



HIDEOUT, UTAH PLANNING COMMISSION REGULAR MEETING AND PUBLIC HEARING

July 20, 2023

Agenda

PUBLIC NOTICE IS HEREBY GIVEN that the Planning Commission of Hideout, Utah will hold its Regular Meeting and Public Hearings electronically for the purposes and at the times as described below on Thursday, July 20, 2023.

This meeting will be an electronic meeting without an anchor location pursuant to Planning Commission Chair Anthony Matyszczyk's July 18, 2023 No Anchor Site Determination Letter.

All public meetings are available via ZOOM conference call and YouTube Live.

Interested parties may join by dialing in as follows:

Zoom Meeting URL: <https://zoom.us/j/4356594739>
To join by telephone dial: US: +1 408 638 0986 **Meeting ID:** 435 659 4739
YouTube Live Channel: <https://www.youtube.com/channel/UCKdWnJad-WwvcAK75QjRb1w/>

Regular Meeting

6:00 PM

I. Call to Order

1. [July 18, 2023 No Anchor Site Determination Letter](#)

II. Roll Call

III. Approval of Meeting Minutes

1. [June 22, 2023 Planning Commission Minutes \(DRAFT\)](#)

IV. Agenda Items

1. Discussion and consideration of rescheduling the August 17, 2023 Regular Planning Commission meeting

V. Public Hearings

1. [Discussion and possible recommendation to Town Council regarding a new zoning designation Residential Casita \(RC\)](#)
2. [Discussion and possible recommendation to Town Council regarding adopting Chapter 12.25 Short Term Rental Overlay \(SRO\) Zone which is an overlay zoning designation that would allow short term rentals](#)

VI. Meeting Adjournment

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Mayor or Town Clerk at 435-659-4739 at least 24 hours prior to the meeting.

File Attachments for Item:

1. July 18, 2023 No Anchor Site Determination Letter



July 18, 2023

DETERMINATION REGARDING CONDUCTING TOWN OF HIDEOUT PUBLIC MEETINGS
WITHOUT AN ANCHOR LOCATION

The Planning Commission Chair of the Town of Hideout hereby determines that conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location pursuant to Utah Code section 52-4-207(5) and Hideout Town Resolution 2022-R-17. The facts upon which this determination is based include: The seven-day number of positive cases has been, on average, 41.4 per day since July 12, 2023.

This meeting will not have a physical anchor location. All participants will connect remotely. All public meetings are available via YouTube Live Stream on the Hideout, Utah YouTube channel at: <https://www.youtube.com/channel/UCKdWnJad-WwvcAK75QjRb1w/>

Interested parties may join by dialing in as follows:

Meeting URL: <https://zoom.us/j/4356594739>

To join by telephone dial: US: +1 408-638-0986

Meeting ID: 4356594739

Additionally, comments may be emailed to hideoututah@hideoututah.gov. Emailed comments received prior to the scheduled meeting will be considered by the Planning Commission and entered into public record.

This determination will expire in 30 days on August 17, 2023.

BY:


Tony Matyszczyk,
Planning Commission Chair

ATTEST:


Kathleen Hopkins, Deputy Town Clerk



File Attachments for Item:

1. June 22, 2023 Planning Commission Minutes (DRAFT)

Minutes
Town of Hideout Planning Commission Regular Meeting and
Public Hearing (Rescheduled)
June 22, 2023
6:00 PM

The Planning Commission of Hideout, Wasatch County, Utah met in Rescheduled Regular Meeting and Public Hearing on June 22, 2023 at 6:00 PM electronically via Zoom meeting due to the ongoing COVID-19 pandemic.

Regular Meeting and Public Hearing

I. Call to Order

Chair Tony Matyszczyk called the meeting to order at 6:06 PM and referenced the current No Anchor Site letter which was included in the meeting materials. All attendees were present electronically.

II. Roll Call

PRESENT:

Chair Tony Matyszczyk
Commissioner Jonathan Gunn
Commissioner Glynnis Tihansky
Commissioner Peter Ginsberg (alternate)
Commissioner Joel Pieper (alternate)

EXCUSED:

Commissioner Rachel Cooper
Commissioner Donna Turner

STAFF PRESENT:

Polly McLean, Town Attorney
Thomas Eddington, Town Planner
Jan McCosh, Town Administrator
Timm Dixon, Director of Engineering
Alicia Fairbourne, Recorder for Hideout
Kathleen Hopkins, Deputy Recorder for Hideout

OTHERS IN ATTENDANCE: Tim Schoen, Diane Schoen, Richard Otto, Jeff Johnson, Jason Boal, Patrick McAlearney, Jamie Mackay, Jenni Hogan, Ryan Sapp, Kristy Schlopy, Carla Mathiason, Greg McIntyre and others who may not have signed in using proper names in Zoom.

III. Approval of Meeting Minutes

1. May 24, 2023 Planning Commission Minutes DRAFT

There were no comments on the May 24, 2023 draft minutes.

1 *Motion: Commissioner Tihansky made the motion to approve the May 22, 2023 Planning*
2 *Commission Minutes. Commissioner Gunn made the second. Voting Yes: Commissioner*
3 *Ginsberg, Commissioner Gunn, Chair Matyszczyk, Commissioner Pieper, Commissioner*
4 *Tihansky. Voting No: None. Absent from Voting: Commissioner Cooper and Commissioner*
5 *Turner. The motion carried.*

6 7 IV. Agenda Items

8 **1. Discussion of a concept plan for a potential development Hideout Pointe (parcel 00-** 9 **0020-8164)**

10 Town Planner Thomas Eddington provided an overview of this item and referenced the Staff Report
11 which was included in the meeting materials. He noted the property under discussion consisted of
12 approximately two acres of a 15-acre parcel and was located between the KLAIM subdivision and the
13 Wolf property on the east side of SR-248. The proposed project included a restaurant and brewery
14 business as well as a mixed-used commercial and residential component, and would require a rezone
15 approval. He reminded the Planning Commissioners the location was also near the proposed fire
16 station and relocated public works facility also under consideration.

17 In response to a question from Commissioner Glynnis Tihansky regarding density restrictions for the
18 full 15-acre parcel, Mr. Eddington stated this could be addressed through deed restriction or the rezone
19 application. Commissioner Tihansky stated she would be comfortable with higher density for this two-
20 acre project if the remaining 13-acres were restricted to lower density development.

21 Mr. Eddington highlighted several items detailed in the Staff Report including the proposed density,
22 potential impact on SR-248 access and traffic, sensitive land considerations, slope analysis and the
23 potential need for a secondary access road. He also noted the shared access with the Wolf and KLAIM
24 properties would require approval of those landowners.

25 The Applicants Mr. Tim Schoen and Ms. Diane Schoen and their architects Mr. Richard Otto and Mr.
26 Jeff Johnson were introduced. Mr. Schoen stated they had owned the property since 2006, and had an
27 extensive background in the beverage industry, including an existing brewery and tap room business
28 in Florida. The proposed 2-acre project would include a brewery and restaurant in one building and
29 mixed use commercial and residential units in another multi-level building. He stated the remaining
30 13-acres could be developed in the future and in a manner consistent with Hideout's economic goals
31 and priorities. He noted any future development of those 13-acres had not yet been planned but would
32 be a lower density project than the neighboring KLAIM subdivision.

33 Mr. Otto reviewed the plans for the two buildings. Building A, which would house the restaurant,
34 would consist of a 2-story, 6,300 square foot building with on-grade parking and views of the reservoir.
35 Building B would consist of four stacked levels and would contain the mixed use commercial and
36 residential units. He noted the various parking areas would be further detailed as the concept plan was
37 refined. He also noted the existing road would need to be improved, and the project would be designed
38 to work with the existing topography while minimizing retaining walls.

39 The development team answered a series of questions from the Planning Commissioners and agreed
40 to engage with Solstice development and other surrounding property owners to confirm their ability
41 to access the existing roads and easements.

1 Ms. Schoen discussed their plans for the restaurant and brewery business and noted the space could
2 accommodate small businesses such as a juice bar, yoga studio, wellness spa and/or neighborhood
3 market.

4 In response to a question from Commissioner Jonathan Gunn regarding water shares, Mr. Schoen
5 stated they had obtained nine shares which was sufficient for this project. Commissioner Gunn asked
6 to hear feedback from the neighboring property owners. Commissioner Peter Ginsberg requested more
7 information on the Applicant's existing Florida brewery business, and Commissioner Joel Pieper
8 asked for more detail on the road requirements. Mr. Eddington noted a transportation study would be
9 required.

10 Discussion ensued regarding roads and traffic conditions along SR-248 in light of the expanded
11 amenities at Jordanelle State Park at the Ross Creek entrance. Mr. Eddington noted the Town would
12 work with the developer and UDOT on these issues.

13 Mr. Eddington summarized several items for the Applicant to address in a future presentation,
14 including slope and traffic analysis, density plans for the full 15 acres, coordination with neighboring
15 property owners, storm water management, open space and environmental issues. The development
16 team thanked the Planning Commission for their time and left the meeting at 7:00 PM.

17 18 **2. Presentation and discussion of an updated concept plan and potential Annexation** 19 **of the Benloch Ranch property**

20 Mr. Eddington provided an overview of the updated concept plan and highlighted several items which
21 had been updated since the Applicants' last presentation at the May meeting. Mr. Jason Boal provided
22 background on the development's history and existing approvals from Wasatch County. He reviewed
23 a timeline of the entitlements currently granted by Wasatch County, shared details on the approved
24 density figures and discussed a phasing plan for the development. Mr. Boal and his colleagues Mr.
25 Patrick McAlearney and Mr. Jamie Mackay answered a variety of questions from the Planning
26 Commissioners.

27 There being no further questions from the Planning Commissioners, the Benloch Ranch team was
28 excused from the meeting at 7:51 PM.

29 30 **3. Discussion of a potential new Residential Casita zoning designation**

31 Mr. Eddington provided background on this new proposed zoning designation which originated from
32 the discussions with the Bloom in Hideout development team but could be applicable to other future
33 developments. This proposed zoning designation would apply to smaller lots and housing units and
34 could provide an allowance for mixed uses. In response to a question from Commissioner Ginsberg,
35 Mr. Eddington stated there was no downside for the Town in adopting this additional type of zoning
36 which would require specific approval for any future requests for use.

37 Commissioner Tihansky asked if this zoning designation would automatically be approved for short-
38 term rentals. Mr. Eddington replied such rentals would not be allowed by right, but would require
39 specific approval or be within an Overlay District. Chair Matyszczyk suggested the code address
40 reducing the maximum density.

1 **V. Public Hearings**

- 2 **1. Discussion and possible recommendation to Town Council regarding an**
3 **amendment of the Official Town of Hideout Zoning Map to rezone parcels 00-0020-**
4 **8182 and 00-0020-8184 (the “Bloom in Hideout” Development) from Mountain (M)**
5 **zone to Neighborhood Mixed Use (NMU), Residential 3 (R3), Residential 6 (R6),**
6 **Mountain Residential (MR), Residential 20 (R20), and Natural Preservation (NP)**
7 **2. Discussion and possible recommendation to Town Council regarding a Master**
8 **Development Agreement (MDA) for the Bloom in Hideout Development**

9 Mr. Eddington reviewed the proposed zoning map and discussed the various re-zone designations
10 under application for the Bloom in Hideout development. If the Planning Commission was
11 comfortable with this upzone request and voted to make a positive recommendation to Town
12 Council which would then grant an ultimate approval and move the process to consideration and
13 approval of the Master Development Agreement (MDA).

14 In response to a question from Commissioner Tihansky, Mr. Eddington stated a Residential Casita
15 zoning designation would need to be approved prior to the Planning Commission’s consideration
16 and possible recommendation to Town Council of that component of the new zoning application.

17 Ms. Jenni Hogan and Mr. Ryan Sapp, developers of the Bloom in Hideout project answered a variety
18 of questions from the Planning Commissioners on the details for the commercial component of the
19 development, the phasing plan, and the hotel partner. Commissioner Gunn stressed the importance of
20 building as much of the commercial component as possible in the early stages of the development.

21 Mr. Eddington stated the phasing plan would be detailed in the MDA and announced Planning
22 Commissioners Gunn and Tihansky would participate in a small committee to work out details on
23 the MDA. Mr. Eddington reviewed highlights from the Staff Report regarding terms and conditions
24 in the draft MDA. Mr. Sapp stated his team would like to present the concept plan and proposed
25 rezoning map as a working session to the Town Council soon, and work concurrently on the MDA
26 with the Planning Commission. Ms. Hogan discussed the timeline the Applicant was working under
27 with the property seller, hotel partner and financial partners who were all looking for some
28 confirmation the Town Council was comfortable with the project moving forward. Chair
29 Matyszczyk stated he was not comfortable sending the matter to Town Council prior to completion
30 of the Planning Commission’s work.

31 There being no further questions from the Planning Commissioners, Chair Matyszczyk opened the
32 Public Hearing at 9:38 PM.

33 Ms. Carla Mathiason asked about the expected impact of traffic into Golden Eagle from the Bloom
34 development and the condition of the road. Mr. Sapp stated the road would be built to Town standards
35 and expected most traffic would be from Golden Eagle into Bloom, rather than Bloom visitors and
36 residents traveling into Golden Eagle.

37 Mr. Greg McIntyre, a lot owner in Golden Eagle and member of the Town’s Economic Development
38 Committee, asked at what level of construction in Golden Eagle would the secondary access road’s
39 completion be required. Town Attorney Polly McLean stated this road would need to be completed
40 before more than thirty building permits for Golden Eagle could be issued to comply with Fire District
41 requirements.

42 There being no further public comment, the Public Hearing was closed at 9:45 PM.

43 Chair Matyszczyk asked for a motion.

1 ***Motion: Commissioner Tihansky moved to make a recommendation to Town Council to provide***
2 ***feedback on Concept Plan and the proposed amendment to the Town of Hideout zoning map rezone***
3 ***parcels 00-0020-8182 and 00-0020-8184 (the “Bloom in Hideout” Development) from***
4 ***Mountain (M) zone to Neighborhood Mixed Use (NMU), Residential 3 (R3), Residential 6***
5 ***(R6), Mountain Residential (MR), Residential 20 (R20), and Natural Preservation (NP).***
6 ***Commissioner Ginsberg made the second. Voting Yes: Commissioner Ginsberg, Commissioner***
7 ***Gunn, Commissioner Pieper and Commissioner Tihansky. Voting No: Chair Matyszczyk. Absent***
8 ***from Voting: Commissioner Cooper and Commissioner Turner. The motion carried.***

9 Discussion ensued regarding next steps for incorporating any feedback from Town Council on the
10 concept plan, rezoning request and MDA. Ms. McLean stated these matters would need to be re-
11 noticed ten days prior to the next meeting.

12

13 **VI. Meeting Adjournment**

14 There being no further business, Chair Matyszczyk asked for a motion to adjourn.

15 ***Motion: Commissioner Gunn moved to adjourn the meeting. Commissioner Ginsberg made the***
16 ***second. Voting Yes: Commissioner Ginsberg, Commissioner Gunn, Chair Matyszczyk,***
17 ***Commissioner Pieper and Commissioner Tihansky. Voting No: None. Absent from Voting:***
18 ***Commissioner Cooper and Commissioner Turner. The motion carried.***

19
20 The meeting adjourned at 9:57 PM.

21
22
23
24
25 _____
26 Kathleen Hopkins
Deputy Recorder for Hideout

File Attachments for Item:

1. Discussion and possible recommendation to Town Council regarding a new zoning designation Residential Casita (RC)



Staff Report for Consideration of a New Zoning District Designation – Residential Casita (RC)

To: Chairman Tony Matyszczyk
Hideout Planning Commission

From: Thomas Eddington Jr., AICP, ASLA
Town Planner

Re: Creation of a New Zoning District – Residential Casita (RC)

Date: July 20, 2023 Planning Commission Meeting

Prior Submittals and Staff Reports: Discussion of this district for the proposed Bloom Development took place on May 24, 2023 and June 22, 2023

Background

The Planning Commission is being asked to consider a new residential zoning designation, Residential Casita (RC). This zoning designation is necessary if the Town wishes to allow for small unit / small lot developments such as a cottage or a casita development. This would be for lots and units that smaller than what is permitted in the Residential 6 (R6). The ordinance will also limit the total house size to 1,500 SF.

The following is a draft ordinance for recommendation to the Town Council.

12.9.02 PURPOSE

The Residential Casita (RC) Classification is provided to allow for small casitas (or bungalows or cottages) as an additional room type for a hotel, other lodging, timeshare or other shared use facility in a planned mixed-use (inclusive of both residential and commercial uses) development. The RC Classification is only available if it is designed as an additional product to such a development.

12.10.04 LAND USES

1. The Residential Casita (RC) Zone use table lists where the use type is permitted (P), allowed through the provision of a Conditional Use permit (C). If not indicated with either a (P) or (C), the land use is prohibited.
2. All Infrastructure Uses outside of right-of-way utilities, including but not limited to Communication Towers, Water Storage, Electric Transmission Lines, and Gas Pipelines; shall require a Conditional Use permit.



Land Uses	
Residential	
Accessory Structure	
Affordable Housing Development	
Cluster Development	
Condominiums	
Condominium Hotel	
Multiple Family Unit	
Short-Term Rental (< 30 days)	
Single Family Attached (Townhome)	
Single Family Detached	P
Timeshare (Shared Ownership Facility)	
Community	
Amphitheatre	C
Church or Worship Center	C
Community Center	C
Private Residence Clubs	
Public Building	



Public Services Facility	
School	
Swimming Pool / Bath House	P
Commercial	
Big Box Retail	
Convenience Store	
Day Care Centers	
Equestrian Facilities	
Fitness / Wellness Center (less than 2,500)	C
Gasoline, Retail	
Golf Course and Related Services	
Grocery	
Health Care Facility	
Hotel	
Kiosks and Street Vendors	
Maintenance Facility (less than 1,500 SF)	C
Meeting Facilities	
Office	C
Personal Services	C



Recreational Facilities	
Restaurant (with Drive through support)	
Restaurant (less than 2,000 SF)	C
Retail	
Service Station	
Storage Facility	
Theater	

12.10.06 DIMENSIONAL STANDARDS

1. Unless otherwise specified, Development in the Residential Casita (RC) Zone shall comply with the standards set forth in the following table.
2. Maximum Density (ERU) is not guaranteed. It is dependent upon geographic, geological, topographical, community character and other limitations as outlined with Town Code.
3. All Primary Building and Accessory Structures are subject to the dimensional standards set forth in the following table. These general standards may be further limited or modified by other applicable sections of this Code.

Density	
Maximum Density (ERU)	8
Minimum Open Space	35%
Frontage / Lot Size	
Minimum Lot Size	3,500 SF
Minimum Lot Frontage	50' (may be reduced if the Planning



	Commission and Town Council approves a cluster development with a private driveway)
Minimum Lot Width	50'
Minimum Lot Depth	70'
Maximum Lot Coverage (in sq. ft.)	1,500 SF
Setbacks	
Minimum Front Setback from road edge	35'
Minimum Front Setback from road edge (Major Road)	40'
Minimum Setback from Highway	50'
Minimum Rear Setback	25'
Minimum Side Setback	20'
Minimum Offsets (relative to roadway or neighboring Bldgs.)	15° or 10'
Building	
Maximum Building Height	25' or two stories (whichever is less)
Maximum Units per Building	1

Driveway / Garage	
Minimum Parking (non-residential: per 1000 sq ft)	Conditionally (no less than 1 driveway parking pad)
Minimum Garage Parking (residential: per unit)	0
Minimum Driveway Length	24'
Minimum Driveway Width	12'
Maximum Driveway Width	20'
Shared Driveway Allowed	Conditionally
Conjoined Driveway Allowed (with adjacent property)	No
Maximum Driveways (per Frontage)	1
Permitted Driveway Materials	Concrete or asphalt

12.9.08 LANDSCAPING AND MAINTENANCE REQUIREMENTS

Unless otherwise specified, the Landscaping requirements within the Residential Casita (RC) Zone shall adhere to the requirements outlined in Section 10.08.32 in Title 10 of the Town Code.

12.9.10 OPEN SPACE AND PUBLIC SPACE REQUIREMENTS

Unless otherwise specified, the Open Space and Public Space requirements within the Residential Casita (RC) Zone shall adhere to the requirements outlined in Sections 10.08.28 and 10.08.30 in Title 10 of the Town Code.

12.9.12 DESIGN REQUIREMENTS

Unless otherwise specified, the Building Design requirements within the Residential Casita (RC) Zone shall adhere to the requirements outlined in Section 10.08.08 in Title 10 of the Town Code.



Recommendation and Next Steps

The Planning Commission should review the draft ordinance and consider a recommendation to the Town Council.

File Attachments for Item:

2. Discussion and possible recommendation to Town Council regarding adopting Chapter 12.25 Short Term Rental Overlay (SRO) Zone which is an overlay zoning designation that would allow short term rentals



Staff Report for Consideration of a Short-term Rental Overlay (SRO) Ordinance in Hideout

To: Chairman Tony Matyszczyk
Hideout Planning Commission

From: Thomas Eddington Jr., AICP, ASLA
Town Planner

Re: Short-term Rental Overlay (SRO) Ordinance

Date: July 20, 2023 Planning Commission Meeting

Prior Submittals and Staff Reports:

October 15, 2022 – Planning Commission

November 10, 2022 – Town Council

January 12, 2023 – Town Council

April 17, 2023 – Planning Commission (initial work-session)

May 24, 2023 – Planning Commission (review)

Background

Staff recommends the Planning Commission consider a Short-term Rental Overlay (SRO) ordinance and focus only on the requirements, standards, and conditions of such ordinance. No map or specifically defined area is proposed as part of this Ordinance update. If this is ultimately adopted, then qualifying developments may apply to rezone and have this overlay district applied to their existing underlying zone designation. This would require a public hearing at the Planning Commission and Town Council meetings, exactly the same as a traditional rezone request.

Current Short-term (Nightly) Rental Standards in Hideout

Nightly rentals are not currently allowed per the Hideout Town Code with the exception of two subdivisions which have been allowed to have short term, or nightly rentals, within Hideout:

- KLAIM, which negotiated for the allowance of nightly rentals in their Master Development Agreement which reads as follows:

9.13. **Use of Dwellings as Short-term Rentals.** Owners may rent their Dwellings as Short-term Rentals provided: (a) they do so in compliance with the Governing Documents; and (b) a short-term rental permit is issued by the County, if required. Owners opting to rent their Dwellings as Short-term rentals are required to use the services of a property management company that is (1) licensed in accordance with state law and local ordinances and (2) approved by the Association to manage Short-term Rentals within the Property. The Board of Directors shall establish the procedures, rules, and regulations for any Short-term Rentals, including check-in, access to Dwellings and common amenities and facilities. The Owner shall at all times ensure the Dwelling is rented in compliance with the Governing Documents and any rules and regulations for the Property.

- Deer Springs Phase 1 which had a plat note which the developer relied upon which allowed nightly rentals and therefore it was permitted in Deer Springs Phase 1 and Phase 1 amended. The plat note was ultimately amended as follows:
 1. *The allowance of nightly rentals is only for Phase 1 and Phase 1 amended.*
 2. *Any nightly rentals must be managed by a professional management service with someone who can respond on site within 30 minutes.*
 3. *All nightly rentals require a business license.*

It is worth noting that the Hideout Master HOA Association does not allow nightly rentals (short term rentals) within the association.

Current Hideout Ordinance Regarding Short-term Rentals

On September 8, 2022, the Town Council adopted the following ordinance for the areas where short term rentals are allowed:

4.02.010 (Definitions)

SHORT TERM RENTAL: "Short-term rental" means any dwelling or condominium or portion thereof that is available for use or is actually used for accommodation or lodging of guests for a period of less than thirty consecutive days, wherein guests pay a fee or other compensation for said use. Also known as a nightly rental.

4.07 REGULATION OF SHORT TERM (NIGHTLY) RENTALS

4.07.01 LICENSE REQUIRED

It is unlawful to conduct or operate a short-term rental without having obtained a business license therefor.

4.07.02 REGULATIONS FOR SHORT TERM RENTAL

Short-term rentals are required to use the services property management company that is licensed in accordance with State and Local Ordinances and can respond on site within 30 minutes.

4.07.15 SEPARATE VIOLATIONS

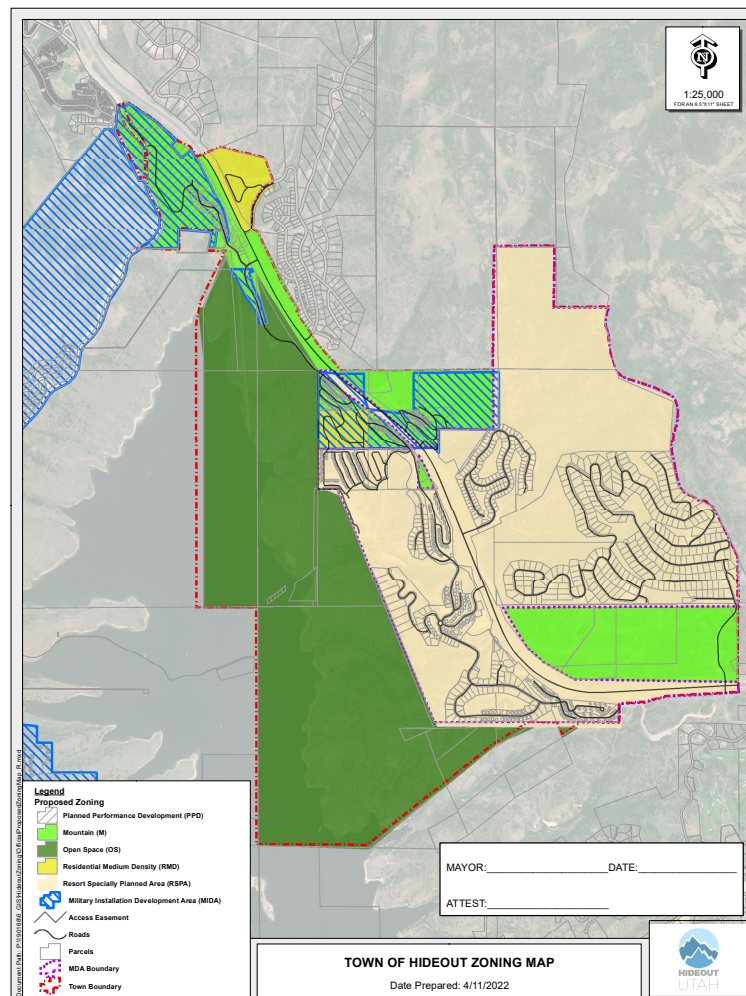
For purposes of prosecution of violations of this chapter, each day that any violation occurs, or that applicable taxes and fees are unpaid, is deemed to constitute a separate violation.



Council and Planning Input to Date

At the Council's November 10, 2022 and January 12, 2023 meetings, councilmembers were generally favorable to the concept of a 'trial' nightly rental district within the Town as long as there were criteria in place to ensure any and all negative impacts were mitigated. Councilmembers also felt strongly that nightly rentals did not belong in existing residential neighborhoods.

Hideout Zoning Map (The area within the beige/RSPA zoning has HOA restrictions that prohibit nightly rentals)



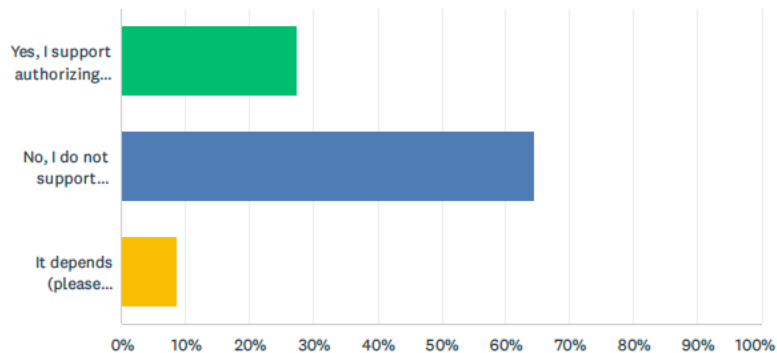


Public Input to Date

The following graph and table outline the results of the Community Survey that was conducted in June 2022.

Q6 Should the Town Authorize Additional Nightly Rentals of Private Homes? Should the Town authorize nightly rentals in private homes throughout the Town (except where prohibited by deed or HOA restrictions) which could reduce annual property taxes?

Answered: 331 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes, I support authorizing nightly rentals.	27.19%	90
No, I do not support authorizing nightly rentals.	64.35%	213
It depends (please explain):	8.46%	28
TOTAL		331

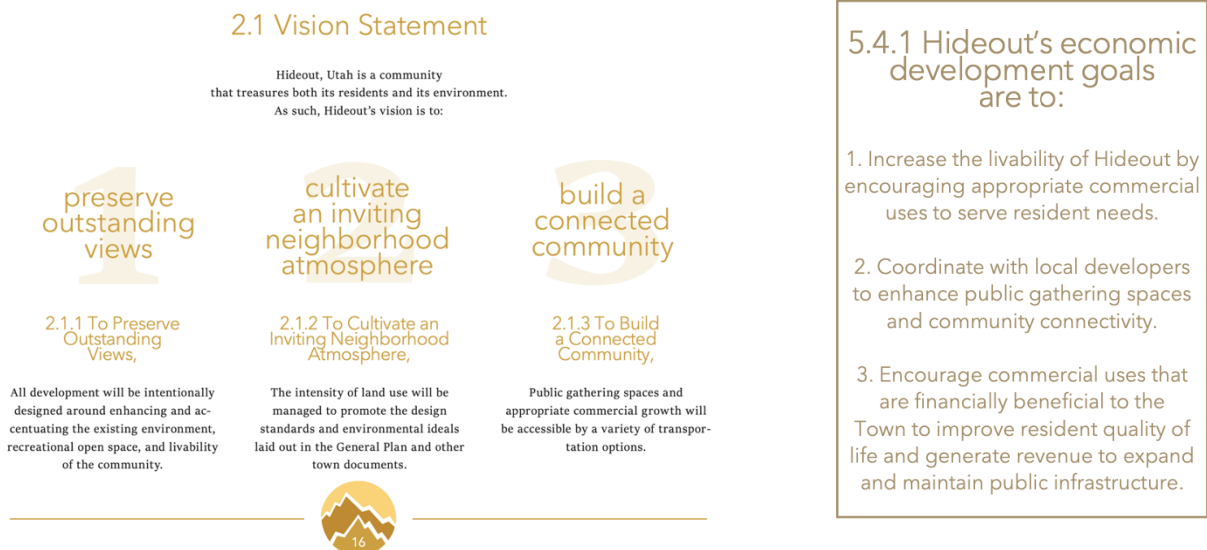
The community's input clearly indicates a lack of support for nightly rentals 'throughout the Town.' What was not clear from the survey was the community's level of support, or lack thereof, for nightly rentals in a yet-to-be-built neighborhood and/or one that is geographically separated from existing and established neighborhoods. The proposed Deer Spring Cottages are located across the Jordanelle Parkway and are not contiguous to any neighborhoods or residential development. This development, if approved as a Short-term Rental Overlay (SRO) zoning designation, would be the first of its kind in the Town and would be a neighborhood that is planned and designed to accommodate visitors – one that essentially functions as a resort.

Fiscal Opportunities for the Town of Hideout

The Town Council considered the fiscal benefits of site-specific short-term rental overlay districts during their policy discussion in January 2023. The Town's portion of property taxes makes up a very small percentage of a property's total tax bill. Sales tax and transient room taxes offer increased fiscal benefits to the Town's revenues.

2019 Hideout General Plan

The vision statement for the General Plan indicates:



The proposed Short-term Rental Overlay (SRO) zoning designation, in an area that is fully separated from existing residential development, generally meets the vision statement in the General Plan. It is worth noting the very detailed criteria outlined in the draft ordinance (see below) ensure the proposed zoning language meets the intent of the General Plan – locational requirements, unit size limits, occupancy limits, etc.



Proposed Draft Short-term Rental Overlay (SRO) Ordinance

12.25.02 PURPOSE

The Short-term Rental Overlay (SRO) Zone is established to promote short term rentals (stays of less than 30 days) while ensuring a cohesive neighborhood environment.

12.25.04 LAND USES & DIMENSIONAL STANDARDS

With the exception of the Land Use Table and the reference to 'Short-term Rental (<30 days)', all of the underlying zoning designation standards, and associated dimensional standards, remain in place and must be adhered to.

12.25.06 CRITERIA FOR THE SHORT-TERM RENTAL OVERLAY DISTRICT

The following criteria must be satisfied prior to the Town awarding any Certificates of Occupancy (CO) for any development designated as a Short-term Rental Overlay (SRO) Zone:

- A. All requirements of Section 4.07 must be satisfactorily addressed.
- B. No Short-term Rental Overlay (SRO) Zone may be located in an established residential neighborhood which shall be defined as a subdivision that has more than 1/3rd (33%) of the units built and with Certificates of Occupancy (CO) awarded.
- C. Nightly rentals shall be limited to dwellings of less than 2,000 gross square feet.
- D. All nightly rentals must be for a minimum period of three consecutive days. This must be included on all advertising materials.
- E. No more than six (6) persons may stay overnight in a single unit (e.g., apartment, condo, cottage, single-family residence, etc.) at any one time. This must be included on all advertising materials.
- F. No more than two (2) automobiles are allowed to park on the property at any time. This must be included on all advertising materials.
- G. All nightly rental contracts must include a copy of Hideout's trash, parking and noise ordinances and a 'Good Neighbor Brochure' that summarizes these requirements and what is expected of the renter. These documents must be clearly posted in the rental unit at all times.
- H. The owner of the nightly rental unit agrees to allow the Town's Building Inspector or designee to conduct an annual walk-through inspection of each rental unit to ensure compliance with all Town health, safety and welfare requirements. This review will also include an assessment of local government and/or local service district



responses to the property. If three (3) substantiated complaints (e.g., police, fire, or similar emergency management services) relative to a property within a 24-month period are confirmed, the nightly rental may be revoked for a period of up to one (1) year.

Additional Criteria for Discussion

- Should a commercial component be a requirement for a short-term rental development? Essentially, should some commercial on-site amenities be included (e.g., a café, small convenience store, etc.)? Or should a land dedication or a fee-in-lieu be provided to fund a commercial development nearby?
- This language cannot be in the form of an exaction pursuant to State law but rather created as a mixed-use component that is a part of the zoning district designation. Detailed review with the Town Attorney will be necessary.
- If so, expansion of the following draft language could be considered for inclusion in the ordinance:

Short-term rental overlay districts shall only be allowed in areas which have amenities which support resort uses such as commercial other amenities.

Recommendation

This proposed ordinance is not site specific but rather provides the Town a methodology to consider allowing short-term rentals in existing or future developments. The developer would have to apply for this overlay zoning designation.

The Planning Commission should review the proposed draft Short-term Rental Overlay (SRO) zoning ordinance and consider a recommendation to the Town Council.