

# GALLATIN COUNTY

## STAFF REPORT

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**TO:** BRIDGER CANYON PLANNING AND ZONING COMMISSION

**FROM:** W. RANDALL JOHNSON, AICP, *WRJ* MANAGER, SUBDIVISION AND ZONING

**SUBJECT:** REQUEST BY BRIDGER CANYON PARTNERS FOR THE BRIDGER MOUNTAIN VILLAGE PLANNED UNIT DEVELOPMENT AND RELATED CONDITIONAL USE PERMITS

**HEARING**

**DATE:** APRIL 12, 2007

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### I. GENERAL DESCRIPTION AND LOCATION

Bridger Canyon Partners, L.L.C., has made application for a planned unit development (PUD) and related conditional use permits on property located within the Bridger Bowl Base Area. The planned unit development and conditional use permit applications have been submitted in accordance with the Bridger Canyon Zoning Regulations.

In general, the planned unit development and related conditional use applications for the Bridger Mountain Village include the following:

- Alpine ski trails, ski lifts, nordic ski trails, equestrian center, pedestrian trail system, and ice skating rink.
- Overnight accommodations, 452 units in total, consisting of individual cabins, four unit chalets, and multiple unit buildings, and a central lodge providing food and beverage service, check-in desk, lobby, game room, swimming pool, and health and fitness facilities.
- Recreational housing to include 75 detached single-family units.
- Accessory uses to include bus shelters, fishing/warming hut, garages for overnight accommodations, and gazebos.

- An alpine ski base area consisting of a commercial village which will include retail shops; restaurants and lounges; service establishments; day care facility; amphitheater, skier services; offices; overnight accommodations; central check-inn, and related parking.
- Total open space of 268 acres or 80% of the project area.
- A central utility and service area which will be the site of a central wastewater treatment facility, fire substation, maintenance shop, property operations center, parking, and future employee housing.

The planned unit development and related conditional use permit requests are located within the following properties: portions of Tracts 1, 2, 3 and 4 of Certificate of Survey No. 1822A, and Tracts F, I and H-1 of Certificate of Survey No. 2039, located in the East Half (E½) of Section Nineteen (19), West Half (W½) of Section Twenty (20), the Northwest Quarter (NW¼) of Section 29, and the North East Quarter (NE¼) of Section 30, Township One North (T1N), Range Seven East (R7E), P.M.M, Gallatin County, Montana. The planned unit development properties occupy 335 acres. The property is generally described as being located within the Bridger Bowl Base area.

## **II. REVIEW PROCESS**

The Bridger Mountain Village Planned Unit Development represents a comprehensive plan for the development of the majority of privately held properties within the Bridger Bowl Base Area. The purpose of this stage of the review process is to assure that the development plans as submitted by the applicant comply with the requirements of the Bridger Canyon Zoning Regulations. The review process will also address related environmental, community, and health and safety issues.

To promote better land use and coordinated development plans for the Bridger Bowl base area, the Bridger Canyon General Plan, the Bridger Bowl Base Area Plan, and the Bridger Canyon Zoning Regulations encourage the use of the Planned Unit Development (PUD) process. While it is possible to accomplish some development in the base area with a standard approach on individual properties, only through the use of the PUD process can the development densities and land use relationships encouraged by the Plan and Regulation be achieved. The PUD process allows for the blending of densities and land uses that are not possible if development were to proceed within separate parcels. The landowner benefits by receiving a concept approval which allows additional planning within the context of a PUD. The public benefits by the opportunity to review the basic development concept at an early stage when project changes are feasible and constructive. However, no actual development or construction can occur prior to approval of subsequent subdivision applications, and related conditional use and land use permits.

The staff findings and suggested conditions contained in this report provide a detailed analysis of the application and suggest conditions of approval to assure compliance with the Zoning Regulations and related health and safety issues.

If the requested planned unit development and related conditional uses are approved by the Bridger Canyon Planning and Zoning Commission (Zoning Commission), this development will be required to be reviewed as a subdivision, subject to the requirements of the Gallatin County Subdivision Regulations. The subdivision review procedure addresses the division of land into lots and related public improvements. Subdivision review will require approval of the sewer and water systems by the Department of Environmental Quality; water right permits from the Department of Natural Resources and Conservation; phasing of development improvements; review of internal road design/improvements; development access and off-site highway improvements; and, consideration of impacts on local services, wildlife habitat, the natural environment, agriculture, and public health and safety.

As stipulated under Section 2.A. of the Gallatin County Subdivision Regulations, construction work of any kind shall not take place within the proposed subdivision, including grading and excavating relating to improvements, until the County Commission has given preliminary plat and only if the construction is in accordance with the conditions of preliminary plat approval. Additionally, no installation of infrastructure improvements shall take place within the site until all applicable agency permits (i.e., MDT, DEQ, DNRC) have been issued. The Bridger Canyon Zoning Regulations also require conditional use and land use permit approval prior to any building construction.

### **III. PLANNING HISTORY FOR THE BRIDGER BOWL BASE AREA**

The Bridger Canyon General Plan was adopted in April of 1971. At that time, the Plan called for overnight accommodations in the Base Area to house 3,000 visitors on 400 acres.

In 1979, the Bridger Bowl Base Area Conceptual Plan was adopted.

In 1989, the Base Area Plan and the Bridger Canyon Zoning Regulation were amended to allow for both recreational housing and overnight accommodations in the Bridger Bowl Base Area. Generally, twenty-five percent (25%), or 200 of the dwelling units were allocated to recreational housing, and seventy-five percent (75%), or 600 dwelling units were allocated to overnight accommodations.

In 1995, The Zoning Commission approved the 360 Ranch base area planned unit development. Following the approval, the Bridger Canyon Property Owners Association (BCPOA) file lawsuit to stop the development.

In 1996, the BCPOA lawsuit is settled, resulting in the reduction of the total number of recreational housing units allowed in the Bridger Bowl Base Area (see *Stipulation and Settlement Agreement*, attached as Exhibit "A"). In 1999, the Bridger Bowl Base Area Plan and the Bridger Canyon Zoning Regulations are amended to confirm the recreational housing unit reduction.

In 2005, the 345 acres owned by the 360 Ranch Corporation is purchased by Bridger Canyon Partners, L.L.C.

In 2006, the Zoning Commission approves the annexation of 113 acres and corresponding density units into the Bridger Bowl Base Area.

With this recent expansion and the 1996 Settlement Agreement, the Base Area consists of 513 acres with up to 632 development rights.

#### **IV. STAFF FINDINGS: APPLICATION DESCRIPTION**

**A. Overview of Planned Unit Development and Implementation Phases.** The Bridger Mountain Village Planned Unit Development (PUD) has been prepared and submitted as a design concept that responds to the natural constraints and opportunities of the physical landscape, while adhering to the goals and objectives of the Bridger Bowl Base Area Plan, and the requirements of the Bridger Canyon Zoning Regulations.

The PUD shows the relationship of proposed land uses, dwelling unit densities and circulation patterns. Low density single-family home sites are located around the perimeter of the site, while higher density overnight accommodations and a central lodge being located near the Bridger Bowl base area facilities and a new destination base area referred to on the plan as the Alpine Base.

The design of the PUD incorporates an extensive open space system with the purpose of protecting stream corridors, steep topographic areas, aspen tree groves, scenic park areas, and areas adjacent to the main entry roads leading to the base area.

Development of the PUD is planned to be implemented in three phases. The first phase would provide the initial infrastructure for the entire project, including a central water system, central wastewater treatment and disposal system, and an internal road circulation system providing a secondary access to Highway 86 (Bridger Canyon Road). The first phase would develop the initial recreational home sites and overnight accommodations, including open space areas, pedestrian and cross country ski trail system, and equestrian area. Subsequent phases would include a new ski base area, expanded trail network, recreational housing, and overnight accommodations.

Following is a description of each development phase:

##### **PHASE I – “CROSSCUT”**

- 122.5 total acres
- 98.4 acres open space
- 92 overnight accommodation units in the form of individual cabins and fourplex

chalets.

- Accessory uses to include bus shelters, fishing/warming hut, garages for overnight accommodations, and gazebos.
- A central lodge (Crosscut Lodge) providing food and beverage service, check-in desk, lobby, game room, swimming pool, and health and fitness facilities.
- 25 recreational housing units, each unit developed as a single-family lot.
- A central utility and service area as the site for a central wastewater treatment facility, fire substation, maintenance shop, property operations center, parking, and future employee housing.
- A pedestrian trail system designed to accommodate walking, running, hiking and bicyclists during the summer months, and nordic skiing during the winter.
- A seasonal equestrian center with barn and corrals, which will provide summer riding programs and winter sleigh rides.

#### **PHASE II – “MOUNTAIN VILLAGE”**

- 125 total acres
- 97.9 acres open space
- An alpine ski base area (Bridger Mountain Village) consisting of a commercial village which will include: ski lift, retail shops; restaurants and lounges; service establishments; day care facility; amphitheater, skier services; offices; overnight accommodations; central check-inn, and related parking.
- 243 overnight accommodation units.
- 26 recreational housing units, each unit developed as a single-family lot.
- Recreational amenities to include alpine ski runs, ski lift, sledding hill, and pedestrian trail system designed to accommodate walking, running, hiking and bicyclists during the summer months, and nordic skiing during the winter.

#### **PHASE III – “SLUSHMANS”**

- 87.5 total acres
- 71.8 acres open space
- 117 overnight accommodation units.
- 24 recreational housing units, each unit developed as a single-family lot.
- A pedestrian trail system designed to accommodate walking, running, hiking and bicyclists during the summer months.

The application for the Bridger Mountain Village Planned Unit Development includes a request for conditional use approval for specific uses and structures within Phase I. The conditional uses include: Overnight Accommodations; Restaurants, Cafes, Bars and Lounges, Only as Accessory to Overnight Accommodations; Accessory Uses (Overnight Accommodations); Sale of Sundry Items for Patron Comfort Either by Vending Machines or Personal Sales Area Attendant; Swimming Pools; and, Detached Recreational Housing

No conditional use permit requests have been submitted for Phases II and III at this time.

- B. Physical Setting and Natural Environment.** The physical landscape of the proposed development includes a variety of slopes, water features, and vegetation. Modest slopes are located along the eastern half of the property, and increase as you approach the ski runs and the southwest portion of the planned unit development. Small creeks are located throughout the property, and an existing pond is located near the day skier lodge. Vegetation consists of mature stands of pine forests, associated understory plant types and native grasses.

Other than an existing water storage reservoir, water lines, hydrants and gravel access roads, the property is currently undeveloped. Adjacent land uses include the Bridger Bowl Ski Area and USFS lands to the west, rural residential tracts to the south, residential/vacation homes to the east and west, and the Bohart Ranch Cross Country Ski Center and USFS properties are located to the north and northwest of the proposed base area development.

The Bridger Mountain Village PUD proposal states that it has been designed on a concept that employs development practices that achieve a balance between the natural environment and the physical constraints of the land. Specifically: cluster layout of structures are used and open space areas preserved as natural buffers and habitat areas; water courses and wetlands will be preserved; trees and native plantings will be preserved to the greatest extent possible, with only selective cutting for roadways, parking, structures and fire reduction; all utilities will be placed underground; and, development will be restricted from slopes in excess of 30%.

Design guidelines have been submitted for buildings and structures. The guidelines set forth requirements for architectural character and design standards, landscaping and native plant materials, walls and fencing, driveways and parking, snow removal, garbage disposal, view protection, fire protection, exterior lighting, signs, and construction procedures. The design standards require that buildings within the development must reflect the forms and materials common to Bridger Canyon, and visually tie into the mountain setting.

As required, restrictive covenants have been submitted with the planned unit development. The restrictive covenants will be enforced for both residential and commercial properties to enforce the architectural guideline requirements and the proper operation and maintenance of all properties, roads, and open space.

- C. Existing Zoning.** The Bridger Bowl Base Area Plan and the Bridger Canyon Zoning Regulations anticipated establishment of a compact, high density recreational development in the base area surrounding the current Bridger Bowl ski facilities. To facilitate the plan, the Base Area has been assigned three zoning designations; B-2, B-3, and B-4. The B-2 zone is limited to a total of 5-acres and allows for commercial and service uses supportive of activities in the Base Area. The B-3 zone allows for recreational development and overnight accommodations. The B-4 zone allows for a mix of recreational housing,

overnight accommodations and related support uses.

The property on which the Planned Unit Development is proposed has the following zoning designations:

- Base Area Business District (B-2). The intent of the B-2 District is to provide a central area for the ski area's business and service activities.
- Recreational Business (B-3). The intent of the B-3 District is to provide for large scale non-motorized recreational activities and for small retail and service activities frequently required by users of the recreational facilities.
- Base Area Recreation and Forestry (B-4). The intent of the B-4 District is to provide for overnight accommodations while preserving existing developed and undeveloped recreation and forest lands.

Proposed uses within the Planned Unit Development are either permitted uses or conditional uses within the underlying zoning districts. Following is a description of the zoning within each development phase:

**Phase I**

- B-2 .50 acres
- B-4 122.00 acres

The B-2 zoning consists of a one-half (½) acre site located on the north side of Bridger Bowl Road, in the southeast corner of Phase I. According to the applicant, no B-2 commercial uses are planned for Phase I at this time. Subsequent to PUD approval, it is the applicant's intention to relocate the one-half acre B-2 zoning to another location within Phase I. Overnight accommodations, recreational housing, accessory uses, recreational facilities, and the development's infrastructure will be located in the B-4 District.

**Phase II**

- B-2 3.00 acres
- B-3 25.00 acres
- B-4 97.00 acres

Subsequent to PUD approval, it is the applicant's intention to expand the existing B-2 zoning in Phase II by approximately one acre (four acres total) to accommodate the proposed Alpine Base area development. Overnight accommodations and recreational uses will be located in the B-3 District. Overnight accommodations, recreational housing, and recreational uses will be located in the B-4 District.

**Phase III**

- B-4 88.00 acres

Overnight accommodations and recreational housing will be located in the B-4 District.

**D. Development Rights.** According to the Bridger Bowl Base Area Plan and the Bridger Canyon Zoning Regulation, the use of development rights under a planned unit development application are allowed as overnight accommodations (including reserve units) and recreational housing. Overnight accommodations and recreational housing are defined as follows:

Overnight Accommodations: Permanent, separately rentable accommodations which are not available for residential use, except for the proprietors of a bed and breakfast inn. Overnight lodgings include hotel or motel rooms, hostels, cabins, bed and breakfast inns, and time-shared units. Individually owned units may be considered overnight lodging if they are available for overnight rental use by the general public for at least 48 weeks per calendar year through a central reservation and check-in service. Tent sites, recreational vehicle parks, employee housing, and similar accommodations do not qualify as overnight accommodations for this definition.

Recreational Housing: Housing located in the Bridger Bowl Base Area which does not have restriction on length of stay, and includes attached and detached single family units. Is distinguished from other dwelling units by the special requirements set forth in Section 13.10.

Per the 360 Ranch/BCPOA/Bridger Bowl *Stipulation and Settlement Agreement* (Exhibit "A"), the Bridger Bowl Base Area Plan, the Bridger Canyon Zoning Regulations, and presented development right transfers, properties held by Bridger Canyon Partners L.L.C. have the following development rights within the Bridger Bowl Base Area.

UNITS UNDER BASIC ZONING	REC. HOUSING	OVERNIGHT ACCOMMODATIONS	RES. OVERNIGHT ACCOMMODATIONS
10	75	211	241



The 75 recreational housing development rights in the above table have been originated/acquired as follows:

• Zoning Regulations and settlement agreement	50
• Transfer from Bridger Bowl per settlement agreement	9*
• Transfer from Bridger Bowl and F, W & P per settlement agreement	4*
• 2006 113 acre Base Area annexation and settlement agreement	12
	total 75

\* see *Transfer of Development Rights in Bridger Canyon*, attached as Exhibit "B"

The Planned Unit Development proposes to utilize all recreational housing, overnight accommodation, and reserve overnight accommodation development right allocations. According to the Bridger Bowl Base Area Plan, twenty-five percent (25%) of the development rights in the base area are allocated to recreational housing. Of the total overnight accommodation development rights in the base area, forty percent (40%) are held in reserve until it is shown that water, sewer, and land capabilities are adequate for their use.

The following table shows the distribution of the development rights within the Planned Unit Development.

	REC. HOUSING	OVERNIGHT ACCOMMODATIONS	RES. OVERNIGHT ACCOMMODATIONS
PHASE I	25	92	0
PHASE II	26	119	124
PHASE III	24	0	117

The ratio between overnight accommodations and recreational housing is described below:

Overnight Accommodations	452 units	86%
Recreational Housing	75 units	14%

The planned unit development will provide for approximately 1,975 overnight population (population based on 3.75 residents per dwelling unit). This represents around two-thirds of the 3,000 overnight population allowed in the Base Area. Additional overnight population can be accommodated by Bridger Pines, Bridger Bowl, and the Hepburn and Lachenmaier properties.

Overnight accommodations and recreational housing units are listed as conditional uses within the B-2 and B-4 Districts. These uses require conditional use approval by the Zoning

Commission.

- E. **Relationships with Bridger Bowl and Bohart Ranch.** According to the application submittal, the Bridger Mountain Village PUD acknowledges the Bridger Bowl Ski Area and Bohart Ranch Cross Country Ski Center (Bohart Ranch) as important winter amenities for the community of Bozeman and regional and out-of-state recreationalists. In recent years, Bridger Bowl has initiated marketing programs to attract non-local skiers. It is the regional and out-of-state skier that helps to round out the marginal periods of the season and the slower mid-week periods.

The new north base area mountain plan was prepared by Bruce Erickson of Stantec, Inc., Bridger Bowl's long-time mountain planner and design consultant. According to Mr. Erickson;

*“connecting the new base area to Bridger bowl will allow year round access in and out of the base area for all mountain guests. The proposed new lifts will be visible and easily accessible from the new base area. The combined lifts will provide beginner skiing opportunities on the lower portion of the mountain as well as access to existing advanced skiing on the upper part of the mountain. These new trails and lifts fit into Bridger Bowl's overall Mountain Plan and will add terrain and capacity to Bridger Bowl's operation.”*

In support of these objectives, the proposed mountain village (Phase II) will provide new ski trails and lifts servicing the new north base area. According to the Applicant, the new alpine ski trails, lifts and services will be developed in conjunction and in agreement with the Bridger Bowl Ski Area Management and Board of Directors. Staff suggests that ski run returns to the new base area be developed concurrently with the construction of the mountain village facilities.

As stated in their submittal, Bridger Canyon Partners has assured Bridger Bowl that they will be fully compensated for any and all expenses related to operating said lift, including capital expenditures and maintenance and repair costs.

In cooperation with the Bohart Ranch, the Bridger Mountain PUD will incorporate an expanded nordic trail system. Trails within the PUD will connect at several locations to the adjacent Bohart Ranch. Like Bohart Ranch, the Bridger Mountain Village trails will be made available to the public. As a condition of PUD approval, staff suggests that a trail plan addressing construction standards and maintenance, be submitted with the application for subdivision review of the Base Area development.

## V. STAFF FINDINGS: COMMUNITY SERVICES AND FACILITIES

- A. **Access and Traffic.** Bridger Canyon Road (State Highway 86) provides access to the Bridger Bowl Base Area (via Bridger Bowl Road) and surrounding properties. An existing approach off Bridger Canyon Road, north of Bridger Bowl Road, will provide a second access to the PUD. Bridger Canyon Road is a Federal Aid Primary Highway and the Montana Department of Highways is responsible for maintenance of this roadway. Jackson Creek Road, a paved county maintained road, provides a connection to Bridger Canyon Road from Interstate 90, accommodating skiers traveling from points east of Bozeman.

Traffic within the Bridger Canyon Zoning District, and traffic associated with the Bridger Bowl Base Area is addressed in the Bridger Canyon General Plan and the Bridger Bowl Base Area Plan.

According to the Bridger Canyon General Plan; *“Peak hourly traffic on Bridger Canyon Road will continue to be attributed to the ski area and could reach volumes as high as 1,500 vehicles per hour, unless additional over-night accommodations are built at the ski base and busing is increased to and from Bozeman.”*

According to the Bridger Bowl Base Area Plan; *“The plan does, however, recognize the recreational potential of the Canyon, especially the ski area potential. Bridger Bowl is estimated to have an ultimate potential for 7,000 to 8,000 skiers per day. A major concern of the original planners and the Bridger Canyon residents was that the existing Bridger Canyon Road would not handle the traffic that would be generated by 7,000 to 8,000 day skiers. The construction of an adequate road to handle those numbers was determined to be contradictory to the intent of the General Plan. To resolve this problem, the plan provided for full expansion of the ski area by designating 800 units of one unit per half acre. This high density area was included in order to allow enough overnight facilities to maintain a low daily traffic volume on the Bridger Canyon Road. The plan proposes 1,500 car parking spaces for 4,500 day visitors and a possible P.U.D. density for 800 units to serve an estimated 3,000 overnight visitors.”*

The Bridger Bowl Base Area Plan provides the following goals and objectives in regards to traffic:

*GOAL: Help control traffic within the limits of two lane Bridger Canyon Road.*

*OBJECTIVES:*

- 1. Encourage the development of up to 1,500 parking spaces for Alpine day skiers.*
- 2. Encourage the development of up to 800 units for accommodations in the Base Area, except for bonus for hotel and motel units.*

3. *Encourage ride-sharing programs.*
4. *Allow the expansion of recreational facilities to their ultimate capacity without exceeding vehicular capacity of two-lane road.*
5. *Develop the Base Area for overnight accommodations.*
6. *Encourage the provision of employee housing.*
7. *Encourage the development of services needed for recreationists, while limiting the B-2 Commercial area to five acres.*
8. *Allow the construction of bus parking as needed.*
9. *Encourage the development of up to 200 parking spaces for Nordic skiers.*

To adequately address anticipated traffic volumes and impacts on Bridger Canyon Road, a Traffic Impact Study (TIS) was prepared by Abelin Traffic Services (Appendix No. 8, Application Report). The Study provides the following conclusions and recommendations:

*“Traffic volumes within Bridger Canyon will increase due to the proposed PUD, continued Bridger Bowl skier growth and the anticipated ski area expansion. Currently Bridger Canyon Road is operating well under peak design conditions. As traffic volumes within the canyon continue to increase, some improvements will be needed. These improvements include the installation of a left-turn deceleration lane at Jackson Creek Road and a right-turn acceleration lane at the existing entrance to Bridger Bowl. These improvements will be required regardless of the construction of the proposed development. Ultimately the traffic volumes along Bridger Canyon Road will be related to the total skier visits at the mountain. The proposed development will not significantly change the current rate of one vehicle trip skier visit. However, the trip pattern of the proposed development will help balance the directional traffic within the canyon and allow the roadway to carry more daily traffic with better operations than without the development.*

*The following recommendations are supplied to address the traffic generated by the development and help improve traffic circulation within the Bridger Bowl Base Area. These recommendations include:*

- *All internal roadways should be constructed to meet Gallatin County road standards.*
- *The PUD should develop and operate an internal shuttle service between the two base areas.*
- *The PUD should provide designated bus transit stops where appropriate.*

*While the PUD will influence traffic conditions throughout Bridger Canyon, none of the following recommended improvements are directly related to the development. These improvements will be needed regardless of the proposed PUD due to the continued growth in skier traffic and the expansion of the Bridger Bowl Ski Area.*

*These recommendations include:*

- *Install a right-turn acceleration lane on Bridger Canyon Road for vehicles leaving Bridger Bowl.*
- *Install a left-turn deceleration lane at the intersection of Bridger Canyon Road and Jackson Creek Road."*

The Montana Department of Transportation (MDT) has reviewed the TIS for the project and has provided written comments (see attached Exhibit "C"). According to MDT officials, a revised TIS is not necessary, however they have stated that a northbound left turn lane on Bridger Canyon Road at the entrance to Bridger Bowl would be necessary as a traffic mitigation measure.

As stated in their PUD submittal, Bridger Canyon Partners has been working with Bridger Bowl and Streamline Transit System to establish a level of bus service between Bozeman and Bridger Bowl. The intent of a transit system is to relieve peak traffic conditions by providing a transit facility for employees and ski area visitors. The applicant proposes to provide partial funding for this public transportation system during the ski season. In cooperation with other interested parties, the applicant will provide sufficient funds to a public transportation system to accommodate 10% of the trips generated from the 75 recreational homes and 452 overnight accommodations on a phase by phase basis as built out. In addition, the transit system can provide pick up and drop off service between Bridger Mountain Village and the lift area of Bridger Bowl.

- B. Internal Roads and Circulation.** The internal road system will consist of a looped road network with two access points on Bridger Canyon Road (Highway 86). One loop road system will serve the south end of the development in the Slushman area (Phase III) and a second loop road will serve the Crosscut (Phase I) and Mountain Village area (Phase II). A second point of access off Bridger Canyon Road will be directly north of Bridger Bowl Road at the historic entry to the Crosscut and Forsythe Ranch. All internal roads will be within public right-of-ways and be constructed to county standards for paved roads. If the zoning applications are approved, the design specifics will be reviewed during the subdivision review process.

As shown on the PUD site plan, a new internal road within Phase III will connect and provide access to the adjacent Gallatin National Forest property. Jose Castro, District Ranger for the Bozeman Ranger District, is requesting that this road be constructed to the applicable county standard as part of Phase I (see Castro letter, attached as Exhibit "D"). Mr. Castro has also requested that Bridger Bowl Road (FSR # 3200) be dedicated to Gallatin County.

- C. Community Water System.** A community water distribution system supplied by a series of community water wells is proposed for the Bridger Mountain Village PUD. The

proposed water supply system is an expansion of the existing Bridger Base Water System that supplies the Ross Peak Ranch PUD. The Bridger Base Water System consists of supply wells, supply and distribution piping, a storage reservoir and telemetry controls that operate and monitor the overall system. The proposed expansion of the system will require additional water supply wells, distribution piping and additional water storage in subsequent development phases. The expanded system has been designed to provide access to water for all properties within the Bridger Bowl Base Area.

The Community Water System Study for the Bridger Mountain Village PUD was conducted by Morrison-Maierle, Inc. (Appendix No. 11, Application Report). According to the Study, total average daily water demand for the entire base area, including the existing Ross Peak Ranch PUD, is 197,640 gallons per day. This figure includes a total average daily domestic water demand of 150,190 gallons per day, and an average daily irrigation water demand of 47,450 gallons per day.

Water will be supplied to the system through a series of water supply wells. The existing Bridger Base Water System is served by two wells. Additional wells will be required to serve the entire base area. According to the Application Report, a drilling and testing program is currently underway within the site to determine the total number of wells necessary for the project.

The water system for the Bridger Mountain Village PUD will require review and approval by the Montana Department of Environmental Quality. Beneficial Water Use Permits will also be required from the Montana Department of Natural Resources and Conservation (DNRC). Scott Compton, Regional Manager for the DNRC, has reviewed the proposed PUD and has provided written comments (see attached Exhibit "E"). Mr. Compton states that a water right permit is required and must be applied for, and that the suggested water conservation measures for the development could be bolstered by required water metering.

Staff suggests as a condition of PUD approval, that no installation of the expanded water system infrastructure take place until subdivision preliminary plat approval has been obtained.

- D. Community Wastewater System.** A community wastewater system is proposed for the Bridger Mountain Village PUD. All wastewater throughout the Base Area will be collected through a gravity and pump collection system and conveyed to a central wastewater treatment plant located to the east of the Bridger Bowl day skier parking lot. Existing thick tree cover will provide natural buffering of the treatment facility.

The treatment plant will consist of a membrane based biological nutrient removal process. Upon treatment the effluent will be discharged into underground rapid infiltration for further treatment and ultimate disposal. A wastewater treatment report and detailed description of the wastewater system is included as Appendix 12 of the Application Report.

The community wastewater system for the Base Area will require extensive review, and approval by the Montana Department of Environmental Quality (MDEQ). The approval process includes both a technical review of the technology and a thorough review of the systems impact on groundwater and surface water quality. To assure long term system compliance, reporting requirements to MDEQ will be part of the required groundwater discharge permit. Staff suggests as a condition of PUD approval, that no installation of the wastewater treatment system take place until subdivision preliminary plat approval has been obtained.

**E. Storm Water Management.** A Storm Water Assessment Report has been prepared for the PUD (Appendix 1# of the Application Report). In summary, storm water will be directed into vegetated bioswales for treatment, storage and conveyance. Proposed storm water ponds have been located within Phase I. The final location and size of all storm water ponds within the PUD will be developed in detail to comply with the MDEQ design circular requirements. Storm water management plans for the PUD must be reviewed and approved by the MDEQ.

**F. Utilities.** Northwestern Energy and Qwest Communications provide electrical and communications services to the Base Area. Natural gas is not available in this area of Bridger Canyon. Heating for the proposed development will be provided by individual propane tanks, installed underground.

All new cables will be installed underground, in locations adjacent to roadways and within utility easements. The applicant is working with Northwestern Energy to relocate and bury the existing overhead power lines running through the Crosscut Lodge area.

**G. Emergency Services.** Law enforcement is provided by the Gallatin County Sheriff's Department. Ambulance service will be provided by American Medical Response of Bozeman.

Fire protection for the upper Bridger Canyon area is provided by the Bridger Canyon Rural Fire District (BCRFD). The proposed central water system for the Base Area will provide required water storage and dispersed hydrants for fire protection. Phase I of the PUD includes a site for a new fire station. Interior sprinkler systems will be installed in all dwelling units.

The entire Bridger Canyon area, including the proposed PUD, lies within a wildland fire urban-interface area. In response to the threat of wildfires, the applicant contracted Fire Logistics, Inc. to prepare a Fire Risk Assessment and Fire Protection Plan for the Bridger Mountain Village PUD. In summary, the report provides an analysis of the fire protection, fuels, and the terrain associated with the development site, and includes a series of requirements in the Fire Protection Plan designed to mitigate the adverse impacts of the development site to an acceptable level of risk. Fire protection mitigation measures address

water supply, access, maintenance, construction features, vegetation management fuel modification and fuel breaks.

Officials from the BCRFD have reviewed the Bridger Mountain Village PUD application and related documents. Their findings and recommendations are included as Exhibit "F". In summary, the District has outlined specific requirements necessary for the District to provide adequate fire protection for the development. Those requirements include: annexation of all parcels into the Fire District; a site for a new fire station within the base area; adequate water storage and fire hydrants; roads constructed to county standards; and adoption and adherence to the Fire Protection Plan.

Specific measures addressing provisions for adequate fire protection services will be required during subdivision review procedures for the PUD. Required fire protection requirements will most likely include annexation of properties into the fire district, transfer of land to the fire district, construction of new fire station, installation of water storage and fire hydrants, roadway improvements, building design standards, and implementation of wildfire mitigation measures.

- H. **Schools.** The Bridger Bowl Base area is located with Bozeman School District No.7. The proposed 452 units of overnight accommodations will not be occupied by year round residents. It is not anticipated that the proposed 75 recreational homes will be occupied year round, nor would they be occupied by families with school aged children.
- I. **Employee Housing.** Included within Phase I of the PUD is a site designated specifically for future employee housing. According to the PUD application, at some time in the future, Bridger Canyon Partners will provide on mountain housing for 10% or more of Bridger Mountain Village Employees. Employee housing units will require conditional use permit approval by the Zoning Commission. Staff suggests that the employee housing be required to be constructed concurrent with the development of the new alpine base facilities within Phase II.

## VI. STAFF FINDINGS: NATURAL ENVIRONMENT

- A. **Geology/Soils/Topography.** A Geology and Soils Report for the Bridger Bowl Base Area has been prepared by HKM Engineering for Bridger Canyon Partners (Appendix 5 of the Application Report). The report provides the following summary and conclusions:

*"Based on review of cited information, geologic conditions within the proposed development areas are suitable for construction of the proposed housing and commercial units and associated infrastructure. Overall, the soils are stable with no indication of large scale global instability. There may be some isolated minor unstable area located within the extreme western fringe of Phase I area. Groundwater conditions will vary but overall are not problematic provided*



*groundwater conditions are considered for site specific building designs. Foundation water proofing perimeter drains and or sumps may be required dependent upon location and if basements are desired. Shallow groundwater is evident in low lying and drainage areas within Phase I development area; however, it is understood that these areas are to remain as wetland areas.*

*Additional test pits or soils investigations will be conducted within Phase III area to further define soil and groundwater conditions prior to final planning. More detailed surface mapping will be conducted within the western area of Phase I to further determine if isolated unstable areas are present. Site specific geotechnical investigations should be conducted at building locations during the construction stages of the project. These investigations will further define groundwater and soil conditions at specific sites to ensure compatible foundation design.”*

Given the conclusions of the Geology Report, staff suggests that geotechnical foundation studies be completed for all commercial and residential structures prior to construction.

The Bridger Bowl Base area is characterized by slopes dipping gently (5-10%) to the east along the eastern side of the Bridger Range. Seasonal drainages and small streams intersect the sloping terrain creating v-shaped valleys that run into the broader valley created by Bridger Creek to the east. A two-foot contour map was produced to specifically identify areas having development constraints. According to the Application Report, roads have been located and designed to meet county standards, and building site locations avoid slopes exceeding 30%.

- B. Vegetation and Wetlands.** The Bridger Bowl Base area is characterized by six vegetative communities that include: riparian wetland, forested wetland, meadow wetland, forested upland, meadow/forested upland, and meadow upland vegetative areas. Noxious weeds have been identified within the project area and include Canada thistle, hounds tongue, common tansy, oxeye, daisy, spotted knapweed, and tall buttercup. The noxious weeds are primarily concentrated in disturbed areas and along existing roads. The subdivision review procedures will require the applicant to submit an approved weed management plan and re-vegetation plan for the property.

According to the Application Report, US Army Corps of Engineers jurisdictional wetlands have been identified within the project area. The location of roads and structures will avoid the wetland areas to the greatest extent possible, as required by the US Army Corps of Engineers. The Gallatin County Subdivision Regulations prohibit any construction activities within the site until all wetland permits have been obtained.

- C. Watercourses.** The primary watercourse associated with the project is Bridger Creek, which meanders along the eastern property boundary, terminating into the East Gallatin River. Maynard Creek is located in the central portion of the project area and is a tributary

to Bridger Creek. Four unnamed tributaries to Bridger Creek also occur within the project area. The watercourses and adjacent riparian areas will be located within common open space areas within the PUD. In addition, the PUD incorporates a 50-foot structural setback from the identified watercourses, as required by the Zoning Regulations. According to the Application Report, a watercourse mitigation plan will be provided with each Phase Preliminary Plat (Subdivision) application to support and substantiate a reduction in the 150-foot watercourse setback stipulated in the Gallatin County Subdivision Regulations.

- D. Wildlife Assessment.** No endangered or threatened animal species are known to inhabit the Bridger Bowl Base Area or the immediate vicinity. The area does provide summer habitat for deer, elk, black bear, and an occasional moose, while heavy snow accumulations during the winter months preclude deer and elk use.

A Wildlife Assessment has been prepared By Dr. Robert L. Eng and Dr. Richard J Mackie to evaluate the impacts of the proposed planned unit development on the areas wildlife and wildlife habitat (Appendix 6 of the Application Report). The Wildlife Assessment provides the following conclusions and recommendations:

*"Because the PUD constitutes only a relatively small portion of the upper Bridger Canyon-Bridger Bowl area that has been and continues to be rather heavily developed for recreation and at least seasonal housing, it seems imperative that special effort be made to avoid undue fragmentation and loss of linearity among natural communities. In particular, avoiding intrusion into riparian areas and aspen stands during and after development would minimize adverse effects on birds. While potential for both direct and indirect, as well as cumulative effects through development exists, most wildlife species will continue to use the area, at least to some extent. It is also possible that some aspects of development could prove attractive to some species (palatability of plants that encourage or attract greater wildlife use within the entire developed area). Such disturbance that could result in increased opportunity for human-wildlife interactions during summer and early fall should be held to the minimum necessary.*

*We estimate that the proposed development on the Bridger Bowl Base area will have some, though probably limited direct impacts on large mammals through habitat loss. While housing development away from the core Bridger Bowl area reflects movement of humans and human activity further into wildlife habitat, it will, for the most part, occur adjacent to existing developments in an area of relatively high human activity and light use by deer and elk. Assuming that housing and human activities are largely clustered on small envelopes within relatively large lots, the area could remain somewhat productive of deer, elk, and other species.*

*Within this context, it will be extremely important to develop protective covenants and architectural design and landscape guidelines with provision for rigid*

*enforcement. Pet and other domestic animal restrictions, discretionary selection of plants for landscaping, small building envelopes, appropriate set-back from wetlands and important habitat cover types, no artificial feeding, control of garbage, control of use of firearms, fences, if any, consistent with wildlife movement through the area, and owner acceptance of some conflict should be included as follows:*

- *Prohibit or strictly control the occurrence of domestic animals (dog, cats) in the development. Visiting pets should be required to be on leash and/or boarded in a "pet center" provided in the development. Horses and other livestock should be prohibited.*
- *For landscaping require selection of plants from lists provided in brochures for "living with wildlife" in this area available from Montana Department of Fish, Wildlife and Parks, Montana State University Extension Service, and many landscape companies. Avoid use of fruiting shrubs and trees.*
- *Require small building envelopes to minimize disturbing natural habitat and growth of native plants attractive to wildlife where possible.*
- *Provide for maximum possible setback of building envelopes from wetlands, riparian shrub and tree stands, and aspen groves.*
- *Prohibit any form of artificial feeding of wildlife. Allow use of bird feeders only during winter months (December-February).*
- *Prohibit and open garbage containers within the area. Provide for regular garbage pickup from home and cabin sites or require disposal of all domestic garbage at wildlife-proof transfer stations.*
- *Fences should be prohibited. If necessary, any interior or perimeter fences should follow guidelines for fencing allowing wildlife movement through the area.*
- *Prohibit the discharge of firearms within the core development, but retain the option to control nuisance wildlife using other means as deemed appropriate by the Montana Department of Fish, Wildlife & Parks."*

As a condition of PUD approval, staff suggests that the applicant prepare a Wildlife Management Plan for the PUD which incorporates all wildlife mitigation recommendations provided in the Wildlife Assessment.

## **VII. STAFF FINDINGS: BRIDGER CANYON GENERAL PLAN**

The Bridger Canyon General Plan and Development Guide addresses residential, commercial, and recreational development within the Bridger Bowl Base area.

The Plan provides the following information regarding residential and commercial development within the Base Area:

*RESIDENTIAL: In the Base Area the residential areas are expected to accommodate approximately 200 recreational housing units and 600 overnight accommodation units. The specific information pertaining to residential densities are located in the Zoning Regulation and the Base Area Plan. The ski area is expected to accommodate 3,000 visitors in overnight accommodations and recreational housing within the Base Area. Here, multiple clustered housing which does not impair scenic values is essential to accommodate the increasing number of seasonal and permanent residents. (page 25)*

*RESIDENTIAL DEVELOPMENT CRITERIA: Clustered development of homesites should occur under development standards requiring the preparation of specific plans for review by the Bridger Canyon Planning Zoning Commission. Design criteria for such development should include: (page 27)*

- a. retention and management of open space,
- b. development of on-site recreational facilities,
- c. separation of automobile and pedestrian-equestrian travel on the site,
- d. limited access to Bridger Canyon, Kelly Canyon, and Jackson Creek roads,
- e. parking areas or other large paved areas to be fringed with natural or man-made landscaping,
- f. building clusters to be hidden from view to motorists on the canyon's arterial roads by:
  - (1) natural vegetation,
  - (2) landscaping,
  - (3) terrain, or,
  - (4) a setback of at least 500 feet from such roads.
- g. erosion control measures for building, road, parking lot and recreational facilities,
- h. fire suppression and control,
- i. installation and management of water and sewage facilities,
- j. underground locations for power and telephone service,
- k. studies of surface geology and soils to indicate problems and their solutions relating to development,
- l. solid waste disposal plan.

*COMMERCIAL DEVELOPMENT CRITERIA: Ski Base Facilities, including commercial outlets: Since the ski base concentrates activities at the top of the canyon's watershed, its design and construction is critical to all residents in the lower canyon. Development criteria should include: (page 28)*

- a. Adherence to Base Area Plan densities and day use parking limitations;
- b. Strict limitations on treatment and disposal of sewage effluent.
- c. Hide buildings from view of motorists on Bridger Canyon Road by retention of natural vegetation or installation of landscaping;

- d. *Preparation of and adherence to erosion control plans for all construction including: ski slopes, commercial and residential buildings, roads, parking lots, service and recreational areas, based on soils and geology studies;*
- e. *Underground power and telephone service;*
- f. *Re-vegetation and weed control of areas which are now or may in the future become denuded due to construction activities;*
- g. *Selection of architectural styles and materials compatible with the natural landscape;*
- h. *Building designs which take into account snow loads of up to 200 pounds per square foot;*
- i. *Fire control measures for structures and escape routes for residents;*
- j. *Separation of pedestrian and vehicular movements within the base area insofar as possible;*
- k. *Solid waste disposal plan;*
- l. *Sign control (i.e., limit sizes and prohibit flashing or interior lighted signs).*

The Plan's Recreation Assessment provides the following in regards to the Bridger Bowl Ski area: (page 30)

*"The Bridger Bowl Ski facility acts as a major attraction to the Canyon for winter sport activity. A separate Base Area Plan has been adopted to promote the careful development and construction of the ski base. As a major attraction feature, Bridger Bowl will impose important effects upon the environmental quality of the Canyon. To set a controlling element on those effects, a limit is placed on the number of planned parking spaces and over-night facilities.*

*The Bridger Bowl ski facility can presently handle 3,500 skiers per day. The Bridger Bowl Ski Association estimates an expansion potential of 8,000 day users. There is presently a 1,000 car parking facility with an additional 520 planned expansion. With an average of three persons per car, this allows for 4,500 day users. An additional 3,000 persons will need to be provided for in base operations and over-night facilities. This gives a total planned figure of 7,500 persons.*

*It is felt that this figure can be adequately accommodated on the present two-lane road, with upgrading improvements. The 3,500 skiers per day figure could be increased to the full recommended potential and still maintain a two-lane roadway by expanding bussing services from hotel and motels, expansion of ski base accommodations, limit the size of the automobile parking lot, and promoting night skiing to lessen the peak hourly flow of traffic."*

The Plan suggests the following Design Guides for the Ski Base Area: (page 39)

*High Density Residential Development – Ski Base Area*

- a. *Use and maintain natural features;*
- b. *Design for above normal snowfall;*
- c. *Do not interfere with natural drainage channels;*
- d. *Design for ease in snow removal from public areas;*
- e. *Carry architectural theme throughout project;*
- f. *Provide sufficient space and design to open areas.*

**VIII. STAFF FINDINGS: BRIDGER BOWL BASE AREA PLAN**

The need for a plan to guide development in the Base Area was recognized as early as 1971. In 1978, the Bridger Bowl Base Area Conceptual Plan was prepared, and officially adopted in 1979. The purpose of the Plan is to provide information to guide decision making, and to set forth policy direction to respond to the special needs, problems, and future development of the Base Area. The Bridger Canyon Zoning Regulation provides the framework for the implementation of the Plan.

The Base Area Plan provides the following Goals and Objectives:

*A plan for the Bridger Bowl Base Area should reflect many of the same goals and objectives as the Bridger Canyon General Plan. In other words, this Plan should be an extension of the General Plan. This Plan attempts to give direction to the expansion of the ski area and accompanying development while preserving the character of Bridger Canyon, and remaining consistent with the basic intent of the Bridger Canyon General Plan. To this end, the following goals and objectives for the Base Area have been adopted. Goals are a general statement of a desirable end to be attained; objectives set forth more specific ways to attain the goals. The goals and objectives provide a broad and basic framework for determining the merits of development proposals.*

*GOAL: Encourage quality year-round recreational activities within the Base Area.*

*OBJECTIVES:*

- 1). *Develop an economic base for overnight accommodations.*
- 2). *Encourage diversified recreation as a partner to the existing economic base of agriculture and cottage industry in Bridger Canyon.*
- 3). *Maintain a balance between recreational and residential traffic.*
- 4). *Support the establishment of recreational uses consistent with the natural setting.*
- 5). *Set limits on areas of high intensity recreational use based on access, sensitivity of surrounding uses, water quality, fire hazard, and environmental effects.*

*GOAL: Help control traffic within the limits of two lane Bridger Canyon Road.*

*OBJECTIVES:*

- 1). *Encourage the development of up to 1,500 parking spaces for Alpine day skiers.*
- 2). *Encourage the development of up to 800 units for accommodations in the Base Area, except for bonus for hotel and motel units.*
- 3). *Encourage ride-sharing programs.*
- 4). *Allow the expansion of recreational facilities to their ultimate capacity without exceeding vehicular capacity of two-lane road.*
- 5). *Develop the Base Area for overnight accommodations.*
- 6). *Encourage the provision of employee housing.*
- 7). *Encourage the development of services needed for recreationists, while limiting the B-2 Commercial area to five acres.*
- 8). *Allow the construction of bus parking as needed.*
- 9). *Encourage the development of up to 200 parking spaces for Nordic skiers.*

*GOAL: Conserve the natural resources within the Base Area and Bridger Canyon in general.*

*OBJECTIVES:*

- 1). *Provide for the preservation of stream areas and wetlands, and protect the water quality of Bridger Creek.*
- 2). *Encourage the eventual provision of central water and sewer systems.*
- 3). *Minimize soil erosion by requiring erosion control plans for all construction.*
- 4). *Maintain as much of the natural environment as possible by encouraging cluster development.*
- 5). *Require that all signs be designed in accordance with the guidelines in the Bridger Canyon General Plan.*
- 6). *Direct development to those areas most suitable for development in accordance with the Base Area Plan.*
- 7). *Develop a transit system to take those staying in overnight accommodations to the ski areas.*
- 8). *Encourage non-motorized recreation.*

According to the Base Area Plan, the basic intention of the plan is to coordinate the potential development of up to 800 density units with the development of year-round recreational facilities. To accomplish this objective, the Plan addresses the following: suggested appropriate areas for development, based on the identification of steep slopes, soil limitations, old growth tree cover and waterways; ski area development options; suggested location and type of commercial development; suggested location of overnight accommodations; development right allocations; suggested location of open space areas; employee housing; and appropriate access to Bridger Canyon Road and the

location of internal roads.

## IX. STAFF FINDINGS: BRIDGER CANYON ZONING REGULATIONS

The proposed Bridger Mountain Village PUD has been reviewed for compliance with Section 13, Planned Unit Development, of the Bridger Canyon Zoning Regulations.

- A. **Purpose (Section 13.1).** *The planned unit development designation is intended to provide for alternative forms of development which may include a density bonus in exchange for development quality that is of significant community benefit. The purposes of this district include the following:*
- a. *Enhance and preserve open space and unique natural features.*
  - b. *Preserve to the maximum extent possible the natural characteristics of the land, including topography, vegetation, streams, and tree cover.*
  - c. *Protect areas of important wildlife habitat.*
  - d. *Prevent soil erosion by permitting development according to the nature of the terrain.*
  - e. *Encourage the development of more attractive site design.*
  - f. *Reduce the cost and physical impact of public and private services.*
  - g. *Lessen the visual impact of development and preserve the scenic vistas and rural atmosphere.*
  - h. *Preserve agricultural lands.*
  - i. *Provide economies in the provision of public services.*
- B. **Special Definitions (Section 13.2).** This section is germane to the administration of a planned unit development.
- C. **Uses Permitted (Section 13.3).** The proposed uses within the planned unit development application are either permitted or conditional uses in the underlying zoning classification of the property.
- D. **Land Use Intensity Factor (Section 13.4).** The planned unit development land use intensity factor for this property, as identified on the Official Bridger Canyon Zoning Map, is one unit per half acre. The land use intensity factor for this proposal is one unit per .64 acre, which exceeds the requirements.
- E. **Standards for Development (Section 13.5).** *In approving an area for a planned unit development, at least one of the following general conditions shall exist:*
- 1. *The parcel is situated such that the planned unit development will allow flexibility of design for the protection of scenic vistas or will lessen the visual impact of the development.*



2. *The planned unit development will result in the preservation of agricultural land and/or open space.*
3. *The parcel contains natural assets which will be preserved through the use of the planned unit development. Such natural assets include vegetation, habitat for wildlife, and streams.*
4. *The parcel contains topography that is suitable for minimizing the visual impact of development. The planned unit development shall prevent erosion and result in development more suitable to the nature of the terrain.*

The Zoning Commission needs to determine if this proposal meets at least one of the above conditions.

*In approving a site for a planned unit development, the following specific standards shall be met:*

1. **Density:** The planned unit development application proposes 527 total dwelling units within 335 acres, for an overall density of one dwelling unit per .64 acres. The proposed development density complies with the density requirements for the Bridger Bowl Base Area, as established in the Zoning Regulations.

2. **Parking and Open Space:**

One and one-half (1.5) off-street parking spaces are required for each dwelling unit within the PUD. The required off-street parking spaces are required to be included with all land use permit applications for recreational (single-family) dwelling units and overnight accommodations. Regarding multiple shared off-street parking spaces and parking lots for commercial uses, staff suggests that a parking management plan be prepared which includes provisions addressing adequate number of spaces, shared use, maintenance, and snow removal.

Total property size is 335 acres. Seventy-five percent (75%) or 251.25 acres of open space is required; 268.10 acres are proposed. Maximum coverage allowed by developed areas (buildings, parking areas, roads) is 83.75 acres; 150 acres are proposed.

3. **Continuous Boundaries for Multiple Parcels.** This standard applies to planned unit developments outside of the Bridger Bowl Base Area.
4. **Dwelling Unit Design:** *Harmonious variations in material, textures, and colors shall compliment and supplement the natural beauty and pleasant environment of the site and individual unit.*

According to the PUD Application, Design Guidelines for the Bridger Mountain Village include an architectural theme that uses building forms and exterior finishes that are harmonious and compliment the natural setting as well as the architecture of the existing Bridger Bowl facilities. All future residential construction will be required to adhere to the adopted Guide Lines. The service facilities and structures will be required to adhere to the general intent and theme of the Design Guidelines. Adherence will be assured through the architectural review function in the project covenants.

5. Common Area Access: *Each building site shall have ready access to any common areas and facilities.*

The planned unit development incorporates an interconnecting network of common open spaces and trails which allows each building site access to the open spaces within the development.

6. Car Circulation and Access: *Road design should reflect the following factors:*

- i. *Dwelling areas shall only have limited access to major traffic arteries. Common access roads should be used when possible.*
- ii. *Collector roads of ample width and flowing alignment shall feed traffic between the arterial streets and to a network of minor access streets on which most of the home sites are located. Streets and roads shall meet the design standards contained in the Gallatin County Subdivision Regulations.*
- iii. *Where terrain permits short loop streets and cul-de-sacs should be used for minor streets.*

No dwelling units will have direct access off Highway 86 or Bridger Bowl Road. All dwelling units (recreational housing and overnight accommodations) will gain access off interior roads. An interior looped road system is proposed. All roads will be required to be constructed to county standards.

7. Parking: *Parking shall reflect the following factors:*

- i. *Occupant and guest car parking should be located so home sites are conveniently served.*
- ii. *Parking areas should be designed so that not more than an average of five (5) spaces shall adjoin each other without intervening landscaped areas, except in the Base Area where snow removal necessitates alternative landscape schemes.*

All proposed parking within the planned unit development will be conveniently located within, on-site, or near each dwelling unit. If necessary, parking area

configurations for overnight accommodations will be designed with intervening landscaped areas. The larger parking lots for the Crosscut Lodge complex and future Alpine Base area will require alternate landscaping treatments. Parking requirements will be enforced through the issuance of Land Use Permits.

8. Walks and Service Circulation: *Walks should be designed to provide convenient access to recreation, service, parking and other common areas.*

Pedestrian trails and interior subdivision roads within the development will provide convenient access to recreation, service, parking and common areas.

9. Setbacks: *Front, side and rear setback requirements for structures shall be those of the district with which the Planned Unit Development is combined or as established by the approved plan.*

The PUD establishes the following building setbacks:

Overnight Accommodations:

- Front and rear yard: 20-feet from interior property line, right-of-way or public access easement. Porches may protrude 5-feet into the front or rear setback.
- Side yard: 10-feet from interior property lines or a total of 20-feet between structures.
- Wetlands: Detached units: 12-feet; Attached units: 20-feet.
- Watercourses: 50-feet from high water mark.

Recreational Housing Lots:

- Front yard: 30-feet from property line or public access easement.
- Side yard: 10-feet for lots less than 0.75 acre. 15-feet for lots greater than 0.75 acre.
- Rear yard: 25-feet.
- Wetlands: 12-feet.
- Watercourses: 50-feet from high water mark.

All Other Uses:

- Front, rear and side yard: 20-feet from interior lot lines, public rights-of-way, public access easements or other structures.
- Minor reductions are proposed over the setback standards in the Zoning Regulations. The objectives are to allow for a more compact, human-scale form of development, reduce the overall footprint of development and to encourage clustering.

Structure setbacks will be enforced through the issuance of Land Use Permits.

10. Open Space Areas: *Open space areas should be situated in such a manner as to avoid the crowding together of building uses and parking uses or to enhance visual or recreational pursuits of residents.*

Open space within the PUD has been situated to break up the massing of the overall project and create clusters of development. The open space areas provide year round recreational opportunities for visitors and residents of the area and have a specific purpose and relationship to the natural landscape.

11. Sanitary and Water Facilities: As required, the sanitary and water facilities have been located and designed to protect the environment and encourage the efficient use of land in the general area. The wastewater treatment process will provide for advanced treatment, including nutrient removal and environmental protection. Beginning with Phase I, the proposed wastewater treatment system is designed to be constructed in stages and will be expanded incrementally to accommodate all future phases. The water system is also designed to be installed in increments to provide for domestic and fire protection water supplies. The wastewater and water facilities will require approval from the State Department of Environmental Quality.
12. Bear-proof Refuse: As required, the covenants for the planned unit development stipulate that all commercial and residential developments shall utilize bear-proof refuse containers.

**F. Legal Requirements (Section 13.6.a).** *All planned unit developments which contain areas of common ownership or access shall submit covenants and other legal documents which:*

1. *Legally create automatic membership, non-profit homeowners' association or similar instrument.*
2. *Place title to the common property with the homeowners' association.*
3. *Restrict title to required open space and common property so that residential buildings and related structures or other uses detrimental to the Planned Unit Development may not be conducted thereon.*
4. *Permanently limit the uses of the required open space and common property to agricultural and open space uses.*
5. *Give each lot owner the right to use the common property.*
6. *Place responsibility for operation and maintenance of roads and common property in the homeowners' association.*
7. *Place an association charge on each lot which will:*
  - a. *Be a lien on the lot.*
  - b. *Assure sufficient funds for maintenance of common property and roads.*
  - c. *Provide safeguards against unreasonably high charges and a method to adjust assessments.*
8. *Provide for weed control in accordance with Gallatin County Regulations.*

The applicants have submitted draft protective covenants and administrative plan for the Bridger Mountain Village PUD (Appendix 3 and 17 of the Application Report), which include the required provisions/requirements for planned unit developments. The subdivision review procedures will require the applicant to submit an approved weed management plan and re-vegetation plan for the property. Staff suggests that the covenants and administrative plan be reviewed and approved by the County Attorney's Office prior to making application for subdivision review.

- G. Staged Development (Section 13.7).** *If the sequence of construction of various portions of the development is to occur in stages, then the open spaces and the recreational facilities proposed for the entire development shall be developed, or committed thereto, in proportion to the number of dwelling units constructed. At no time during the construction of the project shall the number of constructed dwelling units exceed the overall density per acre established by the Land Use Intensity Factor.*

The Bridger Mountain Village Planned Unit Development is proposed to be completed in three stages or phases. Phase I includes open spaces, walking paths, Nordic ski and summer trails, and incidental services and dining in the Crosscut Lodge for the overnight accommodation units. Phase II includes open spaces, walking paths, Nordic ski and summer trails, alpine ski trails, ski lift, and the new Alpine Base with related services. Phase III will provide additional trails and the balance of the required open space. Conditions of approval are structured so that each Phase must provide the required open space and provide or make commitments for the recreational facilities.

- H. Procedure for Approval (Section 13.8).** The method for considering a Planned Unit Development shall be the Conditional Use Procedure.
- I. Transfer of Development Rights (Section 13.9).** Development rights within the Bridger Bowl Base Area are as established under Section 13.10.4 of the Zoning Regulations and subsequent amendments. Base area development rights shall only be transferred within the boundaries of the Bridger Bowl Base Area.

The Bridger Mountain Village PUD proposes to utilize 452 overnight accommodation development rights and 75 recreational housing development rights. The PUD application includes the use of transferred development rights. Specifically, thirteen of the recreational housing development rights will be acquired or transferred from Bridger Bowl Inc. held properties within the Base Area (see *Transfer of Development Rights in Bridger in Bridger Canyon*, Exhibit "B"). The conveyance/transfer of all development rights will be required to be recorded with the Gallatin County Clerk and Recorder's Office at the time of final plat recording of the PUD.

**J. Base Area Planned Unit Development (Section 13.10).** *It is the intent of the Base Area Planned Unit Development to allow for a variety of overnight accommodations and recreational housing in the Base Area, and to require the most dense development near the Ski Base facilities. It is further the intent of this section to ensure that water, sewer, and land capabilities are adequate for proposed uses.*

1. The following standards apply to planned unit developments within the Bridger Bowl Base Area (Section 13.10.1.a):

- a. *All overnight accommodations and recreational housing shall be clustered and include either ski-in/ski-out trails or other transportation to the ski hill.*

As shown in the PUD site plans, overnight accommodation and recreational housing lots have been designed in clusters for the purpose of preserving open space and natural landscape features. Overnight accommodations and recreational housing in the area surrounding the Alpine Ski Base will be ski-in/ski-out. The remainder of the overnight accommodations and recreation housing will have access to the ski lifts via trails and shuttle bus service.

- b. *Trash receptacles shall be bear-proof and screened.*

The use of screened, animal proof receptacles is required by the covenants and Design Guidelines.

- c. *Parking lots and streets for overnight accommodations and attached recreational housing shall be built to County gravel standards. Parking lots shall be screened from view or located to the rear of structures.*

All roads will be constructed to county standards for paved roads to enhance snow removal and long term maintenance. Parking lot screening will be provided with Land Use Permit applications for all overnight accommodation units. Where possible, parking for the overnight accommodations will be located adjacent to the units in small clusters. Staff suggests that natural landscaping be used for all parking screening, and that all parking lots be paved.

- d. *Sewage shall be disposed of through a central system or on site.*

All sewage generated from the development will be treated and disposed by a central sewer system.

- e. *Water conservation methods shall be encouraged.*

Landscape water conservation measures are mandated by the covenants and Design Guidelines (Appendix No. 3, Bridger Mountain Village Design Guidelines, Application Report).

- f. *Adequate fire protection is provided.*

See Staff Findings V., G., Emergency Services.

2. Additional Required Information (Section 13.10.1.c):

- a. *Drainage and storm water runoff plans.*

See Staff Findings V., E., Storm Water Management.

- b. *Floodplain delineation.*

There are no FEMA mapped floodplains within the PUD property. None of the drainages transecting the property have a drainage area greater than 5 square miles, which would qualify them for a floodplain analysis according to the Gallatin County Subdivision Regulations. All streams traversing the property are small in size with entrenched and identifiable channels.

- c. *Traffic circulation and trip generation data.*

See Staff Findings V., A., Access and Traffic; and V.B., Internal Roads and Circulation.

- d. *Development time-table, not to exceed the time limit provided for in the Gallatin County Subdivision Regulations.*

See Staff Findings IV., A., Overview of Planned Unit Development and Implementation.

The first phase of infrastructure improvements will include the initial increment of the wastewater treatment plant and wastewater collection system; expansion of the water supply wells, lines and distribution system; initial increment of distribution lines for power and telephone; and, the initial increments of roadway and bridge improvements. The follow-up “phase-in” of the alpine base area (Phase II) and southern end of the site (Phase III), commercial facilities, and various accommodations and housing units will proceed based on market demands and sale absorption. The

applicant estimates that the entire project will require approximately 10 to 15 years to complete once construction begins.

A development phasing plan and schedule of improvements must be provided with the subdivision application submittal for preliminary plat approval.

e. *For overnight accommodations:*

i. *Number of rooms and estimated ultimate guest capacity, and rationale for estimating the ultimate guest capacity.*

Phase I - Crosscut:

- 92 total overnight accommodation units
- 250 total bedrooms
- 500 total beds (1 guest/bed = 500 guests)
- 5.43 average guests per unit

Phase II – Mountain Village:

- 243 total overnight accommodation units
- 403 total bedrooms
- 806 total beds (1 guest/bed = 806 guests)
- 3.32 average guests per unit

Phase III – Slushmans:

- 117 total overnight accommodation units
- 194 total bedrooms
- 388 total beds (1 guest/bed = 388 guests)
- 3.32 average guests per unit

Summary:

- 452 overnight accommodation units
- 847 bedrooms
- 1,694 beds
- 3.75 average guest per unit

Rationale. The Bridger Bowl Base Area Plan estimates a need for 800 overnight accommodations to serve 3,000 overnight guests or 3.75 guests per accommodation.



- ii. *Information as to how the reservations and check-in will be managed.*

A reservations and check-in services front desk will be located in the Crosscut Lodge for all overnight accommodations within Phases I and III. A reservations and check-in services front desk for Phase II will be located within the alpine ski base commercial village. In addition, a professional property management company will be located on-site to oversee operations, guest service, housekeeping, maintenance and repairs. As a condition of PUD approval, staff suggests that a resort administration plan be prepared which includes language imposing restrictions on individually owned overnight accommodation units ensuring that they are available for overnight rental use by the general public for at least 48 weeks per calendar year, and that no unit shall be occupied as a permanent residence.

- f. *For recreational housing, the estimated ultimate population and number of bedrooms, and rationale for estimating the ultimate population.*

The estimated population is 281 residents based on the occupancy of 3.75 persons per development right in the Base Area (3.75 residents x 75 units = 281.25). According to the applicant, the total number of bedrooms is unknown at this time but is estimated to be 5 per dwelling unit.

- g. *Fire protection measures.*

See Staff Findings V., G., Emergency Services.

- h. *Number and type of development rights to be used.*

See Staff Findings IV., D., Development Rights.

- 3. Locational Requirements (Section 13.10.2). *The following separation of uses is required. These distances are not setbacks of structures from lot lines, but are minimum distances of the following uses from one another. All principal structures and related facilities, such as garages, parking lots, swimming pools, etc., must meet the requirements for minimum separation of uses.*

	<i>OVERNIGHT ACCOMMODATIONS</i>	<i>DETACHED RECREATIONAL HOUSING</i>
<i>ADJACENT TO B-2:</i>	<i>None</i>	<i>500 ft; 20% of which is vegetated</i>
<i>ADJACENT TO RF AND AE:</i>	<i>500 ft; 25% of which is vegetated</i>	<i>100 ft; 20% of which is vegetated</i>

The purpose of the separation of uses is to ensure that the most dense development occurs in a central area, with development becoming less dense as it approaches those properties not within the Base Area. The PUD site plan adheres to the locational requirements. A condition of PUD approval requires all Land Use Permit applications to adhere to the locational requirements of Section 13.10.2 of the Zoning Regulations.

4. Use of Reserve Development Rights (Section 13.10.3). The planned unit development proposal will utilize all permitted reserve development rights, 241 in total. To use reserve development rights, the following required information has been submitted:

- a. *Plans which prove an adequate water supply and sewage disposal system.*

Test wells within the development yield an adequate water supply to meet fire and domestic water supply needs. A central wastewater treatment facility will treat all waste water produced from the development.

- b. *Land capability testing and analysis which details slope and soil conditions.*

To determine areas suitable for development, the applicant conducted a land resource analysis. Slopes in excess of 30% were identified and then avoided as development sites. Stream corridors and wetlands were delineated. Geology and soils were analyzed to determine areas of stability and suitability.

- c. *Information to show that all recreational housing and overnight development rights for that particular property have been used.*

The planned unit development application proposes to utilize all permitted overnight accommodations, and 75 recreational housing units. The project

layout and infrastructure has been designed to accommodate all dwelling units. The project will be completed under three development phases. Phase I proposes no use of reserve development rights, Phase II includes the use of 124 reserve development rights, and Phase III includes 117 reserve development rights. As a condition of PUD approval, staff suggests that all overnight accommodation units within each phase be constructed prior to the beginning of construction of any reserve overnight accommodation units within the phase or subsequent phases.

- d. *Analysis of the use of recreational housing development rights. The analysis shall include the population and number of units used on a temporary basis and the number used as year round residences.*

The 75 recreational housing units proposed for the planned unit development should produce a total population of 281 persons at full build-out (3.75 persons per development right in the Base Area). All of the recreational housing units will be available for use on a year round basis.

5. Allocation of Development Rights (Section 13.10.4). *Recreational housing and overnight accommodations may be permitted through the PUD process of the Zoning Regulation subject to the allocation of development rights.*  
See Staff Findings IV.,D.; Development Rights.

## X. STAFF FINDINGS: REVIEW OF PROPOSED CONDITIONAL USES

The application for the Bridger Mountain Village Planned Unit Development includes a request for conditional use approval for specific uses and structures within Phase I. No conditional use permit requests have been submitted for Phases II and III at this time. The following information addresses each conditional use within Phase I. All of the requested uses are conditional uses within the B-4 District (Section 11.3, Bridger Canyon Zoning Regulation).

- A. **Overnight Accommodations.** Ninety-two overnight accommodation units are proposed within Phase I. The units will consist of "Trapper Cabins" and "Chalet" buildings. As shown on the Phase I site plan, the Trapper Cabins will be located in cluster groupings near the proposed Crosscut Lodge. Each cabin will have a covered front porch, 2 to 4 sleeping rooms, full kitchens and fireplace. Each cabin will also have access to nordic ski-in, ski-out and alpine shuttle service. A total of 40 cabins are proposed as detached overnight accommodations. The Chalet buildings will include four chalet accommodations. Each chalet will have a private entrance, 2 to 3 sleeping rooms with a full kitchen and fireplace. The Chalet building will be built in small clusters, located within a short walk to the Crosscut Lodge. A total of 13 buildings and 52 chalet units are proposed as attached overnight accommodations.

Architectural exhibits showing floor plans and exterior elevations for the proposed cabins and chalets are included in the Phase I Conditional Use Permit Application Report. Design Guidelines for the Bridger Mountain Village PUD include an architectural theme that uses building forms and exterior finishes that are harmonious and compliment the natural setting as well as the architecture of the existing Bridger Bowl facilities. All residential construction will be required to adhere to the adopted Guide Lines.

Individually owned cabin and chalet units will be required to be placed in the Crosscut rental pool. The restrictive covenants will require individually owned units to be utilized as overnight accommodations.

- B. Restaurants, Cafes, Bars and Lounges, Only as Accessory to Overnight Accommodations.** A restaurant, lounge and snack bar will be located within the proposed Crosscut Lodge. The Lodge will be centrally located, within walking distance of all Phase I overnight accommodations. The Lodge will function as a central gathering place for owners and guests. Architectural exhibits showing floor plans and exterior elevations for the proposed Crosscut Lodge are included in the Phase I Conditional Use Permit Application Report. The Lodge will also include check-in desk, lobby area, recreation room, men and women's locker room, sauna, steam room and service area.
- C. Accessory Uses (Overnight Accommodations).** The proposed Crosscut Lodge and its internal facilities (check-in desk, lobby area, recreation room, men and women's locker room, sauna, steam room, service area) are accessory uses to the overnight accommodations. Exterior accessory uses include: garages, single level, not to exceed 500 square feet per unit; bus shelters, not to exceed 150 square feet; two gazebo structures, not to exceed 400 square feet; and a fishing/warming hut, not to exceed 800 square feet, located near the pond for ice-skating and summer use.
- D. Sales of Sundry Items for Patron Comfort Either by Vending Machines or Personal Sales Area Attendant.** Sales will take place within the Crosscut Lodge.
- E. Swimming Pools.** A swimming pool is proposed as part of the Crosscut Lodge recreational activities.
- F. Detached Recreational Housing.** A total of 25 recreational housing units are proposed within Phase I. Each unit will be developed as a single-family lot. As shown on the Phase I site plan, smaller sites are located near the Crosscut Lodge area and larger sites are located along the north boundary, adjacent to the Bohart Ranch. Each single-family home must be designed and constructed in accordance with the Design Standards established for the Bridger Mountain Village PUD. The Design Standards require that buildings within the development must reflect the forms and materials common to alpine resorts and visually tie into the mountain setting.

**XI. STAFF SUGGESTED ACTION AND CONDITIONS OF APPROVAL**

**A. In reviewing the Bridger Mountain Village PUD and development right transfers, the Bridger Canyon Planning and Zoning Commission needs to determine the following:**

- Does at least one of the four general conditions for a Planned Unit Development established under Section 13.5.a exist with the proposal (Staff Finding No. IX.,E, pages 24 and 25)?
- Does the Planned Unit Development comply with the specific standards of Section 13.5.b. (Staff Finding No. IX.,E, pages 25 through 28)?

**B. In reviewing the Phase I conditional uses, the Bridger Canyon Planning and Zoning Commission needs to determine if each requested conditional use meets the guidelines of Section 17.3.2 of the Bridger Canyon Zoning Regulations. The requested Phase I conditional uses are: (see Staff Findings No. X., A. through F., pages 34, 35 and 36)**

- Overnight Accommodations
- Restaurants, Cafes, Bars and Lounges, Only as Accessory to Overnight Accommodations
- Accessory Uses (Overnight Accommodations)
- Sale of Sundry Items for Patron Comfort Either by Vending Machines or Personal Sales Area Attendant
- Swimming Pools
- Detached Recreational Housing

**Section 17.3.2 of the Bridger Canyon Zoning Regulation sets forth the following guidelines for issuing a conditional use permit(s):**

*Conditional Use Permits shall be issued only by the Bridger Canyon Planning and Zoning Commission and may be issued for any of the uses or purposes for which such permits are required or permitted by the terms of this Regulation. Such permits may be granted only if it is found that the establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the County.*

**C. If the Bridger Canyon Planning and Zoning Commission, after hearing and considering all testimony, finds that the planned unit development, development right transfers, and related conditional uses comply with the Bridger Canyon Zoning Regulations, the following conditions are suggested:**

**PLANNED UNIT DEVELOPMENT:**

- P1. Overnight accommodations shall be limited to 452 units. Recreational housing shall be limited to 75 units.
- P2. The transfer of thirteen development rights shall be recorded with the Gallatin County Clerk and Recorder's Office at the time of final plat recording.
- P3. Total open space within the PUD shall not be less than 251.25 acres. Total impervious surface areas designated for buildings, roads, and parking areas shall not exceed 83.75 acres.
- P4. The PUD Phase boundaries shall be as submitted. Phases shall be completed in sequence or concurrently.
- P5. Any use or structure requiring conditional use approval by the Bridger Canyon Planning and Zoning Commission may not commence within the PUD until approval has been obtained.
- P6. The following conditions shall be specific to Phase I:
  - a. Overnight accommodations shall be limited to 92 units, and be distributed as follows:

Maynard Creek	10 units
Crosscut	50 units
Joy Yellowtail	32 units
  - b. Recreational housing shall be limited to 25 units, and be distributed as follows:

Corral Creek	12 single-family lots
Twin Forks	3 single-family lots
Spotted Pony	7 single-family lots
Loggers Lane	3 single-family lots
  - c. Total open space shall not be less than 91.88 acres.
  - d. Total impervious surface areas designated for buildings, roads, and parking areas shall not exceed 30.62 acres.
  - e. The pedestrian and nordic ski trails shall be provided as depicted in the PUD application. The nordic trail system shall be developed in cooperation with

the Bohart Ranch Cross Country Ski Center. All trails shall be available for public use.

P7. The following conditions shall be specific to Phase II:

- a. Overnight accommodations, including reserve rights, shall be limited to 243 units, and be distributed as follows:

West Base	45 units
Base	197 units

- b. Recreational housing shall be limited to 26 units, and be distributed as follows:

Area A	3 single-family lots
Area B	3 single-family lots
Area C	5 single-family lots
Area D	8 single-family lots
Area E	7 single-family lots

- c. Total open space shall not be less than 93.75 acres.
- d. Total impervious surface areas designated for buildings, roads, and parking areas shall not exceed 31.25 acres.
- e. The new alpine ski trails, lifts and services shall be developed in conjunction and in agreement with the Bridger Bowl Ski Area Management and Board of Directors. At minimum, alpine ski returns to the new base area shall be developed concurrently with the construction of the mountain village facilities.
- f. The pedestrian trails shall be provided as depicted in the PUD application. The nordic trail system shall be developed in cooperation with the Bohart Ranch Cross Country Ski Center. All trails shall be available for public use.
- g. An internal shuttle bus service, providing service between the existing Bridger Bowl day skier base facilities and the new Bridger Mountain Village alpine base area, shall be established.
- h. Prior to the issuance of any required Land Use Permit for the new alpine base facilities, Bridger Canyon Partners must obtain conditional use approval to provide on mountain housing for at least 10% of the Bridger Mountain Village employees.

- P8. The following conditions shall be specific to Phase III:
- a. Overnight accommodations, including reserve rights, shall be limited to 117 units, and be distributed as follows:
 

Bridger	85 units
Meadow	32 units
  - b. Recreational housing shall be limited to 24 units, and be distributed as follows:
 

Morning Glory	4 single-family lots
Overlook	6 single-family lots
Slushmans	10 single-family lots
Meadow	4 single-family lots
  - c. Total open space shall not be less than 65.63 acres.
  - d. Total impervious surface areas designated for buildings, roads, and parking areas shall not exceed 21.87 acres.
  - e. County standard right-of-way and road design standard shall be provided to the adjacent U.S. Forest Service Property.
  - f. The pedestrian trails shall be provided as depicted in the PUD application. The nordic trail system shall be developed in cooperation with the Bohart Ranch Cross Country Ski Center. All trails shall be available for public use.
- P9. The pedestrian and nordic ski trails within Phase I shall be constructed and operational, or committed thereto, prior to the issuance of any Land Use Permits for overnight accommodations or recreational housing within Phase II.
- P10. All pedestrian and nordic ski trails, and alpine ski trails and lifts within Phase II shall either be constructed and operational, or committed thereto, prior to the issuance of any Land Use Permits for overnight accommodations or recreational housing within Phase III.
- P11. The pedestrian and nordic ski trails within Phase III shall be constructed and operational, or committed thereto, prior to the completion of the construction of the overnight accommodations and recreational housing within Phase III.



- P12. Prior to the issuance of a Land Use Permit for any reserve overnight accommodation units, all overnight accommodation units shall be constructed. No Land Use Permits for reserve overnight accommodation units shall be issued until all necessary water and sewer permits have been obtained, and all water and sewer infrastructure has been installed.
- P13. Bridger Canyon Partners shall work with the Bridger Bowl Ski Area, the Bridger Canyon Property Owners Association, and Streamline Transit System to establish bus service between the Bridger Bowl Base area and Bozeman during the ski season. Bridger Canyon Partners shall enter into an agreement with Gallatin County which states that Bridger Canyon Partners will provide sufficient funds to a public transportation system to accommodate 10 % of the ski season trips generated from the 75 recreational homes and 452 overnight accommodations on a phase by phase built out basis.
- P14. All sewage generated from the Bridger Mountain Village PUD shall be treated and disposed by a central sewer system.
- P15. No installation of the water system and sewer system infrastructure shall take place until subdivision preliminary plat approval has been obtained.
- P16. Geotechnical foundation studies for all commercial and residential structures shall be prepared and submitted with all Land Use Permit applications. The geotechnical foundation studies shall be prepared by a licensed professional engineer.
- P17. All multiple off-street parking spaces and parking lots for commercial uses shall be screened from view with the use of natural landscaping materials. The parking lots shall be paved.
- P18. A Parking Management Plan shall be prepared which includes provisions addressing adequate number of spaces, shared use, screening and landscaping, maintenance, and snow removal for multiple off-street parking spaces and parking lots for commercial uses.
- P19. All applications for Land Use Permits shall adhere to the locational requirements (separation of uses) of Section 13.10.2 of the Bridger Canyon Zoning Regulations.
- P20. During construction of the entire development, an erosion control plan and appropriate best management practices shall be utilized to completely control visible or measurable erosion.

- P21. A Property Owners' Association for the Bridger Mountain Village PUD shall be created. Articles of Organization or Incorporation for the property owners' association shall be approved by the Secretary of State of the State of Montana.
- P22. The covenants and design guidelines shall include the following provisions:
- a. Place title to any common property in the homes association, and limit title to residual lands so that residential use in excess of that permitted in this Regulation may not be made thereon.
  - b. Restrict title to required open space (whether held in common or not) so that residential buildings or uses detrimental to the residential portion of the Planned Unit Development may not be conducted thereon.
  - c. Appropriately and permanently limit the uses of the common property, open space, and residual agricultural lands.
  - d. Give each lot owner the right to use and enjoyment of the common property.
  - e. Place responsibility for operation and maintenance of the common property and roads in the association.
  - f. Place an association charge on each lot which will:
    - i. Be a lien on the property;
    - ii. Assure sufficient funds for maintenance of common property;
    - iii. Provide safeguards against unreasonably high charges and a method to adjust assessments.
  - g. Provide for weed control in accordance with Gallatin County Regulations.
  - h. All trash receptacles shall be animal proof, and be screened from view.
  - i. All landscape plant materials shall have a low to moderate demand for water.
  - j. Landscape water features such as ponds, fountains, and re-circulating streams shall be kept to a total minimum of 100 square feet per recreational home site.
  - k. All supplemental watering of landscaping shall be by drip irrigation.

- l. Building design shall include an architectural theme that uses building forms and exterior finishes that are harmonious and compliment the natural environment as well as the architecture of the existing Bridger Bowl Base Area facilities.
  - m. Snow storage areas shall not be located within any public road right-of-way.
  - n. Commercial buildings shall be designed to account for snow loads of up to 200 pounds per square foot.
  - o. All utilities shall be installed underground.
  - p. Flashing and interior lighted signs shall be prohibited.
- P23. The Bridger Mountain Village Resort Administration Plan shall include language imposing restrictions on individually owned overnight accommodation units ensuring that they are available for overnight rental use by the general public for at least 48 weeks per calendar year, and that no unit shall be occupied as a permanent residence.
- P24. The Resort Administration Plan and the Covenants and Design Standards shall be reviewed and approved by the Gallatin County Attorney's Office prior to submitting an application for subdivision preliminary plat approval.
- P25. No amendment or variance to the Resort Administration Plan, Covenants or Design Standards shall be granted which are in conflict with the conditions of approval for the Planned Unit Development or the Bridger Canyon Zoning Regulation.

**CONDITIONAL USES:**

- C1. The Crosscut overnight accommodation units shall be subject to the following stipulations:
- a. Trapper Cabin A
    - 20 cabins
    - 1,300 square feet
    - 1 bedroom
    - loft
    - 2 baths

- b. Trapper Cabin B
- 20 cabins
  - 1,890 square feet
  - 2 bedrooms
  - 1 bunk room
  - loft
  - 3 baths

- c. Chalet Lower
- 26 chalets
  - 1,650 square feet
  - 1 bedroom
  - 1 bunk room
  - 2 baths

- d. Chalet Upper
- 26 chalets
  - 1,500 square feet
  - 2 bedroom
  - 1 bunk room
  - 3 baths

C2. A reservations and check-in services front desk for all Crosscut overnight accommodations shall be located in the Crosscut Lodge.

C3. The Crosscut Lodge shall be subject to the following stipulations:

- a. The habitable floor area of the lodge shall not exceed 9,000 square feet.
- b. The use of the Lodge shall be limited to include:
- Check-in Facility
  - Lobby Area
  - Recreation Room
  - Restaurant/dinning room for a maximum seating of 75 persons
  - Lounge for a maximum seating of 40 persons
  - Snack bar area for a maximum seating of 40 persons
  - Men and women's locker room
  - Sauna, steam room and service area
  - Sales of sundry items

- Swimming pool

- C4. The Crosscut Lodge shall be constructed concurrently with the Crosscut overnight accommodations.
- C5. Exterior accessory uses are limited to: garages, single level, not to exceed 500 square feet per unit; bus shelters, not to exceed 150 square feet; two gazebo structures, not to exceed 400 square feet; and a fishing/warming hut, not to exceed 800 square feet, located near the pond for ice-skating and summer use.
- C6. The necessary health and food licenses shall be obtained prior to opening restaurants, lounges, health facilities, and pools to the public.
- C7. All public facilities shall be approved by the State Fire Marshal prior to opening for business.
- C8. Land Use Permits shall be obtained prior to the construction of any structure within the Planned Unit Development.
- C9. The covenants shall include the following provisions:
  - a. Restrictions shall be imposed on individually owned overnight accommodation units to ensure that they are available for overnight rental use by the general public for at least 48 weeks per calendar year through a central reservation and check-in service.
  - b. Individually owned overnight accommodation units are limited to owner use of four weeks per year.
  - c. Overnight accommodations cannot be used as a residence.
  - d. All overnight accommodation and recreational housing construction shall adhere to the Bridger Mountain Village Design Guidelines.
- C10. The covenants shall be reviewed and approved by the County Attorney's Office.

**IN ORDER FOR AN APPLICATION FOR SUBDIVISION TO BE IN COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT, THE FOLLOWING INFORMATION SHALL BE SUBMITTED WITH AN APPLICATION FOR SUBDIVISION REVIEW:**

- S1. An Open Space Management Plan addressing: ownership, use, maintenance, wildlife mitigation, wildfire mitigation, weed control, landscaping improvements,

- and enforcement provisions.
- S2. A Trails Plan addressing use, construction standards, enforcement and maintenance.
  - S3. In Phase I, the preliminary plat application shall include county standard right-of-way and road design standard to the adjacent U.S. Forest Service Property in Phase III.
  - S4. Pertaining to the requirements of the Bridger Canyon Rural Fire District.
    - a. An agreement to annex properties into the Fire District.
    - b. An agreement to transfer the fire station site (Phase I) to the Fire District.
    - c. Plans for adequate water storage and the location of fire hydrants.
    - d. A Fire Protection Plan prepared in cooperation with the Fire District.
  - S5. An infrastructure phasing plan addressing the timing and installation of the following improvements:
    - a. Access and highway improvements.
    - b. Internal roads and bridges.
    - c. Recreational trails.
    - d. Ski lifts.
    - e. Community water system.
    - f. Community wastewater system.
    - g. Storm water facilities.
    - h. Utilities.
    - i. Emergency service facilities.
  - S6. A Watercourse Mitigation Plan prepared in accordance with the Gallatin County Subdivision Regulations (Section 6.A.5.b). The Plan shall address the necessary design and mitigation measures to substantiate a 100-foot reduction from the required 150-foot watercourse setback.

- S7. A Wildlife Management Plan which incorporates all wildlife mitigation recommendations provided in the Wildlife Assessment.
- S8. An Erosion Control Plan and Best Management Practices shall be prepared for all construction projects within the PUD.

TRANSFER OF DEVELOPMENT RIGHTS  
IN BRIDGER CANYON



This transfer is made and entered into this 8<sup>th</sup> day of JUNE, 2006, by and between **BRIDGER BOWL, INC.**, hereinafter for convenience referred to as transferor and **BRIDGER CANYON PARTNERS, LLC** with mailing address of C/O Joseph W. Sabol II, 225 East Mendenhall, Bozeman, MT 59715, hereinafter for convenience referred to as transferee and is as follows:

**WITNESSETH:**

WHEREAS, the transferor is the owner of the following described real property which contains thirteen (13) development rights to be transferred herein pursuant to the Bridger Canyon Zoning Ordinance and Amendments thereto.

THE LEGAL DESCRIPTION OF THE REAL PROPERTY OWNED BY THE TRANSFEROR CONTAINING THE DEVELOPMENT RIGHTS WHICH ARE THE SUBJECT OF THIS AGREEMENT IS ATTACHED HERETO, MARKED AS EXHIBIT "A" FOR IDENTIFICATION AND BY THIS REFERENCE IS FULLY AND COMPLETELY INCORPORATED HEREIN.

WHEREAS, the transferor is desirous of transferring, conveying and setting over unto transferee the thirteen (13) development rights referred to herein appurtenant to the real property above described which are to be transferred to the following described real property:

THE REAL PROPERTY OF THE TRANSFEREE TO WHICH THE DEVELOPMENT RIGHTS WHICH ARE THE SUBJECT OF THIS AGREEMENT ARE TO BE TRANSFERRED, IS DESCRIBED ON EXHIBIT "B" ATTACHED HERETO WHICH BY THIS REFERENCE IS FULLY AND COMPLETELY INCORPORATED HEREIN.

NOW THEREFORE, for and in consideration of the sum of TEN DOLLARS AND



OTHER VALUABLE CONSIDERATION (\$10.00 + OVC) in hand paid by the transferee unto the transferor, the receipt and legal sufficiency of which is hereby acknowledged, the parties hereto do hereby covenant and agree each with the other as follows:

1. That the recitals as set forth above are hereby incorporated herein by reference.
2. Transferor will transfer all right, title, and interest in and to the development rights described herein.
3. That this transfer shall be binding upon the heirs, successors, personal representatives and assigns of the parties hereto.
4. That this document shall be recorded with the Gallatin County Clerk and Recorder's Office and shall also be registered with the Gallatin County Planning Department.
5. That the party signing below on behalf of the transferor represents that the transferor is the owner of the development rights which are the subject of this Agreement, that the undersigned has full authority to enter into and execute this transaction and transfer the development rights contained and set forth herein, and that no additional nor further consent nor authorization is needed to close and consummate this transaction and convey the development rights which are the subject of this Agreement.
6. That this Agreement shall be construed according to the laws of the State of Montana and in the event of a dispute the same shall be resolved in the Eighteenth Judicial District with the prevailing party entitled to attorney's fees and costs.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals as of the day and year first above written.

Transferor:

BRIDGER BOWL, INC.

By Michael J. Riley

Its: PRESIDENT

Transferee:

BRIDGER CANYON PARTNERS, LLC

By Rick P. Min

Its: Managing Partner

STATE OF MONTANA )  
  ) : ss  
County of Gallatin )

On this 8 day of June, 2006, before me, a notary public in and for said State, personally appeared Michael J. Riley, known to me to be the President of **BRIDGER BOWL, INC.**, the corporation that executed this document, and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the date first above written.

(SEAL)

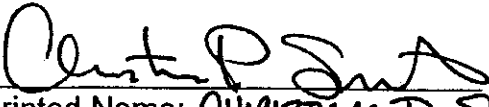
Kathleen A. Dayman  
Printed Name: Kathleen A. Dayman  
Notary Public for the State of Montana  
Residing at Bozeman, Montana  
My Commission expires 9-25-06

STATE OF MONTANA     )  
  : ss  
County of Gallatin     )

On this 8th day of June, 2006, before me, a notary public in and for said State, personally appeared Pete Steffen, known to me to be the Managing Partner of Bridger Canyon Partners, LLC the limited liability company that executed this document, and acknowledged to me that he executed the same on behalf of the limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the date first above written.

(SEAL)

  
Printed Name: CHRISTINA P. SMITH  
Notary Public for the State of Montana  
Residing at Bozeman, Montana  
My Commission expires 11-24-2009

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF THE TRANSFEROR'S REAL PROPERTY**

**Nine (9) development rights from Tract AA, Certificate of Survey 2309; Tract 6 of Certificate of Survey 1072; and that portion of the SW1/4 SE1/4 Section 19, Township 1 North, Range 7 East, P.M.M., Gallatin County, Montana. Four (4) development rights from NW1/4 SE1/4 Section 19, Township 1 North, Range 7 East, P.M.M., Gallatin County, Montana, according to the official plat on file and of record in the office of the Gallatin County Clerk and Recorder, Gallatin County, Montana.**

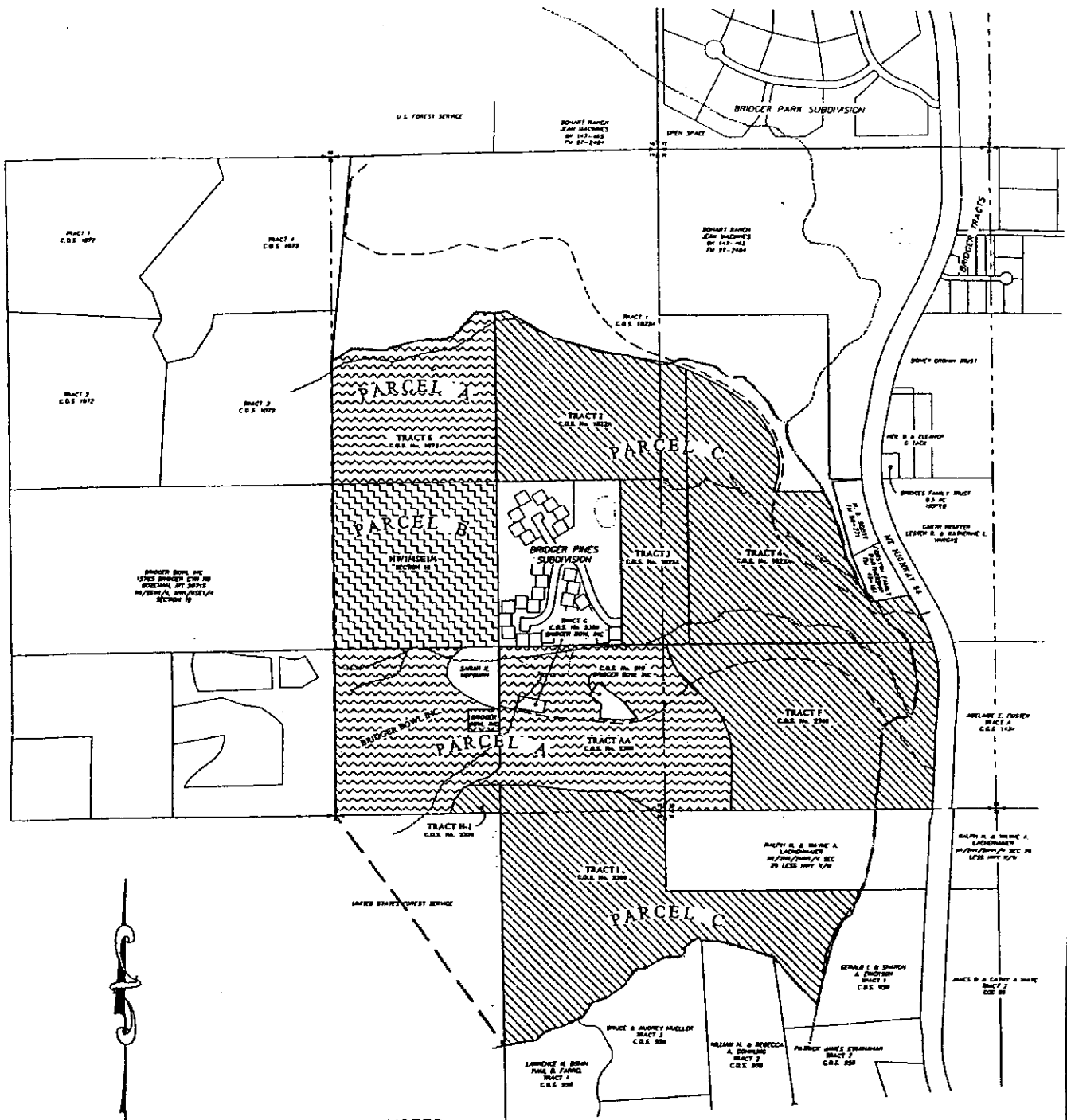
**SEE ATTACHED MAP PREPARED BY  
MORRISON MAIERLE, PLOTTED DATE APRIL 3, 2006**

**EXHIBIT "B"**

**LEGAL DESCRIPTION OF THE TRANSFEREE'S REAL PROPERTY**

**Tracts 2, 3 and 4 of Certificate of Survey 1822A and Tracts F, H-1 and I of Certificate of Survey 2309, according to the official plat on file and of record in the office of the Gallatin County Clerk and Recorder, Gallatin County, Montana.**

**SEE ATTACHED MAP PREPARED BY  
MORRISON MAIERLE, PLOTTED DATE APRIL 3, 2006**



**NOTES**

PARCEL A CONSISTS OF TRACT AA OF C.O.S. No. 2309, TRACT 6 OF C.O.S. No. 1072, and THAT PORTION OF THE SW1/4SE1/4 SECTION 19, T1N, R7E, OWNED BY BRIDGER BOWL, INC.

PARCEL B CONSISTS OF THE NW1/4SE1/4 SECTION 19, T1N, R7E.

PARCEL C CONSISTS OF TRACTS 2, 3, & 4 OF C.O.S. No. 1822A and TRACTS F, H-1, AND I OF C.O.S. No. 2309.

NINE DEVELOPMENT RIGHTS ARE BEING TRANSFERRED FROM BRIDGER BOWL INC., IN PARCEL A TO BRIDGER CANYON PARTNERS, LLC, IN PARCEL C.

FOUR DEVELOPMENT RIGHTS ARE BEING TRANSFERRED FROM BRIDGER BOWL INC. IN PARCEL B TO BRIDGER CANYON PARTNERS, LLC, IN PARCEL C.

**LEGEND**

- EXISTING BASE AREA BOUNDARY
- EXISTING ROAD (APPROX)
- STREAM (APPROX)

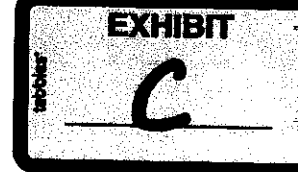
<b>MORRISON MAIERLE, Inc.</b> 1100 S. 10th Street, Suite 100, Boise, Idaho 83702 TEL: 208.333.1100 FAX: 208.333.1101		1/4 SEC. _____ SECTION _____ TOWNSHIP _____ RANGE _____
CLIENT: BRIDGER CANYON PARTNERS FIELD WORK: _____ DATE: 2/28/06 DRAWN BY: JEM SCALE: _____ CHECKED BY: JEM PROJ. P. 5150.002		PRINCIPAL: MERIDIAN, VENTANA, CALLATH COUNTY _____ PLAT/DRAWN DATE: Apr/03/2006 - 09:03:46 DRAWING NAME: 001-1 SHEET 3 OF 3



Montana Department of Transportation

2701 Prospect Avenue  
PO Box 201001  
Helena MT 59620-1001

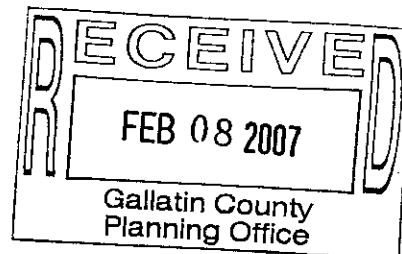
Jim Lynch, Director  
Brian Schweitzer, Governor



February 1, 2007

RECEIVED FEB 4 2007

Bob Abelin  
Abelin Traffic Services  
130 South Howie Street  
Helena, MT 59601



Subject: Bridger Canyon Partners Base Area Development Plan

The Montana Department of Transportation (MDT) has reviewed the TIS for the subject development and we have the following comments:

- Based on our analysis using the information in the TIS, a revised TIS will not be necessary, however, we concur with the following mitigation measures:
  - A northbound left turn lane on Bridger Canyon Road at the entrance to Bridger Bowl; and
  - A southbound left turn lane at the intersection of Bridger Canyon Road and Jackson Creek Road.

Design plans will need to be submitted for these proposed mitigation measures.

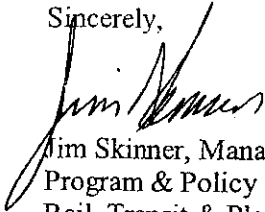
The following comments are informational and should be taken into account when developing the design plans for the proposed mitigations.

- The TIS should include a readable map of the surrounding area, especially a better site map on route 86 showing all existing and proposed access on both sides of the State roadways in the vicinity of this development.
- The TIS should clearly state the design vehicle to be considered at this location. All approaches will need to be designed to accommodate that design vehicle.
- In the last paragraph on page 7, the author makes assumptions about the speed that most vehicles are traveling on this roadway. On Page 10, there is another comment about poor road conditions and fewer daylight hours contributing to the increase in accident rates. There is no data to support these assumptions.
- MDT does not concur with the right turn acceleration lane on Bridger Canyon Road at the entrance to Bridger Bowl. The acceleration lane will just move the conflict point.

- There is no trip generation for commercial properties, i.e. hotel/resort, restaurant, etc. This should have been included in the TIS.
- Based on the information in the TIS, it is our opinion that a separate northbound left turn lane should be provided at the main entrance to Bridger Bowl. The left turn volume is significantly higher than the through volume.

Feel free to contact Jon Burnett at (406) 444-4262 if you have any questions or if you need additional information.

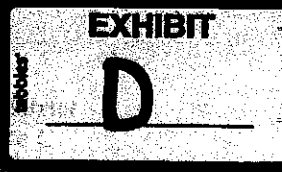
Sincerely,



Jim Skinner, Manager  
Program & Policy Section  
Rail, Transit & Planning Division

Copies: Jeff Ebert, P.E., Butte District Administrator  
Danielle Bolan, P.E., State Traffic Engineer  
Lee Alt, Butte District Traffic Engineer  
Ross Gammon, Bozeman Area Maintenance Chief  
Rob Bukvich, Bozeman Area Utility Agent  
Morrison Maierle, Inc. - Bozeman Office  
File





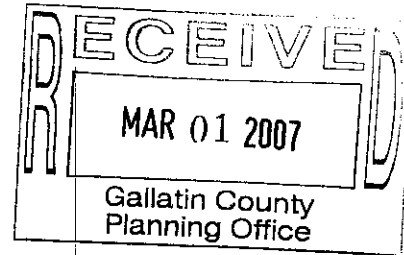
File Code: 1560/5460

Date: March 1, 2007

Gallatin County Planning Department  
311 West Main, #208  
Bozeman MT 59715

Attn: Randy Johnson

Re: Bridger Mountain Village Phase I  
Planned Unit Development



My staff and I have reviewed the project proposal and offer the following three comments and mitigation measures.

**1. Bridger Bowl Forest Service Road (FSR) #3200**

I request Bridger Canyon Partners actively pursue jurisdictional change from Forest Service to Gallatin County on the Bridger Bowl FSR #3200 between Bridger Canyon Highway and the end of the ski area parking near the main Lodge. I will encourage Bridger Bowl Ski Area to support this jurisdiction change. If a jurisdictional change with the County cannot be negotiated, I will consider road improvements if you provide me with a traffic study that analyzes the changes to type, season, and volume of traffic from what is occurring today.

**2. New public road access to the National Forest between the Bridger Bowl Road to the existing Alder Patch FSR #3206 in the northeast quarter of section 30.**

We have previously discussed with Bridger Canyon Partners to provide a new public road access to the National Forest between the Bridger Bowl Road and the end of the Alder Patch FSR #3206. I have included a map that generally identifies the agreed upon route. In earlier discussions, we had not discussed the timing of the construction of this new road. I believe it will be in the public's best interest to construct this road during Phase I.

If this road is constructed during the first phase it will resolve trespass occurrences on Bridger Bowl lands as well as the Bridger Canyon Partners lands. Installing this road early in the project will provide the public with access to their public lands; ending uncertainty about future access. It will also enhance the owner's access to national forest system lands. I will require this as a mitigation measure.



Use of this road on private land should be open and available to the public and National Forest administration yearlong. The recorded rights-of-way instrument can be negotiated. This requirement includes construction and maintenance of a road to the National Forest land boundary.

Minimum acceptable road standards include:

- Single lane road with intervisible turnouts spaced no greater than 500-feet.
- Minimum 14-foot driving surface with 10-foot additional width for turnouts. Turnouts shall be a minimum of 50-feet long with 25-foot long entering & existing tapers.
- Sustained road grades of no greater than 8%.
- Horizontal curves not less than 50-foot centerline radius.
- Minimum road surfacing should be aggregate, capable of supporting legal loads during all seasons. Absent a designed structure, I would consider an appropriate design to be 9" thick base course (3" to 6" minus) with a 3" thick surface course (1" minus).
- Any road standard greater than stated above will be acceptable.

**3. Bridger Canyon partners would authorize the Forest Service to install and maintain guide or destination signing along the route thru their private lands.**

I can provide a sign plan at your request.

All road or trailhead improvements on National Forest system lands will be the responsibility of the Forest Service.

I've also reviewed the conceptual plans proposed in this project to enhance recreation opportunities for the public in partnership with Bridger Bowl Inc. and Bohart Ranch. These two businesses each have a special use permit to use and maintain portions of their operations on adjoining national forest system lands. Upfront planning and design will continue to provide quality opportunities for the recreating public through our partnerships with Bridger Bowl Inc. and Bohart Ranch. I would like to continue our involvement with Bridger Canyon Partners and trail planning where it applies to the national forest system lands.

Thank you for the opportunity to comment. If you need further clarification or additional information, please work with Nancy Halstrom of my staff. She may be reached at 522-2535.

  
JOSE CASTRO  
District Ranger

cc: Forest Supervisor

DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION  
BOZEMAN WATER RESOURCES REGIONAL OFFICE

EXHIBIT

E



BRIAN SCHWEITZER  
GOVERNOR

STATE OF MONTANA

PHONE: (406) 586-3136  
FAX: (406) 587-9726

2273 BOOT HILL COURT, SUITE 110  
BOZEMAN, MONTANA 59715-7249

Memorandum

To: Randy Johnson, Gallatin County Planning Dept.  
From: Scott Compton, Bozeman Regional Manager  
Date: 1/24/07  
Subject: Bridger Mountain Village Phase 1 PUD

A handwritten signature in black ink that reads "Scott Compton".

The documents reviewed do discuss the water needs and identify that a water right permit will need to be applied for. The water supply system is identified as a central system using wells. Measures have been identified for conservation of water use such as limiting the landscaped area to be irrigated. This is a notable effort and could be bolstered with a requirement to meter water use.

Applicant should be aware that a mitigation plan providing some type of augmentation of the groundwater that will be pumped and consumed will be required as part of an application for a water use permit. Typically this process entails two types of applications: one for a permit for the groundwater appropriation and a corresponding change application for the augmentation plan. Sufficient time should be allowed for processing of water use applications as the county now requires those types of approval before construction of water lines can begin.

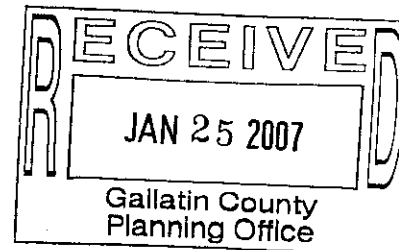
Thank you for the opportunity to review and comment on the proposal.

**Bridger Canyon Rural Fire District**  
**Board of Trustees**  
**6600 Tepee Ridge Rd.**  
**Bozeman, MT 59715**



January 22, 2007

Mr. Randy Johnson, AICP  
Gallatin County Planning Department  
311 West Main #208  
Bozeman, MT. 59715



Re: Bridger Mountain Village Phase I  
Planned Unit Development

Dear Randy,

Bridger Canyon Rural Fire District has reviewed the documentation presented for an Application of PUD Approval Phase I and very much appreciates the opportunity to comment on this project.

**OVERVIEW:**

Phase I of this project with a proposed 92 overnight accommodations and 25 recreational units creates a huge impact on Bridger Canyon Rural Fire District in terms of manpower, equipment, facilities and funding. It adds about 33% more structures than currently exist in Bridger Canyon. Many of these will be only overnight accommodations but they add to risk. In addition the housing density makes the likelihood for multi structure fires much greater. The Urban- Interface nature of this project with approximately 80 % of the property forested raises significant concern about defensibility in wildland fires. Fire risk in this project is definitely high.

We commend the developers for hiring Bruce Suenram of Fire Logistics to prepare a risk assessment and Fire Plan. He is experienced and extremely competent and we have had a number of meetings with him in the preparation of the Fire Plan. The recommendations stated in the Fire Plan should be incorporated except as noted below.

**OTHER IMPACTS:**

The Fire Plan addresses many fire related issues, however, other concerns affecting Bridger Canyon Rural Fire District are the increase of traffic on Bridger Canyon Road and Jackson Creek Road. During the construction and building phases numerous trucks and construction vehicles of all types and sizes will significantly increase the number of motor vehicle accidents. After construction the residents and overnight visitors of the Village will add traffic volume as they go to Bozeman to shop.

In-Home medical calls will also increase due to the number of full and part time residents in these structures. Bridger Canyon Fire responds to every injury related accident and in home medical emergency. Any time an Ambulance is called ( except for Bridger Bowl ski injuries because they have their own medics ) Bridger Canyon Rural Fire District is called and our First Responders and EMT's are often first on scene.

These issues will also impact American Medical Response ( AMR is our Ambulance provider ) as well as the Sheriff's Dept. and Montana Highway Patrol.

### **FIRE STATION REQUIREMENTS**

This project is located over 7.5 miles from our existing station at 8081 Bridger Canyon Rd. This distance is too great for safety due to response time and distance for this volume of structures and people. In addition insurance companies will not consider a structure "protected" unless it is within a five mile radius of a fire station and premiums will be extremely high. **A fire station in the Bridger Mountain Village is a necessity and it MUST be completed before construction of any residential and/or commercial units. Water supply and hydrants should also be in place and operable before construction of residential and/or commercial units.**

We have had discussions with the developer's planners about the need for a Fire Station but no definitive agreement for the details of this station have been discussed. **Bridger Canyon Rural Fire District does not have funds to build this station or provide vehicles and equipment to locate in it.** We are asking the developer to provide this facility and equipment.

We visualize the need for a two bay station with living quarters for two firefighters above. The station must be insulated and heated during winter months and house two engines. The station should sit on a minimum of a one acre lot with easy paved road access have parking for at least 15 vehicles, water supply and living quarters . The station and minimum one acre lot should be deeded to Bridger Canyon Rural Fire District to allow continuity of protection into the future.

**Bridger Canyon Rural Fire District can NOT fully support this project until a written detailed agreement on the required Fire Station is signed.**

### **INSURANCE CONSIDERATIONS**

Insurance rates for dwellings are based on an ISO ( Insurance Services Organization ) Rating except for State Farm that has it's own similar rating system. As stated above dwellings in excess of 5 miles from a fire station are not counted in the ISO rating and receive much higher premiums. Bridger Canyon Rural Fire District has had a rating of 9 (10 is the lowest ). A recent ISO survey in September 2006 should amend our rating to

8b the best we can get with our current lack of hydrants and distance to mutual aid partners that could supply water tenders. A Fire Station as proposed above and the hydrants proposed for this development would allow Bridger Canyon Rural Fire District to apply for a split rating with the possibility of getting a rating in the 6 or 7 category for this development. The difference in premiums for a rating of this level could save hundreds of thousands of dollars in insurance premiums over a ten year period.

### **PROPERTY ANNEXATION**

We realize that this PUD Application is for Phase I but would like to comment on the annexation issue noted in the Fire Plan. A portion of the land owned by Bridger Canyon Partners is not currently a part of the Bridger Canyon Rural Fire District. As best we can determine the property in question would be in Phase II of this project.

Last November we received a letter request for annexation of that parcel into the Bridger Canyon Rural Fire District. The parcel is contiguous and could be annexed. However, we advised Mr. Trever McSpadden of Morrison Maierle ( who sent in the request ) shortly after receipt of the request that our Board would not act on this request until a written agreement on the proposed fire station was concluded. We are holding this request and have heard nothing further from anyone regarding this issue.

### **OTHER COMMENTS**

Hydrant spacing is noted as not exceeding 1000ft. In some cases that distance may be adequate but in other locations on this property spacing must be shorter. We request that Bridger Canyon Rural Fire District approve the hydrant layout prior to project approval.

All roads in this development should meet Gallatin County standards for width, grade and diameter of Cul-de-Sacs. The end point of " Spotted Pony Road " should be a Cul-de-Sac as shown on most of the drawings. It is not shown as a circular Cul-de-Sac on the " Road Plan and Profiles" drawing.

For winter access we prefer road grades of 6% maximum. Grades over 8% can be problematic and may limit approach by some of the engines we depend on for structure fire protection. We note on the application that grades on " Corral Creek" and particularly " Wedeln Drive" have grades approaching 8% and "Joy Yellowtail" and "Spotted Pony" have grades of about or over 9%. Those grades are too steep and we can not assure winter fire protection for roads and/or drives this steep. A structure fire in Bridger Canyon a little over a year ago involved a driveway that had grades exceeding 8% and many of the engines responding to our mutual aid call could not get to the fire.

The Fire Plan notes that Firewood Storage and combustibles is not allowed next to buildings " during the fire season". That time period is indefinable and once firewood is stacked next to buildings it will never get moved. There should be no firewood stacked next to buildings at any time. As suggested in the Fire Plan firewood and other combustibles should be stored at least 30 feet from any building. We feel this should

be included in covenants for this development.

Building heights should not exceed the 35ft height in the Bridger Canyon Zoning Ordinance. Bridger Canyon Rural Fire District has ladder capability for two story structures only. If any structures over that height are approved we request that the developer supply Bridger Canyon Rural Fire District with a suitable ladder truck for proper protection.

Vegetation and landscape management over time is critical to fire safety of this development. The Fire Plan shows 60ft right of ways which are to be maintained. If allowed to overgrow and fill open space between buildings the risk hazard is significantly elevated. The same vegetation management applies to driveways and trails. Who will have responsibility for management and what action is possible if they are not maintained?

It is imperative that the water storage tanks that hold reserves for fire fighting be full at all times. The existing tank that services Ross Peak Ranch and will supply this project was supposed to be full and reports on tank levels quarterly to Bridger Canyon Fire were promised by Morrison Maierle when that project was approved 8 years ago. Not only have we never received reports but the tank has been allowed to run dry. On one of our routine hydrant inspections we found no water. The Fire Plan states that the fire flow should be 1000gpm or greater with a minimum of a 2 hour fire flow (120,000 gallons) in storage capacity at all times. We would like assurance that the volume specified will be available for protection at all times. Are there any provisions for enforcement or fines if the tank fill level is not provided? Bridger Canyon Rural Fire District can not be liable for fire protection of this type housing density if adequate water is not available.

Hydrant accessibility must be maintained by Bridger Mountain Village. All hydrants should be marked with poles high enough to protrude above snowpack and they must be cleared in the winter. This has not been done at Ross Peak Ranch although it was promised. Bridger Canyon Rural Fire District would like the authority to contract for snow removal from hydrants in this development on behalf of Bridger Mountain Village if hydrants are not accessible in winter. Any charges for this contract service would be billed to Bridger Mountain Village.

The Fire Plan suggests that trails be used for fire access to the rear of most lots in this development. Access by trail in winter would not be possible and it is questionable that Trails will be kept clear of vegetation over time. Trails can not be depended on for fire access over the long term and even if they exist the type and size of fire trucks that could use the trails would be severely limited.

## **CONCLUSION**

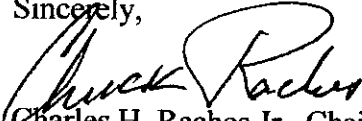
We appreciate the meetings we have had to date with the development of this PUD request and we are ready to meet at any time with the Bridger Canyon Partners directly

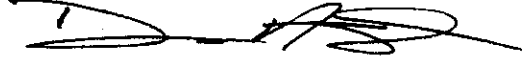
to work out an agreement on the need for a Fire Station in the first stage of this project.

We hope these comments are useful in your review of this project. We would be happy to meet with you or answer any questions you might have on these comments.

Thank you for allowing us the opportunity to comment.

Sincerely,

  
Charles H. Raches Jr, Chairman  
Board of Trustees  
(406) 587-8427

  
Dan Astrom, Chief  
(406) 586-8477

cc Mr. John Barkow – Bridger Canyon Partners, LLC  
Mr. Trever McSpadden – Morrison Maierle  
Mr. James Nickelson – Morrison Maierle  
Mr. Bruce Suenram – Fire Logistics  
Ms. Kate Vargas – Bridger Canyon Property Owners Board



