, cultural, or entertainment focus of the PUD (for example, equestrian-related facilities in an equestrian-themed PUD), which may be designed and sized to serve residents or visitors from outside the PUD. Non-residential uses shall be located within the interior of the PUD, and not along State Highways or maintained county roads bordering the PUD.
- C. MAXIMUM DENSITY: If the property is located in an area zoned A20 the maximum density shall be fifteen (15) dwelling units per one hundred (100) acres.

River Rim Div. II, Phase 1- Amendment #7 Preliminary Plat Application - PZC

**D. COMMUNITY BENEFITS:**

1. ...each Planned Community PUD shall provide a minimum of seventy (70) percent of the gross land area in the application as open space.
2. In addition, each Planned Community PUD shall provide a public or community water supply system(s) and a public or community sewer system(s) meeting all requirements of the Eastern Idaho Public Health Department and the Department of Environmental Quality, and shall create a taxing district or homeowners association with the responsibility to maintain and replace those water and sewer facilities.
3. In addition, each Planned Community PUD shall provide a system of walking trails and bicycle pathways, that may be dedicated lanes on designated roads to connect all development clusters to any recreational facilities, community facilities, and commercial uses included in the PUD. Walking trails and bicycle pathways to be located in the wildlife habitat open space areas as determined by the Wildlife Habitat Assessment shall minimize any disruptive impacts anticipated by recreational uses of trails and pathways.

E. CLUSTERED DEVELOPMENT: Because larger developments are more likely to compromise the open, rural character of the County unless the additional dwelling units are located and designed to minimize their visibility and impacts on the land, larger clustered developments must be subject to stronger siting constraints.

1. Each Planned Community PUD shall comply with the same requirements for clustered development areas applicable to Rural Reserve PUDs, except that the maximum number of residential lots in each development cluster shall be fifty (50) unless the Board determines that larger clusters would better implement the goals of the Comprehensive Plan.

**9-5-2-E:**

1. Shall be located on lands remaining after the designation of open space areas, and shall not include lands in the FP Floodplain Overlay, the WW Wetland and Waterways Overlay, the HS Hillside Overlay, portions of the WH Wildlife Habitat Overlay where evidence of indicator species or the presence of indicator habitat has been confirmed through the wildlife habitat assessment, and the SC Scenic Overlay Areas to the maximum extent feasible.
2. Shall be located in areas that minimize visibility from the State Highways and Ski Hill Road, and from adjacent development, to the maximum extent feasible.
3. Shall be located to minimize impact on crop production, grazing, and agricultural activities on the application parcel or adjacent parcels. (In most cases this will require that clusters not be located along property boundaries adjacent to land in productive agricultural use.)
4. Shall have building envelopes located, to the maximum extent feasible, to mitigate hazards on lands identified as areas of "High" or "Extreme" wildfire danger as shown on the latest adopted version of the Teton County Wildland Fire Mitigation Plan. The Fire Marshal of the Teton County Fire Protection District shall be consulted for assistance, recommendations, and advice with regard to the Teton County Fire Protection District Resolution #3, Urban Wildland Interface Assessments. Efforts shall be taken to mitigate the risks outlined in this Resolution.

River Rim Div. II, Phase 1- Amendment #7 Preliminary Plat Application - PZC

**OVERVIEW OF PRELIMINARY PLAT APPROVAL:** The purpose of this review is to:

9-3-2-C-1: This two-step Preliminary Plat review process is the phase of the process where the fact-finding details and specifics required by ordinance, and law, are determined. All of the issues surrounding necessary infrastructure will be resolved or have a clearly identified solution to the satisfaction of the County prior to scheduling of the third and final phase of the process. When this phase is finished the necessary information, studies, plats etc. shall be completed to meet the requirements of this phase of development and the requirements of the Final Plat phase. The public hearing for the Final Plat phase of development shall not be scheduled until all documentation is deemed complete by the Planning Administrator.

9-3-2-C-7. Preliminary Plat Hearing(s): The purpose of the hearing, or series of hearings, is to continue discussing the proposed subdivision plan, the development agreement, and the Preliminary Plat for conformity with the Comprehensive Plan, the development's relationship to surrounding development, any site conditions that may require special consideration or treatment, and to discuss and review the requirements of Title 9, Title 8, and Title 6, Chapter 6 of the Teton County, Idaho Development Code. The first hearing of the Preliminary Plat application is also to hear specific comments that may have been submitted by review agencies, which may include local, state, and federal organizations. The Commission or Board may require specific action from the applicant pertaining to the comments received. At the Preliminary Plat hearings, the Commission or the Board may request review by any qualified professional person, and may conduct, or cause to be conducted, investigations, examinations, tests, and site evaluations as it deems necessary to verify the information contained in the application or shown on the plat. The developer grants the Commission or its agent permission to enter upon the land in question for these purposes by virtue of the subdivision/PUD application

**KEY ISSUES:**

On April 12<sup>th</sup> a Development Review Committee (DRC) meeting with the Teton County Engineer (Darryl Johnson), Eastern Idaho Public Health (Mike Dronan), Idaho Transportation Department (Ben Burke), Greg Eager (Idaho DEQ), Rendezvous Engineering (Bob Ablondi), Teton County Planning Administrator (Jason Boal), and Teton County Planner (Kristin Rader). From this meeting, the attached letter identified the key issues. Briefly these included-

- The PUD must now meet the 70% open space calculation, it was originally approved with 50%
- Concerns with area calculations
- Clarification of the "hospitality units"
- Concern with "incidental uses" being along the highway.
- Applicant providing updated O&M records for the sewer system

See the attached Staff Memo's & the Applicant's response for further discussion on the identified issues-

- a. River Rim Ranch Plat Amendment #7- Post DRC Review Comments- 4/12/2016
- b. Applicant Response to Post-DRC Letter- 4/25/2016
- c. Memo from Staff Addressing DRC Corrections- 4/27/2016

**INTER-AGENCY AND DEPARTMENTAL REVIEW COMMENTS**

Idaho Transportation: An email from ITD stated- "West Rim LLC was issued a permit 06-06-109 to access SH 33 at MP 125.538 in 2006 and was required to construct both left and right turn lanes. Based on the changes discussed at the DRC meeting on April 12<sup>th</sup>, ITD does not consider this to be a "change in use". As a result we feel that this permit is still valid.

Eastern Idaho Public Health: They have not received the O&M records that were requested at the DRC meeting.

- 2.6 Encourage policies and resources which enable farms to adapt to changing paradigms.  
*This proposal does not support this policy.*
- Goal ED 3: Recognize that tourism and lifestyle are fundamental components of our economy and are dependent on healthy natural resources.  
*This proposal is focused on tourism, however it is not focusing on fostering healthy natural resources.*
- 3.1. Encourage economic development through the promotion of recreational opportunities and natural resources.  
*The golf course would provide a recreational opportunity, however there is not a promotion of natural resources.*
- 3.2. Conserve Teton County's natural resources in order to enhance economic development.  
*This proposal would take away the areas that have been returned to native vegetation and convert it to a golf course.*
- Goal ED 4: Accommodate additional population by supporting development that is economically responsible to the County and the community.
- 4.1 Assess the public service requirements of new developments and weigh their off-site impacts against projected changes in revenue before approving new developments.  
*There is a large cost of services to support a resort community 15 miles from Driggs (i.e. emergency services, safety service (building permit inspections), transportation services, educational services (school buses), ect.).*
- 4.2 Support local retail by placing adequate residential density in close proximity to businesses.  
*This policy is not supported.*
- 4.3 Consider the economic impact of supply and demand in residential development.  
*Teton County has a known over-supply of residential building lots, yet under supply of built residential units. The proposal does seek to include 12 workforce housing units for employees or workers associated with the PUD.*
- 4.4 Utilize a variety of regulatory and incentive-based tools to reduce density in sensitive areas and encourage density in areas where services exist.  
*This proposal does seek to increase the density.*
- 4.5 Limit commercial retail business to Driggs, Victor and Tetonia.  
*This policy is not supported if commercial is allowed in this area.*
- 4.6 Provide a variety of housing types that are accessible to a socially and economically diverse population.  
*The proposal does seek to include 12 workforce housing units for employees or workers associated with the PUD.*
- 4.7 Encourage creative economic solutions such as live-work opportunities and appropriate home businesses.  
*This policy is not supported.*
- 4.8 Encourage the development of low-density, high-quality neighborhoods adjacent to existing cities.  
*This policy is not supported.*
- 4.9 Maintain rural areas that encourage farming and ranching and support low density residential development.  
*The original approval of the River Rim project incorporated farming into the design plan.*

At this time no other Inter-Agency Comments have been received. The following entities were invited to DRC and to comment on the application:

- Teton County Fire District
- Idaho Fish & Game
- US Fish & Wildlife
- SilverStar
- Fall River Electric

**SPECIFIC REQUIREMENTS FOR PUBLIC HEARING NOTICE:**

Idaho Code, Title 67; Section 67-6509, 67-6511, 67-6512, and Title 9, Section 3-2-(B-2) of the Teton County Zoning Ordinance. The public hearing for the Planning & Zoning Commission was duly notified in the Teton Valley News. A notification was sent via mail to surrounding property owners within a 300-foot buffer area and many more people because anyone within a subdivision that has a lot within 300 feet of a project is also notified. A notice was also posted on the property providing information about the public hearing.

**COMMENTS FROM NOTIFIED PROPERTY OWNERS & PUBLIC AT LARGE:**

Staff has not received any written comments from the public. We have fielded several phone calls asking about it.

**CONSIDERATION OF APPROVAL:**

The Commission shall only recommend approval if it finds that all of the following criteria (§9-3-2(C-8)) have been met (or if it finds that some of the criteria have not been met, may recommend approval with conditions that would ensure that the proposed development meets the criteria):

a. **The application is consistent with the Comprehensive Plan.**

- Goal ED 1: Develop a coordinated and collaborative economic development strategy that encourages, promotes and supports locally-owned businesses and creates a hospitable and attractive environment for businesses and tourists. *N/A*
- Goal ED 2: Preserve our rural character and heritage and promote local agricultural industries.  
*This proposed amendment would reduce the amount of area being farmed currently, and replace it with a Golf Course.*
- 2.1 Encourage development and land use proposals that support prime economic values of rural character and heritage.  
*This proposal does incorporate recreation into the development, however I am not sure golf has strong ties to rural character or heritage.*
- 2.2 Promote local agricultural industries and businesses.  
*This proposal incorporates farming into the development, however it is unclear what other local business may benefit from the proposal.*
- 2.3 Promote smart growth strategies that help preserve rural character by enhancing existing communities and directing development towards them.  
*This proposal does not support this policy.*
- 2.4 Encourage and attract businesses that are economically and environmentally friendly, and promote stewardship and accountability in business.  
*This proposal does not affect this policy.*
- 2.5 Encourage development that adheres to environmental standards.  
*The environmental impacts of the River Rim Development are not insignificant. The question before the PZC, is whether the impacts of proposal can be mitigated, and how could they be mitigated. It is worth discussing what environmental standards the applicant is planning on utilizing or could utilize in their design and construction.*

- Goal ED 5: Support the development of a communications Master Plan. *N/A*
- Goal T 1: Provide well-maintained transportation infrastructure including roads, paved pathways and sidewalks.  
*The proposed amendments provide walking paths inside the subdivision that would also connect to the Division I pathways. It is unclear if there will be limitations on who can use those trails and pathways. The County is responsible for maintaining the County Road 9400 West.*
- 1.1 Improve the conditions and safety for vehicles, bicycles and pedestrians of existing transportation infrastructure, especially roads important for agriculture.  
*Most of the infrastructure being constructed in association with this PUD is not existing infrastructure.*
- 1.2 Identify and implement financing mechanisms to pay for needed transportation maintenance and improvements.  
*The proposed amendment is not applicable to this policy.*
- 1.3 New development will provide adequate transportation facilities to accommodate needed services.  
*There are no identified "transit" facilities. This is a limited service in the valley, but being a "resort" destination, this may be a policy to discuss.*
- 1.4 Adopt a variety of design standards for all transportation infrastructure.  
*The proposed amendment is not applicable to this policy.*
- 1.5 Provide/promote off-road transportation corridors to and from Public Lands suitable for both motorized and non-motorized vehicles.  
*The proposal provides winter access to the USFS via an easement and summer access via 9400 West.*
- 1.6 Educate and inform the public regarding transportation goals, costs and benefits; road construction and maintenance; and plowing schedules and policies.  
*The proposed amendment is not applicable to this policy.*
- 1.7 When key infrastructure (roads, bridges, pathways, etc) is damaged or destroyed by naturally occurring events, including deterioration due to age and use, it should be replaced within as short a timeframe as feasible to avoid disruption of service to the public.  
*The proposed amendment is not applicable to this policy.*
- Goal T 2: Create convenient, safe, timely, financially sustainable and efficient options for multi-modal\* transportation that satisfies a multitude of needs. *N/A*
- Goal T 3: Provide a well-connected transportation network within Teton Valley and within the region.  
*A possible condition of approval, may include language in the Development Agreement requiring acceptance of a connection to a County wide trail plan/network.*
- Goal T 4: Develop transportation appropriate for a rural community, respectful of the unique character of Teton Valley. *N/A*
- Goal T 5: Support continued improvements to the Driggs Memorial Airport to support Teton County's aviation needs. *N/A*
- Goal NROR 1: Conserve our public lands, trail systems, and natural resources (air, water, wildlife, fisheries, wetlands, dark skies, views, soundscape, soils, open space, native vegetation).  
*As mentioned above this proposal would remove "native vegetation" that was replanted based on the last Master Plan approval*
- Goal NROR 2: Enhance and preserve access to public lands and recognize the need to accommodate different user groups in a way that minimizes user conflict and damage to natural resources.  
*Public access to National Forest during the summer would be through a developed part of the subdivision. The winter access would be via the easement agreement that defines the western boundary of Phase I. Public access, both summer and winter would need to be assured.*

- 2.1 Maintain and improve existing public land and river access.  
*The proposed amendment would maintain public access to the Forest Service via 9400 West.*
- 2.2 Support the creation of new public land access when it's consistent with natural resource conservation goals.  
*The proposed amendment is not applicable to this policy.*
- 2.3 Support the creation of a County motorized and non-motorized summer and winter travel plan which includes access points.  
*The proposed amendment is not applicable to this policy.*
- 2.4 Consider and accommodate access for different user groups to minimize user conflict and resource damage.  
*The proposed amendment is not applicable to this policy.*
- 2.5 Seek cooperation of private landowners to improve accessibility to adjacent public lands.  
*Winter access, which includes a snow machine path, would be via the existing access easement that forms the western boundary of Phase I, and follows 9400 West.*
- 2.6 Work with state and federal agencies and private landowners to protect environmentally-sensitive areas from resource degradation.  
*The proposed amendment is not applicable to this policy.*

Goal NROR 3: Provide and promote exceptional recreational opportunities for all types of users (including but not limited to biking, skiing, fishing, off-highway vehicle use, target practice, hunting, trail users, equestrians, boating, non-motorized flight) as a means for economic development and enhanced quality of life. *N/A*

Goal NROR 4: Balance private property rights and protection of our natural resources.  
4.1 Ensure that development regulations balance natural resources protection, viewshed protection and growth, are clear and predictable, and preserve the economic value of the land.  
*The balance identified in this goal is unique with this proposal. Consideration needs to be given to the economic value of the existing infrastructure, existing properties (lots) and the development as a whole. As well as the acceptance, approval and entitlements have been granted in the past. How this fits into the equation should be discussed and determined by the Commission.*

Goal NROR 5: Recognize, respect and/or mitigate natural hazards, including but not limited to flooding, earthquakes, landslides, radon and fires. *N/A*

Goal NROR 6: Promote natural resource protection by a variety of means including financial compensation for willing buyer/willing seller agreements that promote open space acquisition and land and water easements. *N/A*

Goal NROR 7: On public lands and accesses, balance recreation with protection of natural resources. *N/A*

Goal NROR 8: Respect sensitive habitat and migration areas for wildlife.  
*The development of Phase 1 started before the requirements of the Wildlife Habitat Assessment requirements. The utilities were installed and golf course was graded and shaped. The natural habitat that was there was removed. This proposal would not disturb any additional habitat.*

8.1 Teton County recognizes that wildlife and wildlife habitats provide economic, recreational, and environmental benefits for the residents and visitors of Teton County. Land development decisions will strongly weigh the needs of wildlife to protect the inherent values that they provide.  
*Additional density in Phase I is a consideration that needs to be weighed against the impact of natural resources.*

- 8.2 Work with landowners, the Idaho Department of Fish and Game, other state and federal agencies, non-governmental organizations, and other natural resources professionals to utilize wildlife habitat and species information and other tools (such as Western Governors Association Crucial Habitat Assessment Tool and the Wildlife Overlay Map), including new information as it becomes available, to make land use and site planning decisions.  
*Attached are the past analysis and comments from other agencies.*
- 8.3 Minimize the cumulative impacts of development on wildlife and wildlife habitat.  
*This policy needs to be weighed when reviewing this application.*
- 8.4 Protect and/or improve the diversity of native vegetation.  
*This proposal does not support this policy.*
- 8.5 Protect and improve riparian and aquatic habitats.  
*This proposal does not support this policy.*
- 8.6 A Wildlife Impact Mitigation Plan shall be developed for any development project which impacts an important habitat or which presents concerns of detrimental human-wildlife interaction. Requirements and performance standards for the mitigation plan shall be clearly established in the Zoning and/or Subdivision Ordinance and shall be the basis for approval of the plan.  
*Without clear mitigation guidance in the development code, the County has relied on comments from the consultants doing the study and Fish and Game to provide guidance if mitigation is needed.*
- 8.7 Provide incentives for voluntary habitat buffers, seasonal use restrictions, and aquatic connectivity along key drainages.  
*This policy does not apply.*
- 8.8 Work collaboratively with other jurisdictions to preserve, enhance, restore and maintain undeveloped lands critical for providing ecosystem connections and buffers for joining significant ecosystems.  
*This policy does not apply.*
- 8.9 Designate and map lands within or buffering Teton River Canyon as an irreplaceable natural area, and work with private landowners and government agencies to protect and conserve the area's ecological resources, including wintering big game and cutthroat trout.  
*This policy does not apply.*

Goal CEF 1: Provide high-quality public and private services and facilities in a coordinated manner for the health, safety, and enjoyment of the community. *N/A*

Goal CEF 2: Encourage the development and support of high-quality education facilities (primary, secondary and post-secondary) and diverse and affordable activities for all ages. *N/A*

Goal CEF 3: Encourage an environment that fosters community involvement. *N/A*

Goal CEF 4: Adequately fund existing and future public services and facilities. *N/A*

Goal ARH 1: Preserve and enhance Teton Valley's small town feel, rural heritage and distinctive identity.

- 1.1 Ensure that planned growth maintains Teton Valley's rural character.  
*Dense development in rural areas does not maintain Teton Valley's rural character. The question is whether this proposal improves the situation, by adding a tourist & recreational component back in improves the situation over what was already approved.*
- 1.2 Encourage vacation of subdivision plats where appropriate and viable.  
*This policy is not applicable.*
- 1.3 Ensure that open spaces are managed responsibly. *The River Rim project has large amounts of open space that have been and will continue to be farmed. The golf course area, also counted as open space, will need to be managed in a responsible way moving forward.*

- 1.4 Maintain the County's rural heritage through the scenic corridors.  
*This policy is not applicable.*
- 1.5 Support the preservation of open space, farmland, natural beauty, and critical environmental areas.  
*The River Rim Division II Master Plan has approximately 3,300 acres of open space. Most of those areas are intended to be farmed. Two hundred and eighty (280) acres are in the golf course area.*
- 1.6 Encourage higher density development in the cities of Driggs, Victor, and Tetonla.  
*This proposal does not support this policy.*

Goal ARH 2: Balance property rights and rural character.  
*Should be discussed and determined by the Commission.*

Goal ARH 3: Support and enhance agriculture and ranching.  
*This proposal does not support this policy.*

Goal ARH 4: Respect cultural heritage sites. *N/A*

Goal ARH 5: Reduce infestation/introduction of invasive species.  
*Weeds have been a major problem in the River Rim complex with disturbed soils being left unattended and, in some cases, unplanted, for years. The weed problem needs to continue to be addressed in earnest. A revised weed management plan needs to be created and followed to support weed-fighting efforts in conjunction with the proposal.*

- 5.1 Support on-going efforts to map current noxious weed infestations.  
*A weed management plan could include mapping of weed infestations.*
- 5.2 Continue support of public education and outreach that target noxious weed identification, landowner control responsibilities under Idaho State Law, noxious weed management options and noxious weed management funding alternatives.  
*This policy is not applicable.*
- 5.3 Continue to offer cost share assistance to willing landowners through the Idaho State Department of Agriculture's (ISDA's) noxious weed cost share grant program.  
*This policy is not applicable.*
- 5.4 Support current county weed control enforcement policies to better report, police and enforce noxious weed violations under State Law in a fair, timely and consistent manner.  
*This policy is not applicable.*
- 5.5 High priority will be given to managing invasive species that have, or potentially could have, a substantial impact on county resources, or that can reasonably be expected to be successfully controlled.  
*This policy is not applicable.*
- 5.6 Address the cause of invasive species infestations and work to reduce initial outbreaks especially on disturbed lands.  
*Additional disturbances, especially with seed sources in the area, should be carefully managed and protected against weed infestations.*
- 5.7 Provide public education on appropriate uses of chemical weed control so that it is used in a way that is compatible with surrounding uses.  
*This policy is not applicable.*

- b. **The application complies with all applicable County regulations.**
  - With the calculations based on all of Division II the proposal appears to meet applicable Teton County Regulations, with the exception of the items identified in the Key Issue section.
- c. **If the application is for a PUD, it complies with any regulations applicable to PUDs under Chapter 5 of Title 9, including without limitation regulations controlling the types and locations of open space to be included in the development and the required design and size of development clusters. If the application is for a Planned Community PUD, the application adequately mitigates any impacts identified in those additional studies required by Section 9-3-2(C).**
  - The proposal does appear to meet the open space and clustering requirements. Past studies and updated information has been provided. The PZC does have the ability to request additional studies.
- d. **The application includes trails and pathways as required by Section 9-4-2(B-4) to the maximum extent feasible.**
  - Teton County has yet to adopt a trail/pathway plan, however I would encourage language be added to the Development Agreement that Trails/Pathways in the development be incorporated into that plan when it is developed.
- e. **The application is consistent with the results of any Nutrient-Pathogen Study required for the property and includes any conditions or changes required to avoid any potential degradation of surface or groundwater identified in that study.**
  - This does not apply to this application because a Nutrient-Pathogen Study was not required.
- f. **The application is consistent with the recommendations of any report on the adequacy of the proposed sewage system for the development and includes any recommended mitigation measures identified in that report.**
  - See comments from EIPHD above. There is concern about the maintenance of the system.
- g. **The application is consistent with any Traffic Impact Study required for the property and will not result in a decrease in the level of service (for example, from level of service B to C) on any State Highway or a maintained county road and includes any mitigation measures recommended in the Traffic Impact Study.**
  - See comments from ITD above. It was previously permitted and this proposal is not significantly different from the original application.
- h. **If the application is for land that is not adjacent to a State Highway or a maintained county road, the applicant will bear the costs of constructing roads to connect the proposed development to at least one State Highway or a maintained county road, and adequate for anticipated traffic and will be constructed to County Road Standards.**
  - *N/A*

- i. If a Natural Resources Analysis is required, the proposed development will avoid all mapped Overlay Areas (except the AV Airport Vicinity Overlay Area), or will minimize any unavoidable impacts to the mapped Overlay Areas to the maximum extent feasible and mitigate any unavoidable impacts. In the case of land located in the WH Overlay Area, the duty to avoid or mitigate impacts on habitat areas shall only apply if the wildlife habitat assessment reveals evidence of an indicator species or the presence of indicator habitat, and shall only apply to portions of the parcel where the evidence or habitat is found.
- Staff felt that this is an area without clarity in the code. The proposal is to "meet all current county regulations". However, the plat amend process was adopted to "ensure the revised plats, and Planned Unit Developments or recorded Master Plans comply with all applicable regulations but it is desirable to avoid unnecessary duplication of studies and analyses that may have been required as part of the initial plat application and approval." When Phase 1 was approved, there was no requirement for a Wildlife Habitat Assessment. Evidence of indicator species at this point would be impossible, as the native vegetation was removed from the site in the past as the golf course was originally sculpted and utilities installed. The previous approval the residential units has marginalized this area as Biota made clear in their 2013 review of the golf course reclamation- "The proposed open space areas can be expected to be used by a diverse suite of wildlife species, although it is understood that the long-term value of this area will be reduced as residential development of Division II, Phase I progresses." In 2013 IDFG submitted a letter restating their primary concern with River Rim was in Phase VI, the South Canyon Area (see attached IDFG letter). The PZC does have the ability to request a Wildlife Habitat Assessment, if it feels it would be necessary to make a decision on the proposal.
- j. The required Public Service/Fiscal Analysis shows that all public services provided to the proposed subdivision or PUD have adequate capacity to service it, or if they do not, the applicant has committed to mitigation or financing to ensure that those services and facilities will be provided within two (2) years after the first unit in the development is occupied and that any shortfall of tax revenues below the costs of providing the services or facilities will be covered without cost to the County.
- The subdivision will utilize private a private water and sewer system.
  - Access will be provided via State Highway 33 and County road 9400 West. The applicant has ITD approval for the access and will be improving the intersection to meet the demand. The developer has relocated and improved 9400 West for the County as required in the 2014 Development Agreement.
  - The developer is willing to dedicate a lot to the Teton County Fire District, if the Fire District is interested.
- k. The application is consistent with any capital improvements plan adopted by the County.
- There is no identified Teton County capital improvements in or near this development, other than 9400 West that has been completed.

- l. An adequate institutional structure has been created to ensure that long-term maintenance costs of roads, water, sewer, and drainage systems will be collected from within the development and used to maintain such items. If the chosen structure relies on payments of dues (for example, through a homeowners association) rather than taxes, the county shall be granted the institutional power to enforce payments of those dues in the event the organization fails to do so.
- The institutional structures (water, sewer, stormwater, etc.) have been designed and beginning phases installed. The development will be responsible for the long term maintenance of those systems. An institutional structure has not been created. Roads, water, sewer, and drainage systems on the property are all private.
- m. If land ownership boundaries or natural terrain features make it impossible for the application to meet all of the criteria outlined in Section 9-3-2(C-3), the application shall meet as many of the criteria as possible.
- This is not applicable.
- n. In addition to the above, for a Planned Community PUD, the application is consistent with the recommendations of any report on the adequacy of the school system to accommodate school aged children anticipated by the development, and includes any recommended mitigation measures identified in that study. If the applicant is obligated to pay an impact fee for schools, then mitigation measures identified in the report will not be required.
- This proposal would reduce the number of single family units and or convert them to "hospitality suites". There would be little impact on school age children in the development. I am awaiting comments from the School District. The PZC does have the ability to request a Public Service Analysis, if it feels it would be necessary to make a decision on the proposal.

**PLANNING COMMISSION'S POSSIBLE ACTIONS:**

- A. Recommend Approval of the Preliminary Plat, with the recommended conditions of approval listed in this staff report, having provided the reasons and justifications for the approval.
- B. Recommend Approval of the Preliminary Plat, with modifications to the application request, or adding conditions of approval, having provided the reasons and justifications for the approval and for any modifications or conditions.
- C. Recommend the Denial the Preliminary Plat application request and provide the reasons and justifications for the denial.
- D. Continue to a future PZC Public Hearing with reasons given as to the continuation or need for additional information.

The following motion could be given:

Having concluded that all the Criteria for Approval of a Preliminary Plat found in Title 9-3-2-B in conjunction with the criteria for a Substantial Change- Increase Scale, Impact found in Title 9-7-1 (B-2-b), can be satisfied (OR not satisfied) with the inclusion of the recommended conditions of approval, and

- having found that the considerations for granting the Preliminary Plat Approval for River Rim Division II, Phase 1 can be justified and have been presented in the application materials, staff report, and presentation to the Planning & Zoning Commission and the, and
- having found that the proposal is generally consistent with the goals and policies of the 2012-2030 Teton County Comprehensive Plan,
- I hereby recommend APPROVAL (OR DENIAL) of the Preliminary Plat Amendment #7 for The River Rim Division II, Phase 1 as described in the application materials submitted April 5, 2016 and as supplemented with additional applicant information attached to this staff report.

Prepared by Jason Boal

**Attachments:**

- Application
  - Narrative
  - Conceptual sketch
  - Architect Letter
  - Preliminary Plat Amendment
  - Master Plan Amendment
  - Traffic Projections letter from project Engineer
  - ITD Permit
  - Amended and Restated Development Agreement
- DRC Post-Meeting Letter from Staff- 4/12/2016
- Applicant Response to Post-DRC Letter- 4/25/2016
  - Table 1. Revised Open Space Calculations
  - Table 2. Revised Open Space Summary
  - Table 3. Unit Identification
  - Table 4. Unit Summary
  - Table 5. Revised- Incidental Use Calculations
- Table 6. Revised- Incidental Use Summary
- Table 7. Revised- Wastewater Flow Comparison
- Table 8. Preliminary Golf Course Cost Estimate
- Gamble Sands example images
- Chalet Hospitality Unit concept
- Golf Club Hospitality Unit Concept
- Memo from Addressing DRC Corrections- 4/27/2016
- IDFG Letter – 2013/6/20
- Comment letter from Teton School District 401- 4/26/2013
- Adjacent Landowner Notification Map

End of Staff Report



Teton County Planning  
150 Courthouse Drive, Room 107  
Driggs, Idaho 83422  
Phone: 208.354.2593

**FROM:** Teton County Planning & Building Administrator, Jason Boal, AICP  
**TO:** GBCL Other Real Estate LLC, 211 West Rim LLC, Rendezvous Engineering & Focus Architects  
**RE:** River Rim Ranch Plat Amendment #7- Post DRC Review Comments  
**DATE:** April 12, 2016

Teton County has received your application for a Substantial Change (Increase Scale, Impact) Plat Amendment. In reviewing the application and supporting documents we have the following comments-

- PUD Definition- 9-5-1-A-2 Planned Community PUD:  
A PUD or part of a PUD located outside the cities' areas of impact and containing more than one hundred (100) lots or dwelling units, which shall be designed to preserve the open, rural character of Teton County by minimizing the visual impacts of the development and preventing the appearance of large, scattered, free-standing communities in those areas.
  - Approval Process for Substantial Change (Increase Scale, Impact) Plat Amendment.
    - Definition (9-7-1 (B-2-b)-  
Substantial Changes – Increase Scale, Impact are changes that increase the scale or scope of the platted subdivision, or increase the direct or indirect impacts on the immediate neighborhood, general vicinity of the subdivision or overall community. These substantial changes may include the following:
      - an increase in the number of lots;
      - the re-arrangement or relocation of lots that encroach further into natural resource areas or Overlay Areas as defined in Title 8 or Title 9 or move closer to neighboring property;
      - the relocation of parking facilities, buildings, or other elements of the development that encroach further into natural resource areas or Overlay Areas as defined in Title 8 or Title 9 or move closer to neighboring property; or
      - other changes of similar magnitude or projected impact.
    - Process for Approval (9-7-1 (B-4-b)-  
Upon the Planning Administrator determining the application complete, and that the proposed changes are substantial, the application shall be reviewed as a revised Preliminary Plat and revised Final Plat pursuant to the procedures established for such applications. The Planning Administrator shall schedule the application for review by the Planning and Zoning Commission and Board of County Commissioners pursuant to the procedures established in this regulation for Preliminary and Final Plats\*.  
*\*There will be 3 public hearings- 1) PZC- preliminary approval, 2) BoCC- preliminary approval, and 3) BoCC final approval.*
  - Criteria for Approval (9-7-1 (B-3-b)-  
Substantial Changes – Increase Scale, Impact
    - The master plan and plat for a subdivision or Planned Unit Development, including the proposed changes, shall comply with all applicable criteria and standards of the current county regulations\*\*.
    - Any proposed changes to a recorded plat or master plan that increase direct or indirect impacts may require additional mitigation pursuant to the criteria and standards of county regulations
- \*\*The Plat Amendment approval will be based on meeting the criteria identified in the current code.**

3. Application Comments-

a. Development Agreement:

- i. We would like a standalone development agreement for this Phase that does not rely on references to previous agreements. So, items like the public uses that were in the original agreement need to be carried forward.
- ii. We need timelines for the improvements that are being proposed. We are interested in the estimate time to complete each of the improvements proposed.
- iii. We need cost estimates for the improvements that are being proposed.
- iv. Every Tract/Block lot needs to be listed with the acreage, densities, and/or proposed uses on the Tract/Block

b. Plat, Exhibit D:

- i. Sheet 1- There is a measurement for Tract A (21.15) (east of the Farm/Ranch Residential Compound). None of the other Tracts have acreages called out. (It is also not aligned like the other Tract labels, along the boundary of the tract)
- ii. What is Tract O (7.57 acres)?
- iii. Sheet 4- call out on the Club Facility Lot references Sheet 7 instead of 5.

c. Open Space Calculations:

Division II Phase 1- Open Space Acreage				Division II Open Space			
Block/Tract	Total Acreage	"Calculated" Acreage	Phase	Total Acreage	"Calculated" Acreage		
Tract J*	278.38	139.19	1	871.19	737.92		
Tract M*	10.46	5.23	2	595.2	595.2		
Tract A	3.58	3.58	3	328.6	328.6		
Tract F (utility lot)***	-	-	4	422	422		
Tract I (Residential Lot)***	-	-	5	617.6	617.6		
Tract M****	68.95	68.95	6	522.6	522.6		
Tract M-1	1.38	1.38					
Tract O	7.57	7.57					
Tract P****	45.03	45.03					
Tract Q****	57.67	57.67					
Tract Q-1	1.78	1.78					
Tract R	3.99	3.99					
Tract S	4.32	4.32					
Tract T	2.69	2.69					
Tract Z1***	-	-					
Tract Z2	390.95	390.95					
Tract Z3	5.59	5.59					
<b>Total</b>	<b>882.34</b>	<b>737.92</b>		<b>3368.34</b>	<b>3,223.92</b>		

\*(9-5-2 D)- If the designated open space is included in a golf course or other recreation facility, only one-half (1/2) of the open space acreage shall be counted towards the minimum required open space.

\*\* based on changes from the 2-2014 Development Agreement # 231392

\*\*\* (9-5-2 E). The land designated as open space within a PUD must be committed to open space ... Open space may also be platted, and deed restricted to the satisfaction of the Board, as one or more large privately held lots) a minimum of 20 acres each, with specified building envelopes. The Board must be satisfied that the preservation of open space is viable and the entity to which the open space is deeded is a sound, independent and legitimate organization whose primary purpose is to protect and maintain open space.

\*\*\*\* Discrepancy in acreage on provided table and proposed plat.

i. Required Open Space 9-5-3 (D)- Planned Community PUD shall provide a minimum of seventy (70)

percent of the gross land area in the application as open space.

1. Phase 1 standalone - 70% \* 1464.2 = 1,024.94 acres
  - a. Short 287.02 acres
2. All of Division II- 70% \* 4476.5 = 3,133.55 acres
  - a. Over 90.3 acres

e. Incidental Use Calculations:

Incidental Use Calculations						
Division II Phase 1-				Division II- All Phases		
Lot/Tract	Lot/Tract	Acreage	Use	Phase	Total Acreage	
West Rim Village Park	B1-1	3.51	Equestrian Center*	1	23.91	
	B1-1A	1.96	Fire District Site	2	0	
	B1-2	2.78	Storage Units*	3	0	
	B1-7	2.92	Existing Farm Service*	4	0	
	B1-8	3.2	Headquarters*	5	0	
Golf Village	TE-1	3.32	Club Facilities*	6	0	
	TG- O&M	6.22	Golf Course O & M*			
<b>Total</b>		<b>23.91</b>		<b>Total</b>	<b>23.91</b>	

\* Development Agreement 179247 pgs. 11-12 Identify the following as incidental uses-

- N. Incidental Uses. Commercial support uses are located in the following areas and include certain approved uses and restrictions:
- Teton Rim Golf Village (10 ac)
  - Golf Pro Shop/Storage/Restrooms/Office
  - Cart Barn/Storage/Multi-purpose/Office
  - Swimming Pool/Spa/Health Club/Tennis Facility
  - Nordic Skiing
  - Fishing Pond
  - Shop/Services/Office Space/Conference/Sales/Property Management
  - Farm and Golf Operations/Barn/Equipment
  - POA Operations/Barn/Equipment
  - General Storage/Multi-Purpose/Support Facilities
  - Equestrian Area (6 ac)
  - Outdoor riding facilities
  - Indoor riding arena facilities
  - West Rim Village (14 ac)
  - Incidental Use/Support Commercial Use
    - General Storage/Car Wash
    - Self Storage Units/Office - Storage Units
    - Call/Logo Shop
    - Bed and Breakfast with 30 Condominium Units
    - Multi-purpose Meeting/Conference Space
- 9-5-3-B: ...In a Planned Community PUD, nonresidential uses may include (a) non-commercial institutional uses such as schools, churches, or clubhouses, (b) commercial uses designed and sized to serve the daily needs of PUD residents, or (c) commercial operations related to the recreational, sports, cultural, or entertainment focus of the PUD (for example, equestrian-related facilities in an equestrian-themed PUD), which may be designed and sized to serve residents or visitors from outside the PUD.

i. Incidental Use Limitation- 9-5-3-B: The primary land use in a Planned Community PUD is residential. Non-residential uses may be included provided that the land area of the lots on which they are located does not exceed two (2) percent of the developed land area (excluding required open space) of the PUD.

1. Phase 1 standalone - 1464.2 (total acreage) - 1,024.94 acres (required 70% Open Space) = 439.26 acres (developable land area) \* 2% = 8.785 acres of incidental uses.
    - a. Over 15.125 acres
  2. All of Division II- 4476.5 (total acreage) - 3,133.55 acres (required 70% Open Space) = 1342.95 acres (developable land area) \* 2% = 26.859 acres of incidental uses.
    - a. Under 2.949 acres
- ii. Application/Master Plan stated Incidental Uses -
1. The application states 10.15 Incidental Use Acreage in Phase I - difference of 13.76 acres
  2. The application does not address incidental uses in all of Division 2

d. "Unit" Calculations:

Unit Calculations							
Lot/Tract	Division II Phase 1-			Division II- All Phases			
	Amendment 4 Units	2014 Units	Proposed Units	Phase	Amendment 4 Units	2014 Units	Proposed Units
Block 1 (Entry)	30	0	13	1	340	307	409
Blocks 2,3,4,5,6,7,8,9,10	159	166	160	2	43	18	18
Tract A	20	8	8	3	21	10	10
Tract B	24	10	10	4	25	8	8
Tract C	62	62	124*	5	24	6	6
Tract D	45	45	48*	6	55	55	55
Tract E	0	12	48*				
Tract G	0	3	0				
Tract I	0	1	1				
<b>Total</b>	<b>340</b>	<b>307</b>	<b>412</b>		<b>508</b>	<b>404</b>	<b>506</b>

\*Indicates the "Hospitality Unit"- Need to clarify if Tract C will have 2 Hospitality Units per lot OR a 2-bedroom Hospitality Unit per lot.

i. The existing Brett Hoopes home site in West Rim Village does not seem to be included in the unit calculations.

ii. I calculated the following changes to the units (based on changes from the 2-2014 Development Agreement # 231392:

1. West Rim Village: +13 Units
  - a. +1- Existing Hoopes Residence
  - b. +12- Workforce Housing Units
2. Golf Village : +30 Units
  - a. + 3 Units on Tract D
  - b. +36 Units on Tract E (12 existing, total of 48)
  - c. -3 Units on Tract G (lots 26-28)
  - d. -6 Units Block 6 (lots 28-34)
3. Cluster Chalets : +52 Units (two Hospitality Units per lot)
4. Phase 1 Total Change = 412 - 307 (2014) = 105
5. Division 2 Total Change = 509 - 404 (2014) = 105

iii. Maximum Density 9-5-3-C - If the property is located in an area zoned A20 the maximum density shall be fifteen (15) dwelling units per one hundred (100) acres.

1. Phase 1 standalone - 1464.2 / 6.666 = 219 Units
  - a. Over 193 Units
2. All of Division II- 4476.5 / 6.666 = 672 Units
  - a. Under 166 Units

iv. Application/Master Plan stated Units -

1. The application states 349 Units in Phase I - difference of 63 Units
  - a. Hoopes residence + 2 Hospitality Units per chalet lot
2. The application states 446 Units in Division II - difference of 63 Units

f. Ownership- The following is summary of the owners of the different Phases-

- i. Phase 1- GBCI, 211 West and approx. 35 other owners.
- ii. Phase 2- Teton River Farms
- iii. Phase 3- Teton River Farms
- iv. Phase 4- John Hoopes
- v. Phase 5- Circle Dot Ranch
- vi. Phase 6- GBCI

As you can see there is some discrepancy in what we have calculated and what was presented in the application. The discrepancies seem to center on these issues:

1. Open Space-
  - a. 70% Open Space is required for Planned Community PUD under the current code
  - b. Only 50% of the acreage of open space parcels with recreational uses can be counted towards the required open space.
2. Units-
  - a. The Hoopes home was not counted in the unit density
  - b. Adding 2 "Hospitality Units" per chalet lot as opposed to 1 Chalet per lot
3. Incidental Use Calculation-
  - a. Certain uses were not included in the provided calculation...Equestrian, fire station, farm uses, golf course O & M, etc....these uses are either (or both): a) in line with the definition of incidental uses in the current code, or b) included in the original calculation of incidental uses.
4. DRC Comments-
  - a. Sewer/Septic
    - i. Development Agreement (and CC&R's) must identify a maintenance schedule, including the responsible entity of the privately owned septic tanks.
    - ii. Development Agreement (and CC&R's) must identify maintenance schedule, including the responsible entity for the leach field and community system.
    - iii. Applicant will revise the sewage calculations based on the revised type and number of units. This revised calculation will be provided to Idaho DEQ, EHP, and Teton County.
    - iv. Applicant will provide O&M records (since the system was installed) to Idaho DEQ and EIPH.
  - b. Fire Protection-
    - i. Applicant will determine whether the Teton County Fire District is interested in the identified lot.
  - c. Roads
    - i. ITD will review previous application and plans to ensure they meet current standards
  - d. Layout
    - i. Applicant will look at revising the West Rim Village layout to place incidental uses on the interior of the development, as opposed to being along the highway (i.e. storage units lot)
  - e. Units
    - i. Applicant will clarify what a "Hospitality Unit" is in reference to the Chalet lots and Lodge site.

## MEMORANDUM

**DATE:** 4-25-2016  
**TO:** Jason Boal, Teton County Planning Administrator  
**FROM:** Bob Ablondi   
**RE:** River Rim, Proposed Amendment No. 7  
**CC:** Brett Potter, Sean Moulton, Sean Cracraft, David Choo, Don Chery  
**RDZ PROJECT NO:** 15-037

Attached below are specific responses to the comments raised in your memo dated 4-12-2016 following the design review committee (DRC) meeting that took place on that same day. As noted, the calculations for open space, number of units allowed and incidental use satisfy current county requirements if the entire PUD is considered. We did have some questions and differences on how the open space and incidental use was calculated.

To help better explain the hospitality unit, Brett Potter has prepared some concepts plans that illustrate more specifically what these units may look like. It is important to note that the plan is for more affordable units to work with the overall economic model. Consequently the sized is expected to be less than a typical single family residence. These plans are still in the early planning stages.

Also we are including in Table 8 some preliminary cost estimates for the golf course construction prepared by Sean Cracraft of OB Sports. This estimate is based upon a "links" type course which is expected to require significantly less effort and cost to construct. Photos from a course recently completed by OB Sports. It is important to note that the irrigation pump station is in place, the mass excavation has been completed, rock excavation is not an issue and the natural areas have already been seeded all of which will help to control costs and keep with the economic model for this facility. Sean is also planning to attend the Planning and Zoning meeting to help answer questions about the golf design.

Also attached are some photos of a recently constructed links golf course in Brewster, Washington called Gamble Sands. This course has many of the same characteristics that would apply to the River Rim site including a remote location as a destination golf resort. This course also has few amenities and limited water features to save construction and operation costs.

25 South Gros Ventre Street - Post Office Box 4558 - Jackson, Wyoming 83001  
Phone - 307.733.5252 Fax - 307.733.2334

 **RENDEZVOUS ENGINEERING, P.C.**  
Page 2 of 5

b. Attached is a concept plan of the Chalet units showing the two "key" concept designs that would be part of the short term rentals associated with the hospitality facility. These Tract C Chalet units have always been a part of the units allowed for short term rentals. At less than 2500 square feet, this concept shows a plan that is smaller in size than a comparable 4 bedroom luxury cabin planned for this site. Consequently we suggest that the unit count be based upon one unit per lot on Tract C. Revised Table 3 is based upon this assumption of one unit.

### 3. Incidental Use Calculation

a. We have updated the incidental use calculations in Tables 5 and 6 per your comments. However we wanted to note that many of these incidental uses that are included in the county definition could be eliminated as they are secondary to the overall intent of creating a financially viable golf resort as discussed below:

1) *Equestrian Area.* This area was included in the plan as an amenity to the property owners as an option to keep horses at the site. This is not directly related to golf and is not considered an essential use for this project. In addition the use was intended to be more of a pasture area with limited structures. This could be reduced to one acre or eliminated if it negatively affected the allowable incidental uses.

2) *Storage Unit Lot.* This is not an essential use but more of an amenity for the lot owners. This area can be reduced in size or eliminated however we believe that it would be prudent to allow this type of use.

3) *Fire Station.* The fire station lot was moved from Division I mostly to provide the fire department with a better alternative that had access to water, sewer and utilities. We do not believe that the allowable incidental use area should be reduced for providing this public facility. Also we would expect that the county would allow a fire station in about any zone if there was a need.

4) *Existing Farm Service Lot.* This lot was sold to Teton River Farms to support their ongoing effort keep the surrounding lands productive through a farming operation. This operation positively impacts a large portion of the open space area associated with this PUD. This is essentially the same use that has been on this property prior to the PUD and therefore should not be part of the incidental use allowance.

5) *Golf Operations Lot.* The entire lot is not required for the golf operation. We have estimated that this can be reduced to about 2 acres if necessary but would prefer to have the flexibility of a larger useable area.

### 4. DRC Comments

a. Sewer/ Septic

i) and ii) There is a suggested maintenance schedule for the wastewater system, domestic water and fire protection system that is included with the record drawing on file with the county. The wastewater manual discusses both the onsite septic tanks and the overall treatment system. This would be the initial responsibility of the developer but transitioning to the homeowners or a special district over time.

### 1. Open Space.

a. Attached are updated Tables 1 and 2 showing overall open space calculations for Phase I and all of Division II per your comments. The key item is that with all phases, the project does comply with current PUD regulations for 70 percent open space. It should be noted that this project was planned more than 10 years ago and was based upon the standards in effect at the time which only called for 50% open space.

b. However, we had several comments about the calculations for five (5) of open space tracts as summarized below. We have provided our recommendations for open space next to your analysis as a comparison.

1) *Tract N, Entry Ponds.* Although this area is used occasionally for fly fishing lessons, allowing only 50% of the area to qualify as open space seems to discourage this type of an amenity, which we believe adds value to the project and the community as a whole. Plus this is a very minimal use of the land. As noted above this does not affect the overall calculation but is a more of a policy question for the current PUD regulations that may be counterproductive. We would suggest that this be included as 100% open space.

2) *Tract J, Golf Course.* With the change to more of a links type course, there will be considerably more native grass and natural areas compared to a more conventional design. The Gamble Sands course in Brewster Washington is an example of the intended design. This again raises the question about only allowing 50% of the golf area to be open space particularly with the greater emphasis on using and preserving natural grasses and vegetation. We would suggest 50% credit for the actual golf and 100% credit for the natural areas as a compromise.

3) *Tracts F, Z-3, Leach Fields Tanks.* One of the early concepts in the River Master Plan was to take advantage of the large open space areas to construct on-site leach fields as opposed to a more complicated mechanical plant with a point source discharge. These areas are currently being farmed as there are limited numbers of structures.

4) *Tract I, Agricultural Operations Lot.* Although there is a residential unit associated with this 60 acre tract, this use would only account for about 1 acre of disturbance. We would recommend that the remaining 59 acres be credited for open space.

### 2. Units.

a. We have revised Tables 3 and 4 to include the one unit currently owned by the Brent Hoopes family. This has always been an allowed use in the development agreement understanding that over time it will transition to another use. One possibility is for this to be purchased from the Hoopes and used for employee housing in some form. Based upon Table 3 for Phase 1, the change is still 42 units which include the 30 bed and breakfast units and 12 employee housing units discussed in the application narrative. As shown in Table 4 for the entire project, there is a total of 447 units associated with Amendment No. 7 with an allowed 671 units per current PUD requirements or an overall net surplus of 224 allowed units.

iii) See revised Table 7 which is a comparison of the original sizing and the current flow estimates. The original sizing was also included in the operations manual.

iv) There are limited records available due to the fact that use has been minimal. The wastewater use has essentially been the equivalent of one single family residence or about 300 gpd on a 30,000 gpd system - 1 percent of the design capacity. The flow monitoring and other O&M recording obligations are triggered at significantly higher flows.

b. Fire Protection.

i) We will send an email to Fire Chief Bret Campbell to again ask if there are any plans to use this site fire department site and at what time. This site can remain available however we would prefer that it not be considered part of the incidental use allowance as previously discussed given that it will likely be many years before any use takes place.

c. Road

i) ITD has our traffic estimates which show minimal change from the information submitted in 2014. The estimated traffic is still less than the original PUD estimate. However as noted there is still a plan to complete the turning lanes in accordance with the original access permit. However we will wait to see if ITD has any new issues that need to be addressed.

d. Layout

i) As previously noted, the storage units are not an integral part of the project but rather an amenity that benefits the local lot owners. There will be no need for the storage until there is a minimum of 50 homes or so completed and occupied. This may be 7 to 10 years into the future.

Also there would be additional design efforts for the units to make them fit the Idaho farm vernacular and be less obvious from the highway. There would also be landscaping and screening.

There would be a need to study of the site options and ownership situation before considering a move of these proposed storage units. This issue can be discussed later in the process as noted they are not an integral part of the overall development plan.

e. Units

i) The additional concept sketches for the Tract C Chalets and clustered units on Tract D and E should provide a better idea of what would be included in a two key hospitality unit. As previously noted, these units are smaller in overall size and impact compared to the luxury cabins and single family homes originally planned for these sites.

**Attachments:**

- Table 1 Division II, Phase I Open Space Calculations
- Table 2 Overall Division II Open Space Calculations
- Table 3 Division II Phase I Unit Calculations
- Table 4 Overall Division II Unit Calculations
- Table 5 Division II, Phase I Incidental Use Calculations
- Table 6 Overall Division II Incidental Use Calculations
- Table 7 Wastewater Flow Comparison, Amendment NO. 7
- Table 8 Preliminary Golf Course Construction Estimate (OB Sports)
  
- Figure 1 Chalet Unit Concept for Two Key Unit (Brett Potter)
- Figure 2 Multi-Unit Concept for Two Key Unit (Brett Potter)
  
- Photos Photos from Gamble Sands Links Type Golf Course

**TABLE 1 (4-25-2016)**  
**RIVER RIM RANCH**  
**DIVISION II, PHASE I OPEN SPACE AREA COMPUTATIONS - AMENDMENT NO. 7**  
 4/25/2016

Block/Tract	Acres	Open Space, Original Method	County Calculation	Recommended Calculation
1	19.45	0.00	0.00	0.00
2	33.80	0.00	0.00	0.00
3	23.09	0.00	0.00	0.00
4	65.00	0.00	0.00	0.00
5	55.50	0.00	0.00	0.00
6	32.96	0.00	0.00	0.00
7	18.81	0.00	0.00	0.00
8	24.63	0.00	0.00	0.00
9	52.12	0.00	0.00	0.00
10	30.61	0.00	0.00	0.00
A	17.57	0.00	0.00	0.00
B	10.09	0.00	0.00	0.00
C	25.52	0.00	0.00	0.00
D	4.00	0.00	0.00	0.00
E	10.33	0.00	0.00	0.00
G	6.22	0.00	0.00	0.00
Q-2 Irrigation Pump House Lot	0.38	0.38	0.38	0.38
Division II Phase I Interior Roads	48.75	0.00	0.00	0.00
County Road ROW (Open Space)	28.30	28.30	28.30	28.30
F (Utility, leach field)	35.85	35.85	0.00	26.89
H	N/A	N/A	N/A	N/A
I (Agriculture, 1 unit)	60.34	60.34	0.00	59.34
J (Golf Course)	278.38	278.38	139.19	208.78
K	N/A	N/A	N/A	N/A
L	N/A	N/A	N/A	N/A
M	63.60	63.60	63.60	63.60
M-1	0.44	0.44	0.44	0.44
N (Entry Open Space)	10.46	10.46	5.23	10.46
O	7.57	7.57	7.57	7.57
P (east of county road)	33.63	33.63	33.63	33.63
Q	49.92	49.92	49.92	49.92
Q-1	1.78	1.78	1.78	1.78
R	3.99	3.99	3.99	3.99
S	4.32	4.32	4.32	4.32
T	2.69	2.69	2.69	2.69
Z-1 (Buried Water Tank)	3.33	3.33	0.00	2.50
Z-2	390.96	390.96	390.96	390.96
Z-3	5.59	5.59	5.59	5.59
A (Other Open Space)	3.58	3.58	3.58	3.58
<b>TOTAL AREA</b>	<b>1464.15</b>	<b>985.10</b>	<b>741.17</b>	<b>904.71</b>
% Open		67.3%	50.6%	61.8%

**TABLE 2. RIVER RIM RANCH PUD - DIVISION II / UNIT / OPEN SPACE SUMMARY (4-25-2016)**

PHASE	DESCRIPTION	TOTAL ACRES	OPEN SPACE, AMENDMENT NO. 4	OPEN SPACE, AMENDMENT NO. 5	OPEN SPACE, AMENDMENT NO. 7	COUNTY CALCULATION	RECOMMENDED CALCULATION
I	WEST RIM	1,464.2	942.9	969.0	985.10	741.17	904.71
II	NORMAN RANCH	768.7	335.8	595.2	595.2	595.2	595.2
III	CENTRAL PLATEAU	384.3	261.0	328.6	328.6	328.6	328.6
IV	WEST PLATEAU	493.7	279.9	422.0	422.0	422.0	422.0
V	NORTH PLATEAU	677.2	484.1	617.6	617.6	617.6	617.6
VI	SOUTH CANYON	688.5	512.7	522.6	522.6	522.6	522.6
<b>TOTALS</b>		<b>4,476.5</b>	<b>2,816.3</b> 62.9%	<b>3,455.0</b> 77.2%	<b>3,471.1</b> 77.5%	<b>3,227.2</b> 72.1%	<b>3,390.7</b> 75.7%

**TABLE 3. DIVISION II PHASE I UNIT SUMMARY (4-25-2016)**

DESCRIPTION	AMENDMENT NO. 4		AMENDMENT NO. 5		PROPOSED AMENDMENT NO. 7		
	CURRENT USE	PREVIOUS NO. UNITS	PROPOSED USE	AMENDED NO. UNITS	DIFFER- ENCE #1	AMENDED DIFFER- ENCE #2	
BLOCK 1 (Entry Area) Lots 2, 3, 4, 6, 8	Mixed Use, Bed and Breakfast / Hoopes	31	Mixed Use, Lodge Units, Bed and Breakfast / Hoopes	1	0	Employee Units, Local Convenience Commercial, Storage Units, HQ Building / Hoopes	13
BLOCKS 2,3,4,5,6,7,8,9,10	Platted Single Residential Lots	159	Single Family Residential	159	0	Single Family Residential	159
BLOCK 5, LOT 1B	Golf Course	0	Single Family Residential	1	1	Single Family Residential	1
BLOCK 6 (South End)	Golf Course Driving Range	0	Single Family Residential	6	6	Driving Range, Open Space	0
TRACT A	Cluster Cabins	20	Single Family Residential	8	-12	Single Family Residential	8
TRACT B	Cluster Cabins	24	Single Family Residential	10	-14	Single Family Residential	10
TRACT C <sup>1</sup>	Cluster Chalets	62	Cluster Chalets	62	0	Hospitality Suites	62
TRACT D <sup>2</sup>	Cluster Units	45	Cluster Units	45	0	Hospitality Suites	48
TRACT E <sup>2</sup>	Golf Commercial	0	Single Family Residential	12	12	Hospitality Suites, Clubhouse, Restaurant, Miscellaneous	48
TRACT G	Golf O&M Site	0	Single Family Residential	3	3	Golf O&M Site support	0
TRACT I	Agriculture, Farm Operations	0	Agriculture, Farm Operations with 1 Residence	1	1	Agriculture, Farm Operations with 1 Residence	1
<b>TOTALS</b>		<b>341</b>		<b>308</b>	<b>-33</b>		<b>350</b>

Notes:  
 1) A total of 30 condominium units were originally included in Block 1 in association with the golf course. One additional lot reserved for Fire Department use per the amended development agreement is also created by Amendment No. 5 but is not included in the unit counts. Amendment No. 7 proposes 12 employee housing units along with the other units listed.  
 2) Tract D and E would each have 48 two key "cluster" hospitality suites to be individually owned.

TABLE 6. RIVER RIM RANCH PUD - DIVISION II / INCIDENTAL USE CALCULATION (4-25-2016)

PHASE	DESCRIPTION	TOTAL ACRES	REQUIRED OPEN SPACE, 70% AREA	REMAINING DEVELOPMENT AREA	2% INCIDENTAL USE AREA
I	WEST RIM	1,464.2	1024.9	439.2	8.78
II	NORMAN RANCH	768.7	538.10	230.61	4.61
III	CENTRAL PLATEAU	384.3	268.98	115.28	2.31
IV	WEST PLATEAU	493.7	345.59	148.11	2.96
V	NORTH PLATEAU	677.2	474.01	203.15	4.06
VI	SOUTH CANYON	688.5	481.93	206.54	4.13
<b>TOTALS</b>		<b>4,476.5</b>	<b>3,133.5</b>	<b>1,342.9</b>	<b>26.86</b>

TABLE 4. RIVER RIM RANCH PUD - DIVISION II / UNIT SUMMARY (4-25-2016)

PHASE	DESCRIPTION	TOTAL ACRES	AMENDMENT NO. 4 UNITS	AMENDMENT NO. 5 UNITS	AMENDMENT NO. 7 UNITS	CURRENT TITLE 9 ALLOWED UNITS <sup>1</sup>	UNITS OVER(+) OR UNDER (-)
I	WEST RIM	1,464.2	341	308	350	219.6	130.4
II	NORMAN RANCH	768.7	43	18	18	115.3	-87.3
III	CENTRAL PLATEAU	384.3	21	10	10	57.6	-47.6
IV	WEST PLATEAU	493.7	25	8	8	74.1	-66.1
V	NORTH PLATEAU	677.2	24	6	6	101.6	-95.6
VI	SOUTH CANYON	688.5	55	55	55	103.3	-48.3
<b>TOTALS</b>		<b>4,476.5</b>	<b>559</b>	<b>405</b>	<b>447</b>	<b>671.5</b>	<b>-224.5</b>

Notes: <sup>1</sup> Based upon 15 units per 100 acres.

TABLE 5  
RIVER RIM RANCH  
DIVISION II, PHASE I -- INCIDENTAL USE AREA COMPUTATIONS - AMENDMENT NO. 7  
4/25/2016

Block/Tract	Total Acres	County Calculation	Recommended Calculation	Recommended without Storage Lot, Equestrian Area
1	19.45			
B1-1 (Equestrian)		3.51	1.00	0.00
B1-1A (Fire District)		1.96	0.00	0.00
B1-2 (Storage Lot)		2.78	2.78	0.00
B1-7 (Farm Service)		2.92	0.00	0
B1-8 (HQ, Multi-use)		3.20	3.20	3.20
2	33.80			
3	23.09			
4	65.60			
5	55.50			
6	32.96			
7	18.81			
8	24.63			
9	52.12			
10	30.61			
A	17.57			
B	10.09			
C	25.52			
D	4.00			
E	10.33	3.32	3.32	3.32
G (Golf Operations)	6.22	6.22	2.00	2.00
Q-2 Irrigation Pump House Lot	0.38			
Division II Phase I Interior Roads	48.75			
County Road ROW	28.30			
F	35.85			
H	N/A			
I	60.34			
J	278.38			
K	N/A			
L	N/A			
M	63.60			
M-1	0.44			
N	10.46			
O	7.57			
P	33.63			
Q	49.92			
Q-1	1.78			
R	3.99			
S	4.32			
T	2.69			
Z-1	3.33			
Z-2	390.96			
Z-3	5.59			
A (Other Open Space)	3.56			
<b>TOTAL AREA</b>	<b>1464.15</b>	<b>23.91</b>	<b>12.30</b>	<b>8.52</b>
Required Open Space	1024.91			
Development Area	439.25			
Allowed 2% Incidental Use	8.78			

Category	Blocks / Tract	Unit	Unit Flow, Gal per Unit <sup>1</sup>	ORIGINAL DESIGN FLOW ESTIMATE				UPDATED FLOW ESTIMATE, 4-25-2016				
				Occupancy	Total Unit Flow, gpd	Wastewater Total, gpd	Units	Occupancy	Total Unit Flow, gpd	Wastewater Total, gpd	Units	
Luxury Cabin	Tracts A, B and C	Person	75	4	300	37,800	126	504	4	300	20	6,000
Hospitality Unit	Tract C Only	Person	75	4	300	37,800	126	504	4	300	20	6,000
Single Family Residence, 4.5 BR <sup>2</sup>	Blocks 2, 4, 5, 6, 8 and 9	Each	325				151	49,075			62	18,600
Cluster Residential Unit, 3.5 BR	Tract D	Each	275				45	12,375			151	49,075
Hospitality Unit	Tracts D and E	Person	75									
Pro Shop	Tract E	Employee	3				6	18			98	29,400
Golf Operations	Tract G	Employee	15				25	375			3	9
Club House, non-resident members	Tract E	Person	25	200			5,000	125,000			15	225
Club House, employee	Tract E	Employee	15				30	450			75	975
Commercial Area	Block 1	Employee	15				30	450			20	300
Bed & Breakfast Motel, West Rim Commercial	Block 1	Bed space	60	4	240	7,200	30	450			15	225
Commercial Area Food Service	Block 1	Meal	13				100	1,300			100	1,300
Public Restroom - Commercial Area, Toilet Waste	Block 1	Person	5	200							5	1,000
Employee Housing		Person	75	4	300	12	4	300			12	3,600
<b>TOTALS</b>								<b>115,043</b>				<b>110,709</b>

NOTE: Wastewater system designed for four phases at 30,000 gallons per day per phase, total of 120,000 gallons per day

**TABLE 8 -- RIVER RIM PRELIMINARY GOLF COURSE CONSTRUCTION ESTIMATE -  
4-25-2016 (PROVIDED BY OB SPORTS)**

ITEM	ESTIMATED COST
1 GENERAL REQUIREMENTS	\$ 25,000
2 SITE CLEARING	n/a
3 EARTHWORKS, STORMWATER DRAINAGE & SHAPING	\$ 245,150
4 GREENS	\$ 427,980
5 TEES	\$ 245,000
6 BUNKERS	\$ 130,000
7 LABOR	\$ 183,730
8 GRASSING	\$ 71,800
9 HARD LANDSCAPE	\$ 216,000
10 IRRIGATION	\$ 750,000
11 MISCELLANEOUS	\$ 100,000
12 LANDSCAPING	\$ 382,500
13 GOLF COURSE ARCHITECT	\$ 100,000
<b>SUB TOTAL</b>	<b>\$ 2,877,160</b>
CONTINGENCIES (15%)	\$ 431,574
<b>TOTAL - PRELIMINARY COSTS</b>	<b>\$ 3,308,734</b>



Photo 1. Overview photo of Gamble Sands golf course near Brewster Washington, located along the banks of the Columbia River. This was recently designed and constructed as a links type course. The total 18-hole golf course construction was in the range of \$3,500,000.

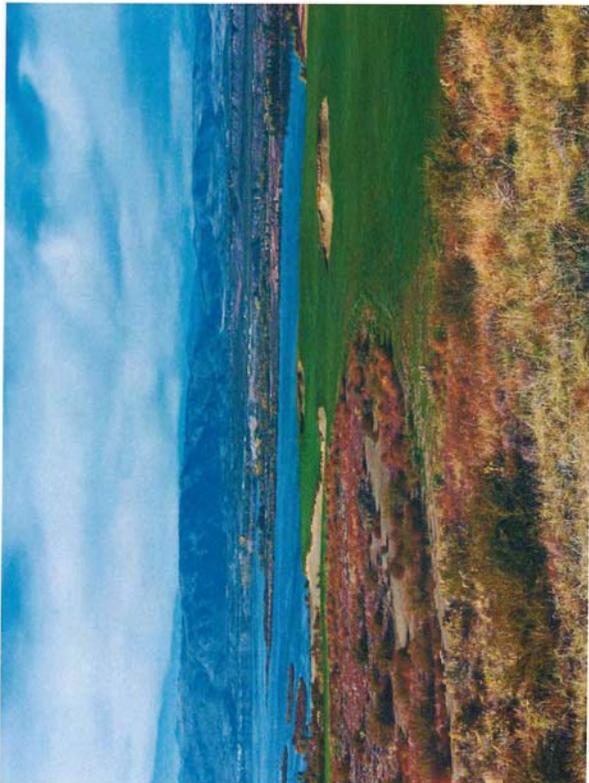


Photo 2. View across course to Columbia River.

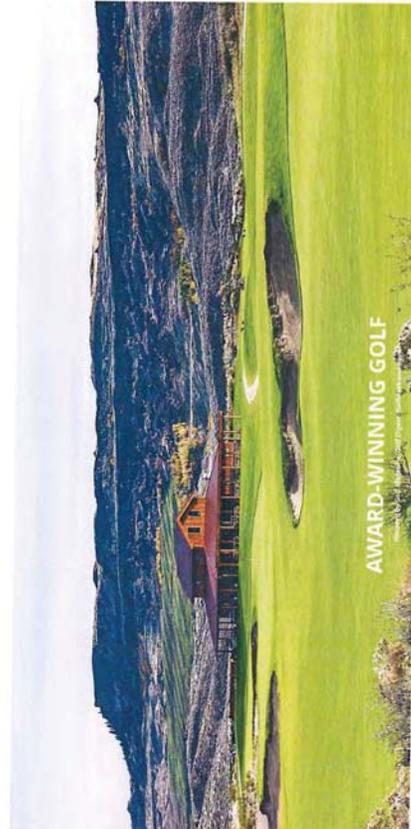


Photo 3. Gamble Sands Clubhouse.



Photo 4. Artist Rendition of proposed Inn at Gamble Sands



Teton County Planning  
 150 Courthouse Drive, Room 107  
 Driggs, Idaho 83422  
 Phone: 208.354.2593

**FROM:** Teton County Planning & Building Administrator, Jason Boal, AICP  
**TO:** GBCI Other Real Estate LLC, 211 West Rim LLC, Rendezvous Engineering & Focus Architects  
**RE:** River Rim Ranch Plat Amendment #7- Supplemental Documents  
**DATE:** April 27, 2015

Please see the response to your questions/comments below.

**1. Open Space.**

b. However, we had several comments about the calculations for five (5) of open space tracts as summarized below. We have provided our recommendations for open space next to your analysis as a comparison.

1) *Tract N, Entry Ponds.* Although this area is used occasionally for fly fishing lessons, allowing only 50% of the area to qualify as open space seems to discourage this type of an amenity, which we believe adds value to the project and the community as a whole. Plus this is a very minimal use of the land. As noted above this does not affect the overall calculation but is a more of a policy question for the current PUD regulations that may be counterproductive. We would suggest that this be included as 100% open space.

I do understand your point, however the code specifically says that if the lot/parcel contains recreation facility only 50% of the open space shall be calculated. The intent of the ordinance was to preserve large intact open lands.

9-5-2-D- "If the designated open space is included in a golf course or other recreation facility, only one-half (1/2) of the open space acreage shall be counted towards the minimum required open space."

2) *Tract J, Golf Course.* With the change to more of a links type course, there will be considerably more native grass and natural areas compared to a more conventional design. The Gamble Sands course in Brewster Washington is an example of the intended design. This again raises the question about only allowing 50% of the golf area to be open space particularly with the greater emphasis on using and preserving natural grasses and vegetation. We would suggest 50% credit for the actual golf and 100% credit for the natural areas as a compromise.

Here again it is staffs opinion that the code is very clear, especially when it specifically calls out golf courses. If you would like to amend the plat to reflect larger dedicated open spaces and specific golf course tracts we could adjust the calculation.

9-5-2-D- "If the designated open space is included in a golf course or other recreation facility, only one-half (1/2) of the open space acreage shall be counted towards the minimum required open space."

3) *Tracts F, Z-3, Leach Fields Tanks.* One of the early concepts in the River Master Plan was to take advantage of the large open space areas to construct on-site leach fields as opposed to a more complicated mechanical plant with a point source discharge. These areas are currently being farmed as there are limited numbers of structures. This lot needs to be called out as "Open Space" if the intent is to include it in the calculation.

4) *Tract I, Agricultural Operations Lot.* Although there is a residential unit associated with this 60 acre tract, this use would only account for about 1 acre of disturbance. We would recommend that the remaining 59 acres be credited for open space.

A specific building envelope and restricting development outside that envelop would be needed to include it as open space as you suggested.

9-5-1-E-1- "Open space may also be platted, and deed restricted to the satisfaction of the Board, as one or more large privately held lot(s) a minimum of 20 acres each, with specified building envelopes."



## 2. Units.

a. We have revised Tables 3 and 4 to include the one unit currently owned by the Brent Hoopes family. This has always been an allowed use in the development agreement understanding that over time it will transition to another use. One possibility is for this to be purchased from the Hoopes and used for employee housing in some form. Based upon Table 4 for Phase 1, the change is still 42 units which include the 30 bed and breakfast units and 12 employee housing units discussed in the application narrative.

If it will be used for a residential lot, either now or in the future, it needs to be included in the unit calculations.

As shown in Table 4 for the entire project, there is a total of 447 units associated with Amendment No. 7 with an allowed 671 units per current PUD requirements or an overall net surplus of 224 allowed units.

There may be 671 units "allowed" by calculations, but the approval and agreement in 2014 limited the number of units for all of Division II to 404 (It was only 559 units in the approval before that). Furthermore the current approved units for Phase 1 is 307 units (308 if you count the Hoopes Property), and you are seeking approval for 350 units.

b. Attached is a concept plan of the Chalet units showing the two "key" concept designs that would be part of the short term rentals associated with the hospitality facility. These Tract C Chalet units have always been a part of the units allowed for short term rentals. At less than 2500 square feet, this concept shows a plan that is smaller in size than a comparable 4 bedroom luxury cabin planned for this site. Consequently we suggest that the unit count be based upon one unit per lot on Tract C. Revised Table 3 is based upon this assumption of one unit. It is staff's opinion that these could be calculated as one unit.

## 3. Incidental Use Calculation

a. We have updated the incidental use calculations in Tables 5 and 6 per your comments. However we wanted to note that many of these incidental uses that are included in the county definition could be eliminated as they are secondary to the overall intent of creating a financially viable golf resort as discussed below:

1) *Equestrian Area*. This area was included in the plan as an amenity to the property owners as an option to keep horses at the site. This is not directly related to golf and is not considered an essential use for this project. In addition the use was intended to be more of a pasture area with limited structures. This could be reduced to one acre or eliminated if it negatively affected the allowable incidental uses.

Staff would be comfortable excluding this from the "non-residential use" calculation as long as it is clear in the Development Agreement that it shall not be used as a commercial operation, and only for the residents of the PUD.

2) *Storage Unit Lot*. This is not an essential use but more of an amenity for the lot owners. This can be reduced in size or eliminated however we believe that it would be prudent to allow this type of use.

Staff is not concerned with the use. Staff is concerned with the location. 9-5-3-B *Non-residential uses shall be located within the interior of the PUD, and not along State Highways or maintained county roads bordering the PUD*

3) *Fire Station*. The fire station lot was moved from Division I mostly to provide the fire department with a better alternative that had access to water, sewer and utilities. We do not believe that the allowable incidental use area should be reduced for providing this public facility. Also we would expect that the county would allow a fire station in about any zone if there was a need.

9-5-3-b specifically states that "non-commercial institutional" uses be included in this calculation.

*In a Planned Community PUD, non-residential uses may include (a) non-commercial institutional uses such as schools, churches, or clubhouses.*

4) *Existing Farm Service Lot*. This lot was sold to Teton River Farms to support their ongoing effort keep the surrounding lands productive through a farming operation. This operation positively impacts a large portion of the open space area associated with this PUD. This is essentially the same use that has been on this property prior to the PUD and therefore should not be part of the incidental use allowance.

Staff would argue that this lot has a use that is a "commercial operation" and is related to the PUD (it is as much of an agricultural PUD as golf course PUD). If there was a way to be further identify this lot on the Plat and in the development agreement as a non-commercial agriculture only lot staff would feel much more comfortable

removing it from the incidental use calculations. There is concern that the buildings could be removed and replaced with a commercial venture.

5) *Golf Operations Lot*. The entire lot is not required for the golf operation. We have estimated that this can be reduced to about 2 acres if necessary but would prefer to have the flexibility of a larger useable area. If you would like to amend the Plat to show only the lots size needed, that is fine. As the code is written the total lot area of a lot with a non-commercial use must be used in the calculation.

9-5-3-B: *Non-residential uses may be included provided that the land area of the lots on which they are located does not exceed two (2) percent of the developed land area (excluding required open space) of the PUD.*

## 4. DRC Comments

### a. Sewer/ Septic

i) and ii) There is a suggested maintenance schedule for the wastewater system, domestic water and fire protection system that is included with the record drawing on file with the county. The wastewater manual discusses both the onsite septic tanks and the overall treatment system. This would be the initial responsibility of the iii) See revised Table 7 which is a comparison of the original sizing and the current flow estimates. The original sizing was also included in the operations manual.

We need to make sure that this Development Agreement is a standalone document. That is why we need the Development Agreement to address those things.

iv) There are limited records available due to the fact that use has been minimal. The wastewater use has essentially been the equivalent of one single family residence or about 300 gpd on a 30,000 gpd system – 1 percent of the design capacity. The flow monitoring and other O&M recording obligations are triggered at significantly higher flows.

DEQ and Public Health seemed to think otherwise. They stated that there should have been operation and maintenance records regardless of the use. I will follow up with them.

### b. Fire Protection.

i) We will send an email to Fire Chief Bret Campbell to again ask if there are any plans to use this site fire department site and at what time. This site can remain available however we would prefer that it not be considered part of the incidental use allowance as previously discussed given that it will likely be many years before any use takes place. Discussed above.

### c. Road

i) ITD has our traffic estimates which show minimal change from the information submitted in 2014. The estimated traffic is still less than the original PUD estimate. However as noted there is still a plan to complete the turning lanes in accordance with the original access permit. However we will wait to see if ITD has any new issues that need to be addressed.

We received comments from ITD. There doesn't seem to be a concern here.

### d. Layout

i) As previously noted, the storage units are not an integral part of the project but rather an amenity that benefits the local lot owners. There will be no need for the storage until there is a minimum of 50 homes or so completed and occupied. This may be 7 to 10 years into the future.

Also there would be additional design efforts for the units to make them fit the Idaho farm vernacular and be less obvious from the highway. There would also be landscaping and screening.

There would be a need to study of the site options and ownership situation before considering a move of these proposed storage units. This issue can be discussed later in the process as noted they are not an integral part of the overall development plan.

Not sure what you mean by "later in the process". The application is required to meet count standards, and although there may be landscaping, non-commercial uses are not allowed to be adjacent to state highways. 9-5-3-B *Non-residential uses shall be located within the interior of the PUD, and not along State Highways or maintained county roads bordering the PUD*



IDAHO DEPARTMENT OF FISH AND GAME  
UPPER SNAKE REGION  
4279 Commerce Circle  
Idaho Falls, Idaho 83401

C.L. "Butch" Otter / Governor  
Virgil Moore / Director

June 20, 2013

Angie Rutherford  
Teton County Planning and Building Department  
150 Courthouse Drive  
Driggs, ID 83422

RE: Proposed Amendments to Master Plan & Final Plat of River Rim Ranch PUD Division II

Dear Angie:

Idaho Department of Fish and Game (Department) received a request from Teton County to review an application submitted by River Rim Ranch to amend their Planned Unit Development (PUD) Master Plan and the Phase I Plat (River Rim Ranch Amendment). We understand the original PUD Master Plan was approved in 2006 prior to adoption of Teton County Wildlife Overlay regulations and ordinances. The Department is familiar with the River Rim Ranch PUD and provided a comment letter to Teton County on March 7, 2006 concerning potential wildlife effects and recommendations to avoid and minimize those effects. Since that time development has occurred but in areas where there has not been development, our 2006 comments are still relevant.

Fish and wildlife are property of all Idaho citizens, and the Department and the Idaho Fish and Game Commission are expressly charged with statutory responsibility to preserve, protect, perpetuate and manage all fish and wildlife in Idaho (Idaho Code 36-103 (a)). In fulfillment of our statutory charge and direction as provided by the Idaho Legislature, we offer the following comments and recommendations. The purpose of these comments are to assist the decision-making authorities in Teton County by providing technical information addressing potential effects on wildlife and wildlife habitat and how any potential effects might be avoided, minimized or mitigated. It is not the purpose of Idaho Department of Fish and Game to support or oppose this proposal.

The Department's primary concern with the proposed River Rim Ranch Amendment deals with the South Canyon Area (Division II, Phase VI) which overlaps a big game migration corridor and seasonal range area (big game overlay). As mentioned above, we understand that residential lots and roads were already platted and approved within this narrow big game overlay and greatly appreciate Teton County in seeking additional comments. The River Rim Ranch Amendment depicts a similar residential housing and road footprint within the big game overlay. We recognize and also appreciate the attempt of River Rim Ranch to incorporate a small wildlife corridor within the existing big game overlay as described in Biota's Wildlife Habitat Overlay and Landscape Management Assessment that accompanied the application. However, we do not

agree that proposed development within the big game wildlife overlay would not adversely impact migration of deer and elk through the subdivision. We conclude that reducing the size and width of the migration corridor and having residential housing pressures (e.g. pets, use of ATVs, snowmobiles, roads, and other human activities) may adversely affect deer and elk migration through the PUD. Much time and collaboration went into identifying sensitive and critical wildlife areas for the County approved wildlife overlay. The existing agriculture land provides an unimpeded path of migration as compared to roads and a residential subdivision. Consequently, by recognizing the needs of wildlife and implementing proper planning the River Rim Ranch is likely to preserve some of the wildlife characteristics currently observed. We recommend that Teton County officials work with the applicant to help maintain as much of the migration corridor as possible to provide a buffer for migrating deer and elk and help minimize effects on migration. We also recommend mitigation aimed at enhancing existing migration corridor habitats, particularly agriculture land, with native shrub, grass and tree species to help provide security cover and forage in the corridor. We believe a balance can be struck between development and wildlife by maintaining at least a 2000 foot wide corridor that is properly planted, irrigated and monitored for vegetation survival.

The Department recognizes canyon rim habitats as very important for wildlife. Intensive housing development on the canyon rim, without setbacks, may pressure big game animals away from forage and migration areas and decrease available wildlife habitat. The Department recommends a minimum setback (e.g. 500 feet) on all buildings from the edge of the canyon where natural vegetation begins. This will help minimize adverse effects to wildlife and allow increased movement and utilization along the canyon rim. To help mitigate development along canyon rim areas, we recommend planting native trees and shrubs to offer security cover and forage.

We provide these comments and recommendations in hope that wildlife continues to perpetuate within the River Rim Ranch PUD and surrounding area. Deer and elk rely on a network of connected habitats to migrate from winter to summer range as identified in the Big Game Migration Corridors and Season Range Maps approved in Teton County Developmental Code. Please contact our Environmental Staff Biologist, Tom Bassista, if additional technical information is required by Teton County concerning this proposal. Thank you for providing us with an opportunity to comment on the River Rim Ranch PUD Amendment.

Sincerely,

Steve Schmidt  
Regional Supervisor

SLS:TPB:jms

cc: Terry Thomas, IDFG  
Doug Petersen, IDFG  
Robert Cavallaro, IDFG



RIVER RIM RANCH DIVISION II PHASE I PUD AMENDMENT NO. 7  
 NARRATIVE TO ACCOMPANY AMENDED PLAT APPLICATION  
 April 5, 2016

I, the undersigned, have reviewed the attached information and found it to be correct. I also understand that the items listed below are required for my application to be considered complete and for it to be scheduled on the agenda for the Board of County Commissioners public hearing.

• Applicant Signature: Don M. Cragg Date: 4/5/2016

I, the undersigned, am the owner of the referenced property and do hereby give my permission to Bob Abbot to be my agent and represent me in the matters of this application. I have read the attached information regarding the application and property and find it to be correct.

• Owner Signature: Don M. Cragg Date: 4/5/2016

**SECTION II: ADMINISTRATOR DETERMINATION**

The Planning Administrator has reviewed the amended plat and/or recorded documents and proposals in accordance with Teton County Subdivision Ordinances Title 9, Chapter 7. The Planning Administrator has determined the changes are:

( ) Insignificant: The application will be reviewed administratively and approved, approved with conditions or denied. The plat or recorded documents for a subdivision or Planned Unit Development, including the proposed changes, shall comply with all applicable criteria and standards of the county regulations, conditions of approval established in the previous approval, and the development agreement approved as part of the previous approval.

(X) Substantial Changes – Increase Scale, Impact: The application will be reviewed under any applicable current ordinances and a staff report prepared and sent to the Planning and Zoning Commission for preliminary review and noticed as a public hearing at their next available regularly scheduled meeting. Substantial changes will require amended CCR's and Development Agreement and may or may not require additional studies or application materials. After a hearing before the Planning and Zoning Commission, the Commission shall recommend to the Board of County Commissioners approval, approval with conditions or denial of the amended plat and/or recorded documents. A public hearing before the Board of County Commissioners for the final review will then be scheduled and the Board will approve, approve with conditions, or deny the amended plat and/or recorded documents.

( ) Substantial Changes – Decrease Scale, Impact: The application will be reviewed under the code of original approval and a staff report prepared and sent to the Planning and Zoning Commission for concept review and noticed as a public hearing at their next available regularly scheduled meeting. Substantial changes will require amended CCR's and Development Agreement. No additional studies or application fees will be required. After a hearing before the Planning and Zoning Commission, the Commission shall recommend to the Board of County Commissioners approval, approval with conditions or denial of the amended plat and/or recorded documents. A public hearing before the Board of County Commissioners for the final review will then be scheduled and the Board will approve, approve with conditions, or deny the amended plat and/or recorded documents.

**SECTION III: ITEMS REQUIRED ON THE AMENDED PLAT OR IN AMENDED RECORDED DOCUMENTS**

- Narrative explaining the changes that are being proposed. See attached Plat, if applicable, is labeled correctly as "Amended Final Plat". See attached Recorded documents, if applicable, are labeled as "Amended".
- Itemize briefly the amendments on the original plat and/or recorded documents and the amended plat and/or recorded documents.
- The following items may also be required, as applicable:
  - Letter of Credit or Bond for financial guarantee of public improvements
  - Engineers cost of public improvements
  - Three (3) Sets of "Final Stamped" construction drawings for public improvements
  - Final approval letter from Eastern Idaho Public Health
  - Final approval letter from Teton County Fire District
  - Acceptance letter from city for sewer hookup from the providing community, if applicable

**1. PURPOSE.** The primary purpose of this amendment is the re-introduction of the golf course amenity into the River Rim PUD with the ultimate goal of providing higher property values and more viable development that fulfills the intent of the original master plan. Features such as a club house/pro-shop, restaurant, spa and other resort services are also planned for re-introduction at the Golf Village area. In addition limited local convenience commercial uses such as a coffee shop, café, small grocery store, fly fishing shop are planned for the West Rim Village area at the north entrance to the project in this amendment.

Following the recession that began in 2008, developments like River Rim experienced significant financial impacts as sales and interest in resort properties plummeted nationwide. This led the execution of Plat Amendment No. 5 (recorded 2-7-2014 as instrument # 231394) which eliminated the golf course as a required financial commitment of the PUD. The 270 acre open space lot planned for the 18-hole golf course was however reclaimed and the major golf course grading left intact. Infrastructure including the extensive irrigation pump station storage pond and pump station and transmission lines that convey water from the Teton River to the Division II Phase I were also left fully operational.

To make these proposed changes economically feasible, this amendment also proposes to incorporate high quality privately owned two-bedroom hospitality suites into Golf Village Tract E and adjacent Tract D. These units would be available for long and short term rental and cater to prospective golfers who would in turn be able to provide the necessary financial resources to operate the River Rim course. With an excess of undeveloped single family lots surrounding a large open space tract, there is limited potential for sufficient development activity in the near term to support a golf operation. In contrast the hospitality units, which would be designed as a destination resort to attract outside guests to visit River Rim and Teton Valley with the amenity package described, could provide the impetus much more quickly.

**2. PROJECT VISION.** The vision for this proposed amendment is best described in the March 2016 worksheet drawings prepared by Focus Architects for the Golf Village area and West Rim Community Center, Exhibit A and B to this plat amendment. These drawings show conceptually the types of development that would be incorporated into the project. Additional descriptions of the facilities project vision are also provided in the March 3, 2016 memo from Brett Potter to Jason Boal.

As noted in these concept drawings and descriptions, the overall non-residential component has been scaled back significantly from the original approved PUD from 2007. The objectives are to make the project a better fit with the rural landscape, encourage more environmentally friendly development, and build a small, attractive, outdoor-oriented community while keeping the end product financially viable.

Details regarding the specific structures, sizes, allowed uses, and timing for construction will be further refined as this amendment process unfolds. What is most critical at this time is the solicitation of feedback from the Teton County regarding these changes to determine if the proposed vision and concept are feasible and acceptable.

**3. SPECIFIC PLAT CHANGES.** As noted in the summary table below, changes are proposed to five (5) specific areas of the current record plat to accomplish the objectives of this amendment. As noted, most of these changes actually involve the re-introduction of components that were part of the original 2007 PUD before the golf course requirement was eliminated in Amendment No. 5.

TABLE 1. PLAT AMENDMENT NO. 7 LEGEND	
A.	Modify Block 1 Lots 2, 3, 4, 6, 8 to allow for 12 employee housing units and incidental uses described in the amended development agreement.
B.	Eliminate Block 6 Lots 29-34 in exchange for use as golf practice area and open space, Tract J.
C.	Eliminate Tract G lots 26-28 in exchange for use as golf operations and maintenance area.
D.	Modify Tract D cluster cabins to allow for use of hospitality suites in combination with Tract E.
E.	Eliminate Tract E Lots 1-12 in exchange for use as hospitality suites and miscellaneous golf resort uses in combination with Tract D.
Note: See amended River Rim Ranch development agreement for descriptions of incidental uses, golf resort uses and for the specific numbers of units permitted.	

In terms of units and density, the principal changes proposed with this plan are:

- The re-introduction of 30 bed and breakfast units previously planned for the West Rim Village area to be placed in this plan within the Golf Village area; and
- The inclusion of 12 employee housing units within the West Rim Village area, Block 1.

The bed and breakfast units have been moved to the Golf Village area to help centralize the visitor activities in a less visible area and location more compatible with guest services. Plus the additional units are important to making the hospitality suite concept viable in terms of the minimum recommended size and scale of operation. The original PUD had these 30 units included with the West Rim Village which were to be allowed with the golf course construction.

The employee housing units are a new addition that responds to current issues facing Teton County and this region concerning the lack of affordable workforce housing. The units are shown schematically on these plans and would be incorporated into the West Rim Village community area and provide additional vitality to this portion of the development.

Table 2 details the specific changes being proposed, comparing densities associated with the two prior amendments. With the lots being eliminated in Block 6, Tract E and Tract G, there is a net increase of 42 units which as described are the 30 bed and breakfast units and the 12 employee units, resulting in a total unit count for Division II Phase I of 349. Even with these additions, it is important to note that this is a net increase from Amendment 4 when the golf course was a part of the plan of nine (9) units.

It should be also noted that only Phase I of Division II will change with this amendment. All other phases will remain as shown on the River Rim Master Plan document, instrument # 231393.

Also there will be an amended development agreement to accompany this amended plat application, similar to the amendment required with Plat Amendment No. 5. The county attorney has requested for the sake of clarity that the amended development agreement be a standalone document. The initial drafts however will focus on the proposed changes. A draft amended development agreement appears as Exhibit 1.

**4. INCIDENTAL USE CALCULATION.** The current Teton County Subdivision regulations indicate that the primary land use of PUDs is for residential. As described in Title 9-5-3 (C):

"PERMITTED LAND USES: The primary land use in a Planned Community PUD is residential. Non-residential uses may be included provided that the land area of the lots on which they are located does not exceed two (2) percent of the developed land area (excluding required open space) of the PUD."

Consequently an updated incidental use calculation was prepared for this amendment. Based upon pre-application meetings with the county planner and county attorney, the non-residential components associated with this plan would include uses such as the clubhouse, pro-shop, spa, restaurant, fitness center, etc. in the Golf Village, all typical uses associated with similar resort developments. Also the administration building, multi-purpose commercial building, recreation center and storage units would also be incidental non-residential uses subject to the 2 percent restriction. These uses are also seen as typical for a larger PUD and primarily serve local needs, building upon the golf and fishing theme that has been associated with River Rim since its inception.

Table 3 represents an updated block by block calculation of the "developed" land area within Phase I. In this calculation we have also identified developed land associated with roads and road easements, including County Road 9400 West, and easements associated with the main irrigation pump station. These latter examples are located on an open space lots but could be created as separate lots if required for this analysis. They have been left as easements for simplicity and flexibility as the open space areas

within River Rim allow for these types of facilities. The following summarizes the results of this calculation:

INCIDENTAL USE SUMMARY (See Table 3 for details)		
DESCRIPTION	ACREAGE	PER CENT
Total River Rim, Div. II Phase I	1,464.15	100%
Open Space Portion	956.42	65.3%
Developed Portion by Lot or Easement	507.73	34.7%
Maximum allowable Incidental Use, Div. II Phase I	10.15	2% (of development area)

Based upon the current concept plan, about 3.32 acres of incidental use area have been identified for the Golf Village area and 5.98 acres within the West Rim area for a total of about 9.30 acres. The areas of incidental use included in these calculations appear in Exhibits C and D. Because the current buildings and site plans are conceptual and subject to change as the plan is refined, it is suggested that a note be added to the plat that the final incidental use area not exceed 10.15 acres within both village locations combined.

The allowable incidental use area will increase as other phases within Division II of River Rim are platted. This calculation only pertains to Phase I.

**4. INFRASTRUCTURE.** As noted in earlier project descriptions, River Rim invested more than 30 million dollars in infrastructure prior to the 2008 recession. This included potable water supply and distribution, fire suppression and irrigation water supply and distribution, sewerage collection and treatment, power and communications and road and site preparation. Since this time the current owner, GBCI Other Real Estate, LLC, has worked extensively with the various agencies to secure final permits and approvals for all of these improvements. In addition the owners have also completed additional infrastructure work and now have a majority (about 55%) of their current \$ 3.8 million obligation associated with the Amended Development Permit (Instrument # 231392) completed. The largest remaining item is the paving of the main subdivision roads which will not be required until local traffic exceeds 200 trips per day.

**Water and Sewer Systems.** Both water and sewer systems were designed for the original PUD plan from 2007 which had a total of 358 units in Division II Phase I and considerably more non-residential development. No changes are anticipated for these systems which have ample capacity and can accommodate the proposed changes. Copies of the record drawings for these systems and documentation of the approvals are on file in the county engineer's office.

**Fire Suppression / Irrigation.** The fire suppression and irrigation system was also designed for much higher flows and heavier irrigation use on the golf course. The current golf plan involves more of a links type design which will reduce water needs while simplifying operations. Consequently the current system has excess capacity and will not be affected by the proposed changes. Copies of these plans as approved by the county Fire Marshall are on file with the county engineer's office.

**Power / Communications.** The main systems are in place. Minor extensions are scheduled for this spring. However no major changes are anticipated with these amendments as the level of development is equal or less in intensity compared to the original Golf Village Plan in terms of power needs.

**Roads.** No changes are planned. The same requirements for paving when reaching 200 ADT would remain in place. Also, there is also an ITD approved plan and letter of credit in place for turning lanes at the main entrance. These plans have also been submitted to the county.

Attached with this plat amendment is an update to the traffic analysis previously done for Teton County in November of 2013. This update recalculates traffic estimates based upon the changes proposed in the five areas described. Compared to the 2013 analysis, total traffic increases by about 4.7% from an estimated buildout number of 3,292 ADT with the previous plan to 3,455 ADT with the current plan.

One large required road improvement was the relocation and upgrade of County Road 9400 West. This work has been completed and is ready for partial release of the performance bond.

**Summary.** Based upon the infrastructure in place and letters of credit currently held by Teton County no new engineering drawings or cost estimates are anticipated for this amendment.

**5. ENVIRONMENTAL REVIEW.** No additional environmental review is anticipated for this amendment. The proposed changes will occur within existing platted lots that were part of the original PUD. No wetlands or other environmentally sensitive areas are associated with these changes.

**6. OWNERSHIP / APPLICANT.** Four out of the five areas where changes are proposed with this plat amendment No. 7 are currently owned by GBCI Other Real Estate, LLC, a subsidiary of Glacier Bancorp and represented by executive vice president Don Chery. Glacier Bancorp took ownership of this property in 2008 when the original developers ran into financial difficulties and has since been working to complete development agreement obligations that will enable future owners to finalize the project. GBCI has previously completed amendments 3 through 6 which included a major revision to the development agreement with Amendment No. 5.

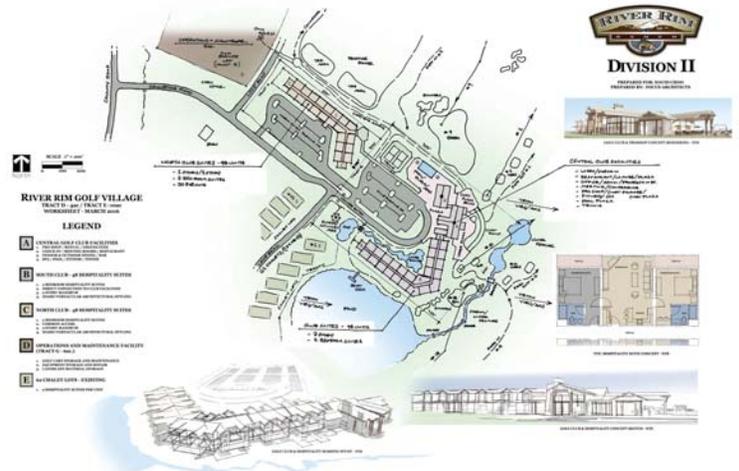
Tract D is currently owned by 211 West Rim LLC, represented by principle David Choo. 211 West Rim also owns Tract C and therefore has entitlements for 107 total units in River Rim Division II Phase I. The owners of 211 West Rim LLC have signed a

purchase agreement with GBCI Other Real Estate, LLC which is contingent upon a formal acceptance by Teton County of this revised plan, or similar mutually agreed to plan. It is also contingent upon a comprehensive financial analysis of the plan's viability.

Consequently until formal transfers of ownership or other agreements take place, the amended plat and related documents will include signatures from both property owners. More details in this potential transfer process are expected to be available once additional feedback regarding this plan is obtained from county officials.

**7. DOCUMENTS TO ACCOMPANY PLAT AMENDMENT** The following is a summary of the documents that are to be included with this final plat amendment application. Three copies of most documents, except as noted, are being submitted at this time along with a DVD with PDF files of all documents. Additional larger format copies of the plat maps and additional copies will be submitted upon request.

DESCRIPTION	COPIES	FORMAT	EXHIBIT
Amendment Application with filing fee	1	8-1/2 by 11	
Narrative describing plat amendment	15	8-1/2 by 11	
Concept Worksheet for Golf Village	15	11 by 17	A
Concept Worksheet for West Rim Village	15	11 by 17	B
Memo to County Planner discussing project Vision	15	8-1/2 by 11	C
Plat Amendment No. 7, draft	15	11 by 17	D
River Rim Master Plan Amendment, draft	15	11 by 17	E
Golf Village Incidental Use Exhibit	15	11 by 17	F
West Rim Village Incidental Use Exhibit	15	11 by 17	G
Updated Traffic Memo – stand alone	15	8-1/2 by 11	H
Updated Traffic Memo	3	8-1/2 by 11	H
2013 Traffic Memo	3	8-1/2 by 11	Included with H
ITD Access Permits for River Rim Div.II Phase I	3	8-1/2 by 11	Included with H
Draft Development Agreement Changes	15	8-1/2 by 11	I
DVD with PDF files of all documents	1	DVD	



Jason Boal - Planning Administrator,

FOCUS Architects is pleased to present a new vision for River Rim Ranch to the Teton County Planning Department for feedback and this package includes:

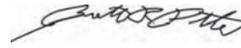
1. A new River Rim Ranch PUD Master Plan with a detailed list of proposed entitlements.
2. A new detailed golf club village site plan with proposed building concepts.
3. A new detailed entry village site plan with "small scale" community support functions.

This new vision for River Rim Ranch is consistent with the Teton County Comprehensive Plan and includes:

1. The creation of a connected outdoor community where people can arrive, park their cars, and walk, bike, or jump in an electric golf cart to do almost everything.
2. The creation of a "small scale" neighborhood community center at the entry village that balances the community by allowing residents to buy a gallon of milk, pick-up the mail, and drop off the dry cleaning close to home.
3. The creation of a reduced water consumption "links style" golf course that increases property values and creates neighborhood connectivity with pathway design.
4. A continuation of the River Rim Ranch architectural styling that draws inspiration from local farm, agricultural, railroad, and small town shapes and forms which capture the simple rural beauty of the surrounding area.
5. The continuing commitment to maintaining large parcels of open space which will be used as active farm land in perpetuity.
6. A focus on outdoor amenities including river access, trail access, plaza space, park space, and open space.
7. Supporting the economic vitality of Teton County by raising the tax base, creating full time and seasonal job opportunities where employees will have the option to live on-site, energizing the local construction industry while increasing regional land appraisal values, boosting the equity of current property owners, and providing ownership opportunities for families.

Thank you again for the opportunity to discuss this new vision for River Rim Ranch and feel free to contact myself at (406) 579-8450 with any questions.

Sincerely



Brett R. Potter, AIA LEED AP  
Principal  
FOCUS Architects

The information in this Memo is intended only for the individual or entity to which it is addressed and may contain information that is proprietary, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering this Memo to the intended recipient, you are hereby notified that any dissemination, distribution, forwarding or copying of this Memo is strictly prohibited. If you have received this Memo in error, please notify the sender immediately by e-mail, telephone or Memo and delete the original message immediately. Thank you.

312 Accola Drive  
Bozeman, Montana 59715  
Tel: 406/579-8450  
www.focusarchitects.com

