HIDEOUT, UTAH TOWN COUNCIL REGULAR MEETING AND PUBLIC HEARING

November 08, 2023

Agenda

PUBLIC NOTICE IS HEREBY GIVEN that the Town Council of Hideout, Utah will hold its Regular Meeting and Public Hearing electronically and in-person at Hideout Town Hall, located at 10860 N. Hideout Trail, Hideout Utah, for the purposes and at the times as described below on Wednesday, November 8, 2023.

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 and Public Hearing
6:00 PM

I. Call to Order

II. Roll Call

III. Approval of Council Minutes

1. May 11, 2023 Town Council Meeting Minutes DRAFT
2. October 12, 2023 Town Council Meeting Minutes DRAFT

IV. Follow Up of Items from Approved Minutes

V. Public Input - Floor open for any attendee to speak on items not listed on the agenda

VI. Agenda Items

1. Discussion of the Public Infrastructure District (PID) policy
2. Presentation from The Peace House of Park City
3. Update regarding the Ross Creek/Commercial project area
4. Consideration of approving an ordinance related to the trails project for an appropriation of the funds from the State
5. Consideration and possible approval of adopting Resolution 2023-R-XX to update the Hideout Fee and Rate Schedule to include electrical permitting fees, update remodel fees, and make technical corrections
6. Discuss and set a time for the 2023 Board of Canvassers Meeting

VII. Public Hearing

1. Discuss and possibly approve an amendment of the Official Town of Hideout Zoning Map to rezone parcels 00-0020-8182 and 00-0020-8184 (the “Bloom in Hideout” Development) from Mountain (M) zone to Neighborhood Mixed Use (NMU), Residential 3 (R3), Residential 6 (R6), Mountain Residential (MR), and Natural Preservation (NP)
2. Discuss and possibly approve a Master Development Agreement (MDA) for the Bloom in Hideout Development, which would include nightly rentals in zoning districts that do not currently allow for nightly rentals. Additionally, allowances for architecture and/or roof designs that are not currently allowed per the Town’s current zoning ordinances may be included.

VIII. Committee Updates

1. Community Engagement Committee - *Council Member Jacobs*
2. Economic Development Committee – *Council Member Severini*
3. Planning Commission -
4. Design Review Committee - *Thomas Eddington*
5. Parks, Open Space and Trails (POST) Committee - *Council Member Baier*
6. Transportation Committee - *Council Member Haselton*

IX. Closed Executive Session - Discussion of pending or reasonably imminent litigation, personnel matters, and/or sale or acquisition of real property as needed

X. 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.

OUT TOWN COUNCIL
N. Hideout Trail, Hideout UT 84036 Phone: 435-659-4739

File Attachments for Item:

1. May 11, 2023 Town Council Meeting Minutes DRAFT

Minutes
Town of Hideout
Town Council Regular Meeting
May 11, 2023

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on May 11, 2023 at 7:00 p.m. electronically via Zoom Conference Call due to the ongoing COVID-19 health concerns.

Regular Meeting

I. Call to Order

1. No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 7:00 p.m. and reminded participants there was no physical anchor site for this meeting. Mayor Rubin explained there was a lack of a quorum at the regularly scheduled meeting time of 6:00 p.m., and therefore, there was a delay in the start time.

II. Roll Call

Present: Mayor Phil Rubin
Council Member Carol Haselton
Council Member Sheri Jacobs *(joined at 7:45 p.m.)*
Council Member Bob Nadelberg
Council Member Ralph Severini

Excused: Council Member Chris Baier

Staff Present: Town Administrator Jan McCosh
Town Attorney Polly McLean
Town Planner Thomas Eddington
Director of Public Works Daniel Allen
Director of Engineering Timm Dixon
Recorder for Hideout Alicia Fairbourne
Financial Consultant Katie Shepley

Others Present: Ray DeJaco, Greg McIntire, Damian Taitano, Larry Eisenfeld, Jack Walkenhorst, Steve Grant, Planning Commissioner Peter Ginsberg, and others who may have logged in using a partial name or using only a phone number.

III. Approval of Council Minutes

1. January 12, 2023 Town Council Regular Meeting Minutes DRAFT

There were no corrections to the minutes.

Motion: Council Member Haselton moved to approve the January 12, 2023 Town Council Regular Meeting Minutes as presented. Council Member Severini made the second. Voting

Yes: Council Member Haselton, Council Member Nadelberg, and Council Member Severini. Absent from voting: Council Member Baier and Council Member Jacobs. None opposed. The motion carried.

IV. Follow Up Items from Approved Minutes

Council Member Severini inquired about several follow-up items, including:

- If the Town would take Damian Taitano up on the offer to use his Kubota tractor for snow removal. Mayor Rubin clarified that the Town purchased its own, so there was no need to borrow Mr. Taitano's.
- Additional information regarding nightly rentals in other communities and the fiscal benefits (if any) for the community. Town Planner Thomas Eddington explained he was continuing to compile data and discussions were ongoing.
- Regarding parking enforcement during days of snowfall, how that would be handled and by whom. Mayor Rubin explained parking enforcement was conducted by the Wasatch County Sheriff's Office. He shared the process for reporting and handling violations and asked for cooperation from the local contractors during snowstorms.

  Council Member Severini asked if there had been any actions taken by the Sheriff's Department, to which Mayor Rubin mentioned several incidents during the winter, primarily involving vehicles impeding the plowing process.

V. Update on Golden Eagle Subdivision

Town Attorney Polly McLean provided an update on the Golden Eagle Subdivision. She stated that on May 1, a judge ruled on a case involving the Town not issuing building permits. The judge found four out of five reasons cited for not issuing permits were invalid. The remaining issue was related to storm drains. The judge called for another hearing on May 19, 2023 specifically to rule on the storm drain issue. It would be an evidentiary hearing. The Town was waiting on the judge's decision after the May 19 hearing before proceeding with issuing any building permits. She noted if the Town received storm drain reports and calculations from Mustang Development before the hearing, the Town could potentially be able to start issuing permits, assuming all other requirements were met.

VI. Public Input - Floor open for any attendee to speak on items not listed on the agenda

Mayor Rubin opened the floor for any public input at 7:11 p.m. and instructed participants on the procedure for speaking.

Damian Taitano inquired about making progress on building permits while waiting for a ruling on the storm drain issue. He also asked if lot owners could pay fire department fees and whether water and streets had been accepted. Mayor Rubin said they wanted to wait for the ruling before issuing full permits, but did not see an issue with allowing people to pay fire department fees now which could be refunded later if needed.

Town Engineer Timm Dixon explained that storm drains were connected to road and shoulder quality, so it made sense to wait for the judge's ruling before proceeding.

Mr. Taitano then asked who was accountable for the permit issues the judge already ruled were illegal reasons to withhold permits. Mayor Rubin took responsibility as the Chief Executive

Officer of the Town, stating current administration and Staff attempts to interpret and uphold the law to protect citizens. He acknowledged prior administration did not do enough to ensure proper infrastructure design. The judge originally supported the Town's approach but then disagreed on second review, which they accepted. Mayor Rubin reiterated Staff would move forward with permits once the judge ruled on storm drains.

Ray DeJaco – was a new resident who lived at the end of Sightline Circle. He expressed a concern about a two-acre lot located at the end of Sightline Circle in the Rustler community. The lot was supposed to be a park but currently contained construction debris such as large pipes, broken cement slabs, and rocks. Mr. DeJaco wanted to know how to get the lot cleaned up and noted the debris had been there for years.

Mayor Rubin initially mentioned that the property was owned by the HOA. However, Mr. DeJaco indicated that he had received different information when he contacted the city. Mr. Dixon offered to investigate the ownership and look at the plat and records to determine the correct owner of the property.

Mayor Rubin suggested that if the situation violated the Town's nuisance code, a lien on the property could be issued to address the nuisance. Mr. DeJaco thanked Mayor Rubin and Mr. Dixon for their assistance and expressed his gratitude for the opportunity to bring this matter to their attention during the meeting.

There being no further questions, Mayor Rubin closed public input at 7:24 p.m.

VII. Agenda Items

1. Discussion and possible approval of Resolution 2023-R-XX to adopt the Town of Hideout Tentative Budget for Fiscal Year 2023-2024 and setting a Public Hearing for the Final Budget to be held on June 8, 2023

Financial Advisor Katie Shepley presented an updated FY23 budget to align with actual revenues and expenses to date. The Town would need to utilize $266,000 from Capital Funds to cover a projected budget shortfall.

For the FY24 tentative budget, assumptions included hiring two additional engineering staff, moving a part-time employee to full-time, 5% Cost of Living Adjustment (COLA) increases, the addition of enhanced family/spousal benefits to attract and retain employees, and a 27% increase in building permits (not including any Golden Eagle permits).

There was a 12.5% increase in residences projected, with an increase of 33.1% within the Military Installation Development Area (MIDA), but only 6.7% were non-MIDA residences. Ms. Shepley explained MIDA property taxes go to separate funds that had restrictions, and those funds couldn't be used broadly to cover General Fund shortfalls. Mayor Rubin noted funds received from MIDA were designated for specific items such as parks and trails.

Ms. Shepley pointed out that significant investments were planned for sewer, stormwater, streets, and other infrastructure repairs and upgrades, however these costs would be spread out over several years.

Ms. Shepley then presented an overview of the FY24 Budget.

The FY24 Budget showed a minimal increase compared to the previous year, with a rise from approximately $1,619,000 to $1,620,000. However, this modest increase was due to the utilization of Capital Funds, amounting to $266,000.

Ms. Shepley noted a projected shortfall of $359,000. In order to cover it, she suggested the need for increased property taxes and town fees, along with careful control of expenses and the utilization of the prior year's Capital Funds. These actions were necessary to prevent further depletion of Capital Funds. Council Member Severini highlighted the potential impact on residents if the shortfall couldn't be covered through other means, which could lead to a significant increase in property taxes.

Council Member Severini emphasized the importance of finding additional revenue sources, including development activities near the State Park, annexation opportunities, and revenue-generating mechanisms. It was noted that these efforts might not yield immediate results in the upcoming year but could be beneficial in the years following. The potential use of State Park funds, Transient Room Tax (TRT) from short-term rentals, and the consideration of moving MIDA funds to the General Fund were mentioned as possible strategies to address the budget shortfall.

Ms. Shepley provided a high-level overview of forecasted revenue and expenses for FY24, with a focus on areas where expenses were expected to increase. The need for responsible financial management and tracking of expenses was emphasized. Mayor Rubin also discussed the possibility of reducing certain expenses, such as legal fees, and the potential impact of costs related to the weather.

Investments in areas like streets and parks were discussed, as well as the utilization of Class C Road Funds from the State to help with street expenses.

Ms. Shepley shifted the focus to the Enterprise Fund, highlighting their financial performance. She explained that there was no need to balance the Enterprise Fund, as was required for the General Fund. The financial situation of the Enterprise Fund was then discussed, revealing a loss of around $200,000 in the previous fiscal year and a profit of approximately $455,000 in the current fiscal year.

The increase in revenue for the current year was attributed to several contributing factors. This included a rise in building standby fees that hadn't been billed in the preceding year. Additionally, there was a boost in meter connection fees due to the increased cost of smart meters.

Looking ahead to the upcoming fiscal year, it was expected that the revenue increase would be more moderate since there wouldn't be a doubling of standby fees. However, some additional revenue was anticipated from water fees, and it was mentioned that an 8% increase in water bills would be implemented starting in January.

On the expenditure side, the Enterprise Fund incurred higher costs due to an increase in employee expenses. This was a result of some employees transitioning from part-time to full-time roles, the introduction of a COLA, and the inclusion of spouse and family benefits for employees.

A significant portion of the expenses was allocated to one-time costs. These included investments in sewer and stormwater, water line repairs, storm sewer and water maintenance, upgrading to smart water meters, ditch maintenance, snow removal, and hydroseeding.

Mayor Rubin and Council Member Severini raised concerns about the projected deficit of $106,000 in the enterprise funds. They discussed potential strategies to close this gap, including

deferring certain expenses or adjusting the timing of projects. Ms. Shepley assured them that they would continue to refine the budget and work on finding ways to bring it closer to revenue parity. They also discussed the possibility of reduced demand for family and spousal benefits, which could impact the budget positively.

Following the Enterprise Fund discussion, the MIDA Funds were discussed, which would see an increase in property taxes. There was also a mention of additional Class C Road Funds coming in as a result of the Town accepting roads from developers.

Lastly, Ms. Shepley provided a detailed breakdown of revenues and expenditures for FY23, emphasizing that the figures were only for ten months, with two months still needing to be forecasted. She presented a detailed slide which showed property taxes, fee-in-lieu, sales taxes, licenses, permits, intergovernmental revenue, charges, fines, interest, miscellaneous contributions, and total revenue. The presentation also covered various expenditure categories, including administrative, professional services, public safety, streets, parks, capital projects, miscellaneous, and debt services, providing a comprehensive view of the financial details that the Town manages on a monthly basis and that was audited by the IRS.

There being no further questions from Council, Mayor Rubin called for a motion to vote on the tentative FY24 Budget.

Motion: Council Member Nadelberg moved to adopt Resolution 2023-R-06 adopting the tentative Budget for the Town of Hideout, Utah, for the Fiscal Year 2024 beginning July 1, 2023 and ending June 30, 2024 and to set a time and place for a public hearing electronically via Zoom, concerning the Fiscal Year 2024 Budget on June 8, 2023 at 6:00 p.m.. Council Member Severini made the second. Voting Yes: Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. None opposed. The motion carried.

VIII. Committee Updates

1. Planning Commission – *Planning Commissioner Peter Ginsberg*

Planning Commissioner Peter Ginsberg provided a summary of discussions and topics covered in the April 17th Planning Commission meeting. The Planning Commission heard from the developers of the Bloom in Hideout project. This project included mixed-use commercial space that could house businesses like a market, cafe, restaurant, and retail shops. Additionally, the developers proposed cottages that could potentially serve as luxury corporate event spaces, accommodating up to 150 guests.

Another topic discussed during the meeting was the Deer Springs Cottages subdivision, which had requested approval for a short-term overlay zone to allow nightly rentals within the subdivision.

Commissioner Ginsberg also mentioned the potential development of a Town Center, which would involve rezoning and relocating the Public Works building to accommodate this new development. The specific details of this proposal were not deeply discussed during the meeting.

Looking ahead to the next meeting, Commissioner Ginsberg mentioned that they would be discussing the rezone of the Bloom in Hideout; Benloch Ranch annexation with an updated concept plan; and hear a concept plan from Ty Frisbee regarding Hideout Point, a development located near the proposed Town Center.

Mayor Rubin thanked Peter for the Planning Commission's valuable work and expressed appreciation for their efforts in helping the Town explore various development opportunities. Commissioner Ginsberg expressed his gratitude and commitment to assisting the Town in this process.

2. Community Engagement Committee - *Council Member Jacobs*

Council Member Jacobs provided an update on the recent Community Engagement Committee meeting. The Committee discussed and fine-tuned plans for upcoming events during the summer. They had scheduled their first concert for July 28, with another concert set for August 11. Additionally, there were a couple of other potential events in the works, but the venue was still being decided. They planned to conduct site inspections now that the snow had melted, with the State Park currently being the preferred location. Further details about additional events were expected to be discussed during the next meeting. Council Member Jacobs expressed optimism about having an enjoyable summer with these activities.

3. Design Review Committee (DRC) - *Thomas Eddington*

Thomas Eddington provided an update on the Design Review Committee. There hadn't been a meeting in the past month, but they had been working on finalizing design review submittals with Lakeview and Deer Springs. Their goal was to complete this process in the next few days, so that final approval level letters could be issued. This was important as the projects were likely to begin pulling permits in the coming weeks. They had been engaged in back-and-forth discussions and hoped to finalize the approvals by the end of the week or early next week.

4. Parks, Open Space and Trails (POST) Committee - *Council Member Baier*

This was not discussed because Council Member Baier was excused from the meeting.

5. Transportation Committee - *Council Member Haselton*

Council Member Haselton provided an update on the Town's transportation services. She mentioned that High Valley Transit would continue to run bus services from Richardson Flat. These were smaller buses that operated from 6:45 a.m. to 7:45 p.m. She also shared her experience using the bus to attend an event but noted that the service ended relatively early in the evening. Mayor Rubin expressed a desire to have bus services available for summer concert series to reduce the number of cars coming into Hideout for such events. However, Council Member Haselton pointed out that budget constraints had led to cutbacks in services, and the focus was on serving those who work in the Town rather than recreational users. She explained that they spent a significant amount during the winter season. The discussion highlighted the challenges of balancing transportation services with available resources.

Council Member Haselton provided an update on the upcoming cleanup day scheduled for June 10. She mentioned that in the past, she and Council Member Baier had been the primary participants. They picked up trash around the Town, particularly in residential areas. They collected bags of trash and took them to the Public Works building. Afterward, lunch was provided, and for the upcoming cleanup day, the lunch gathering would be held at the Retreat Townhomes. Council Member Jacobs mentioned that Black Rock hotel may be sponsoring the luncheon. Council Member Haselton expressed the desire to work with Council Member Jacobs to make this event a Community Engagement activity, involving more people. Mayor Rubin suggested

involving the Public Works department and offering help with trash collection. Mr. Dixon agreed to support the event and provide a trash container at the Public Works Building and Staff for bag pickup at designated locations. Mayor Rubin also mentioned Mr. Dixon should encourage the builder community to maintain cleanliness in their construction areas. Overall, the goal was to engage more people in the cleanup day and make it a fun community event.

IX. Closed Executive Session - Discussion of pending or reasonably imminent litigation, personnel matters, and/or sale or acquisition of real property as needed

There being no further public business, Mayor Rubin asked for a motion to move into closed Executive Session.

Motion: Council Member Haselton moved to adjourn the public meeting and move into Closed Executive Session. Council Member Jacobs made the second. Voting Yes: Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

The public meeting adjourned at 8:23 p.m. and the Closed Executive Session convened at 8:30 p.m.

Present:	Mayor Phil Rubin
	Council Member Carol Haselton
	Council Member Sheri Jacobs
	Council Member Bob Nadelberg
	Council Member Ralph Severini
Staff Present:	Town Attorney Polly McLean

X. Meeting Adjournment

Upon conclusion of the Executive Session, Mayor Rubin asked for a motion to adjourn.

Motion: Council Member Severini moved to adjourn. Council Member Nadelberg made the second. Voting Yes: Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

The meeting adjourned at 8:48 p.m.

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Alicia Fairbourne, Recorder for Hideout

DRAFT

File Attachments for Item:

2. October 12, 2023 Town Council Meeting Minutes DRAFT

Minutes
Town of Hideout
Town Council Regular Meeting and Continued Public Hearing
October 12, 2023

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on October 12, 2023 at 6:00 p.m. in the City Council Chambers located at 10860 N. Hideout Trail, Hideout, Utah and electronically via Zoom.

Regular Meeting

I. Call to Order

Mayor Rubin called the meeting to order at 6:06 p.m. and explained the meeting was held as a hybrid meeting with some attendees in person at Hideout Town Hall and some participating remotely via Zoom.

II. Roll Call

Present: Mayor Phil Rubin
Council Member Ralph Severini

Attending Remotely: Council Member Chris Baier
Council Member Carol Haselton
Council Member Sheri Jacobs
Council Member Bob Nadelberg

Staff Present: Town Administrator Jan McCosh
Town Attorney Polly McClean
Town Planner Thomas Eddington
Recorder for Hideout Alicia Fairbourne

Staff Attending Remotely: Director of Engineering Timm Dixon
Director of Public Works Daniel Allen

Public Present: Wasatch County Fire Chief Eric Hales, Wasatch County Council Member Karl McMillan, Planning Commissioner Glynnis Tihansky.

Public Attending Remotely: Don Blumenthal, Karleen Callahan, Greg McIntire, Larry Eisenfeld, Jenni Hogan, Katie Wilking, Ryan Sapp, Steve Grant, and others who may have logged in using a partial name or using only a phone number.

Prior to addressing the issues on the agenda, Mayor Rubin wanted to address three items with the public.

1. Mayor Rubin announced the new setup in the Council Room, which aimed to allow people to attend in-person rather than relying on Zoom or YouTube Live streaming. He mentioned that there would be a limit on the number of individuals who could be accommodated in the Council Room. Staff was in the process of collaborating with the Fire District to determine these limits.

Mayor Rubin emphasized that once specific numbers were determined, they would be shared with the community. He expressed concern that if too many people showed up and the room reached its capacity, the issue would need to be addressed. Mayor Rubin also highlighted the potential for changes in these numbers and the overall approach, depending on the evolving COVID-19 situation during the winter. He acknowledged that COVID-19 was resurging and affecting a larger number of individuals, and decisions would be made with public health and safety in mind.

2. Mayor Rubin reminded the community about the upcoming election. He mentioned that ballots were on their way and highlighted that the election would officially take place on November 21st. Mayor Rubin acknowledged that the date had been changed from the previous year.

   Furthermore, Mayor Rubin informed the residents that there were three open Council positions with four candidates on the ballot, underscoring the importance of voting in this election. He also mentioned that there was an item related to the Fire District, which would be discussed later in the meeting.

   In terms of ballot submission, Mayor Rubin informed the community that there would be a ballot box available at Town Hall for those who preferred not to mail in their ballots, providing a convenient option for dropping off their ballots.

3. Mayor Rubin addressed concerns about communication with the community. He noted that residents were reaching out to him through his direct email address. He expressed inability to personally read every email due to the high volume of correspondence. He apologized for this limitation and mentioned that it was impractical to go through all the incoming emails. He provided an alternative solution, suggesting that if residents had concerns to raise with the Town, they could still write to the Mayor but should do so through the general email inbox at hideoututah@hideoututah.gov. This would ensure that the email would enter the Town's mailbox, allowing Staff to review and assign it to the appropriate person for addressing.

   Mayor Rubin clarified that if individuals only sent emails to him personally, the response time might be delayed, and it might take weeks to get a reply due to his heavy workload. He expressed regret but emphasized the necessity of this approach.

Mayor Rubin then redirected the focus back to the agenda items for discussion.

III. Public Input - Floor open for any attendee to speak on items not listed on the agenda

Mayor Rubin opened the floor for public input at 6:11 p.m.

Karleen Callahan and Don Blumenthal addressed concerns about property signage at Soaring Hawk. They pointed out that there had been no improvement in the signage of properties under construction and requested that this issue be addressed.

In response, Mayor Rubin mentioned that Director of Engineering Timm Dixon had previously been involved in addressing the limits of disturbance and other issues in that area but was unsure of the current status of the signs.

Ms. Callahan acknowledged that some of the concerns regarding limits of disturbance and erosion problems had been addressed, but they specifically sought follow-up on signage.

Mayor Rubin assured them that the matter had been assigned to the Engineering and Public Works teams, even though they were not currently on the call. He pledged to provide an update on the issue by the following Monday or Tuesday.

Council Member Baier sought a clarification on the term "signage," and Ms. Callahan explained that they were referring to signs that were supposed to be displayed on properties under construction, indicating the contractor and owner. She noted that many of these signs were missing. Mayor Rubin acknowledged that these signs should also display stop work orders, but they seemed to be lacking on several properties. Council Member Baier further inquired if the Town had fallen behind in printing and delivering these signs or if there was another reason for their absence. Ms. Callahan mentioned that older properties under construction seemed to have a higher prevalence of missing signs.

Mayor Rubin acknowledged the issue and indicated that they would follow up on it, even considering the temporary placement of signs if necessary to address the problem promptly. They recognized the importance of having these signs in place for community awareness and enforcement purposes.

Ms. Callahan and Don Blumenthal expressed their appreciation for the commitment to addressing the concern.

There being no further questions from the public, Mayor Rubin closed public input at 6:16 p.m.

Council Member Baier suggested deviating from the posted agenda and moving the Fire District discussions ahead of the public hearing items. Mayor Rubin agreed.

IV. Agenda Items

1. Presentation from Wasatch County Fire Department Regarding Ballot Proposal 9

Mayor Rubin introduced Chief Eric Hales from the Wasatch Fire District to present on Proposition 9 for an Emergency Medical Services (EMS) sales tax. Chief Hales explained that recent state legislative changes now allowed Wasatch County, as a fourth-class county, to implement up to a 1% sales tax to fund emergency medical services. The County Council chose to put a 0.5% sales tax on the ballot for voters to decide. The tax would apply to most goods and services except unprepared food, gasoline, and medication.

Chief Hales noted that currently 80% of the Fire District's budget came from property taxes, and any improvements would require raising taxes. The sales tax would provide funds to enhance EMS and fire resources without further burdening property owners. The chief explained that 50% of sales tax revenue in the county comes from non-residents.

If approved, the 0.5% sales tax was estimated to generate $5.2 million in the first year to fund facilities, equipment, staffing, and ambulances. The revenue was expected to grow over time with increased tourism and population. Chief Hales reviewed the Fire District's need for additional stations throughout the county and stated the sales tax would provide capital funds for construction without raising property taxes.

Council Members asked questions about emergency response procedures, revenue projections, and community opinions. The Mayor and Council Members voiced support to put more information out to residents on the ballot measure. Chief Hales offered to provide educational materials for the city to share.

2. Discussion of Fire Station update and contributions

Mayor Rubin explained that the Fire Chief had requested allowing the Department to place a trailer with office and bunkhouse space in one of the bays at the Public Works building, in order to establish a temporary fire station in Hideout ahead of schedule.

The Town would provide the salt storage bay for the trailer and build a temporary structure to replace the lost salt storage space. Estimates to prepare the site with paving, utilities, and heating for the trailer plus a temporary salt storage structure could be approximately $250,000-$300,000.

Mayor Rubin planned to amend the Town Budget and add a line item to support the fire and EMS for the Town. Staff would then solicit contributions from neighboring communities that would benefit from quicker emergency response. Several communities had already pledged support. The goal was to have the temporary station operational by January without using Town funds. However, the timeline would depend on how quickly donations could be raised. Some aspects like paving may need to be deferred until spring due to the lateness of the paving season.

Chief Hales confirmed they could bring a smaller apparatus to the site before paving was complete and noted Capital Funds were used to purchase a four-wheel-drive mini pumper fire truck. The Council supported the plan and public outreach for contributions. Mayor Rubin reiterated this was an interim step until funds could be raised to construct a permanent fire station in Hideout.

V. Public Hearing Items *(Continued from September 14, 2023)*

1. Discussion and possible approval of a new zoning designation of Residential Casita (RC) ***Note: This item will be continued to a date certain of December 14, 2023***

Mayor Rubin explained that the discussion and possible adoption of new zoning for Residential Casitas was not ready for action at this meeting. The Planning Commission needed additional time to make a recommendation.

As a courtesy, Mayor Rubin opened the floor for public comment at 7:11 p.m. and noted that only preliminary reviews had occurred so far. No draft ordinance was available yet.

There being no questions from the public, Mayor Rubin closed public comment at 7:12 p.m. and asked for a motion to continue to a date certain of December 14, 2023.

Motion: Council Member Nadelberg moved to continue the discussion and possible approval of a new zoning designation of Residential Casita (RC). Council Member Baier made the second. Voting Yes: Council Member Baier, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. Abstaining from voting: Council Member Haselton. The motion carried 4-1.

Continued Agenda Items

3. Discussion and possible adoption of Ordinance 2023-O-XX to approve Chapter 12.25 Short Term Rental Overlay (SRO) Zone which is an overlay zoning designation that would allow short-term rentals ***Continued from September 14, 2023***

The mayor explained that recent changes in state law now allowed regulations for short-term rentals to be enacted through development agreements, which go through the same approval process as land use regulations.

The Planning Commission had concerns about implementing short-term rental rules as a broad Overlay Zone across the Town. Mayor Rubin recommended continuing the proposed ordinance and instead looking at modifying the Master Development Agreement (MDA) for Deer Springs to allow short-term rentals in certain areas, such as the uphill side of Jordanelle Parkway.

The Council discussed that using development agreements allowed more focused application of short-term rental rules to specific projects rather than Town-wide. Mayor Rubin noted the proposed ordinance language could be incorporated into an MDA. The Council supported continuing the Overlay Zone ordinance and pursuing short-term rental regulations through development agreements going forward.

At 7:25 p.m., Mayor Rubin opened the floor for public input to allow for any comments before continuing the ordinance.

There being no public comments, Mayor Rubin closed public comment at 7:26 and asked for a motion to continue to a date uncertain.

Motion: Council Member Severini moved to continue the discussion of a possible adoption of an Ordinance to approve Chapter 12.25 Short Term Rental Overlay (SRO) Zone which is an overlay zoning designation that would allow short-term rentals. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

4. Presentation to Hideout Town Council and discussion of the re-zone for the Bloom in Hideout Development

Mayor Rubin announced that the next agenda item was a presentation by the Bloom in Hideout development team regarding their proposal to rezone land in Hideout for a mixed-use development. Mayor Rubin clarified that this was not a vote to approve the project, just an initial presentation to get feedback from Council.

Town Planner Thomas Eddington explained that the Bloom in Hideout developers were looking to purchase and rezone 72 acres of a 112-acre parcel owned by the Salzman's. He outlined the proposed zoning, which would include Neighborhood Mixed Use (NMU), Residential 3 (R3), Residential 6 (R6), and Neighborhood Preservation (NP) zones.

The Bloom in Hideout developers, Jenni Hogan and Ryan Sapp, introduced themselves as longtime area residents and real estate professionals invested in Hideout. They presented an overview of their vision for a mixed-use resort community with commercial space, a boutique hotel, townhomes, single family homes, and cabins. They emphasized wanting to create a community gathering space with restaurants, a market, and amenities like trails, open space, and an amphitheater.

Council Member Baier asked about the number of employees needed to staff the commercial area and provisions for employee housing. Mr. Sapp and Ms. Hogan acknowledged affordable housing was an issue in the county, but said it was not part of their current plan. However, they had included a transit stop in their plans.

There was discussion about the amount and types of commercial space planned, with comparables provided like Deer Valley Café and Liberty Heights Market. Council Member Baier expressed concerns about attracting businesses and employees to the remote location. The Bloom developers

emphasized quality over high rents to attract the right tenants. Their commercial broker Katie Wilking said concessions on rent would help form partnerships between developer and tenants.

Additional discussion covered:

- The concept of a resort community with rentals vs. residential
- Controlling quality and consistency if operated as nightly rentals
- Mitigating risks raised regarding commercial viability and location

Mayor Rubin concluded by stating this was an initial presentation to get feedback, not for final approval. The developers would continue working with the Planning Commission, and more discussions would be held regarding risk mitigation strategies.

5. Discussion of the requirements, roles and responsibilities of the Economic Development Committee (EDC)

Council Member Severini presented a document that discussed the requirements, roles, and responsibilities of the Economic Development Committee (EDC) and its members. The EDC aimed to create a business-friendly community that welcomed responsible commercial development, provided diversity and amenities, and worked proactively with both the Town and developers to achieve positive outcomes.

Council Member Severini stated the EDC was comprised of volunteers who cared about the Town and its future. Mayor Rubin emphasized that the EDC was not a remunerated role. The EDC's work included analyzing potential economic benefits of development proposals before they were presented to the Council, Planning Commission and public. This analysis helped the Council make informed decisions about whether a proposed project aligned with the Town's goals.

Council Member Severini discussed the need for transparency in the EDC's work, ensuring that the Council and the public were kept informed about their activities and findings. He also discussed the importance of the EDC having members with expertise in finance, marketing, and real estate to address the economic aspects of development proposals. Additionally, he mentioned that the EDC preferred members who were residents and voters of the Town to ensure their commitment to the community's best interests.

Council Member Baier inquired about the EDC's role and how it differed from working with external consultants. Council Member Severini explained that the EDC leveraged the intellectual property of town residents who were experts in various fields, and their unique understanding of Hideout's specific needs and values set them apart from external consultants.

Council Member Severini mentioned the importance of Committee members signing a conflict of interest (COI) statement in order to declare any potential conflicts of interest that could affect their impartiality in the decision-making process.

Council Member Baier and Mayor Rubin expressed appreciation for the work of the EDC and looked forward to updates from the Committee.

VI. Committee Updates

1. Planning Commission - Planning Commissioner Glynnis Tihansky

Planning Commissioner Glynnis Tihansky shared an update on the Planning Commission's forthcoming agenda. Their primary focus for the upcoming meeting was centered around the review and potential recommendations related to zoning and the Master Development Agreement (MDA) of the Bloom in Hideout development.

Thomas Eddington provided additional information, noting that the Benloch Ranch annexation applicant had requested a one-month continuation.

2. Community Engagement Committee - *Council Member Jacobs*

Council Member Sheri Jacobs provided an update on the Community Engagement Committee's activities and future plans. The Committee had a productive meeting where they reviewed their summer initiatives and discussed ideas for the upcoming seasons, including both winter and the following summer.

One of the notable events the Committee organized was a free concert at the State Park held on September 17. This event attracted a significant number of attendees from the broader community, contributing to positive publicity for the Town.

The Committee was also taking steps to gather input from residents. They had prepared a survey to be distributed to the Town's residents. This survey would aim to collect feedback on the types of events and community outreach activities that residents would like to see in the future.

Looking ahead, the Community Engagement Committee was planning a blanket drive in collaboration with the Peace House, a nonprofit organization that supported individuals affected by domestic violence. The blanket drive would take place in November.

Council Member Jacobs noted the Committee was in the process of establishing a 501(c)(3) non-profit organization account. This move would enable them to manage funds more efficiently and explore grant opportunities, including the possibility of securing matching funds.

3. Parks, Open Space and Trails (POST) Committee - *Council Member Baier*

During the recent Parks, Open Space, and Trails (POST) Committee meeting, Council Member Baier provided a comprehensive update on various topics and developments.

On September 28, Mountainland Association of Governments (MAG) held a UDOT Trails meeting. They highlighted the need for an engineering study and the funding required for the spine trail. This study was considered a critical step to make progress on the spine trail, connecting Summit County to Summit County through Hideout.

One of the key highlights of the meeting was the UDOT MAG Trails workshop, as reported by Council Member Haselton. UDOT's new trails division was introduced, which had substantial funding, including $45 million for trail development. The focus of this division was to create a network of trails that catered to all ages and abilities, integrating with regional transportation plans.

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The meeting delved into plans to connect various areas, with special attention given to the spine trail running through Hideout. UDOT urged Hideout Council to show strong support for this trail, and it was clarified that Council may need to provide a formal declaration of support.

Council Member Baier also discussed the Klaim trails and the delay in their development due to ongoing construction work on access points. The Committee recognized the need to have a well-defined project and plan in place before applying for grants to fund these projects.

It was also noted that an invitation had been extended to Jason Whittaker, the Jordanelle State Park manager, for an upcoming meeting to address negotiations regarding a local State Park pass fee. Council Member Baier emphasized the importance of establishing a fair fee structure, ensuring that Hideout paid its share compared to other homeowner associations (HOAs) participating in the program.

Council Member Baier acknowledged the need to engage with UDOT, explore possibilities of constructing trails underneath power lines, and continue working on developing a comprehensive trail network. She emphasized that they would further discuss these topics in their upcoming committee meetings.

4. Transportation Committee - *Council Member Haselton*

Council Member Haselton provided an update on the transportation services between Hideout and Park City. She had reached out to someone from the Park City Council to inquire about the bus service for the upcoming ski season.

Initially, the information she received indicated that the bus service would be the same as the previous year, requiring passengers to transfer at the transit center in Park City when traveling to the ski resorts. Council Member Haselton expressed her concerns, noting that this arrangement might not be the most convenient for passengers.

However, subsequent news indicated that there had been discussions and changes in plans. The updated information revealed that the buses would run directly to Park City Resort and Deer Valley Resort. Both resorts were contributing $150,000 towards the cost of these buses. There was still a funding gap, but a compromise was reached by shortening the ski season slightly, ending bus service on March 31.

The hours of operation for the bus service were expected to remain similar to the previous year, with buses running from early in the morning to late at night. This provided an efficient means of transportation for those who work in Park City or want to go for dinner, ensuring they could catch the bus back to Hideout.

Council Member Haselton mentioned the importance of ensuring that the entire parking lot at Richardson Flat was adequately plowed, as last year, only half of it was cleared, causing parking challenges. She assumed that the entire parking lot would be plowed this year to accommodate passengers.

Council Member Haselton expressed satisfaction with this positive development and asked for consideration to share this information in the next newsletter to inform residents of the improved bus service to the ski resorts.

VII. Approval of Council Minutes

1. April 13, 2023 Town Council Regular Meeting Minutes DRAFT

There were no corrections or changes to the minutes.

Motion: Council Member Haselton moved to approve the April 13, 2023 Town Council Regular Meeting Minutes as presented. Council Member Baier made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

2. September 14, 2023 Town Council Meeting Minutes DRAFT

There were two corrections to the September 14 meeting minutes.

- Page 3, line 8: "… acknowledged her concerns and *committed* to enforcing regulations…"
- Page 2, line 27/28: corrected to read "Limits of Disturbance"

Motion: Council Member Nadelberg moved to approve the September 14, 2023 Town Council Regular Meeting Minutes with the aforementioned corrections. Council Member Jacobs made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

VIII. Follow Up of Items from Approved Council Minutes

During the discussion of follow-up items from the approved meeting minutes, Council Member Severini brought up the need to address the issue of speeding in Hideout, specifically in the context of recent incidents involving reckless driving. He expressed concern about the safety of residents and visitors due to speeding and dangerous driving behavior.

In response to these concerns, Mayor Rubin informed the Council that a traffic study had been completed and was expected to be available soon. The traffic study included data on speed limits, speed-related issues, and recommendations for addressing speeding problems. The study revealed that the majority of drivers were driving at or close to the speed limit, with an average median speed of around 25 mph.

Council Member Baier discussed ways action could be taken to address the speeding issue. She suggested that the Town could potentially use the camera data to identify repeat offenders and take appropriate measures, even if ticketing was not an option. The Mayor agreed with this approach and mentioned that some communities had successfully used creative campaigns and educational efforts to address speeding problems.

Council Member Severini emphasized the urgency of the issue and the need for immediate action, expressing concerns that someone might be seriously injured due to reckless driving. The Mayor assured the Council that they would take action based on the recommendations and findings of the traffic study, and that they were expecting actionable recommendations in the near future.

In addition to addressing speeding, Council Member Severini noted the discussion regarding Ranked Choice Voting should be calendared for an April meeting in order to make an informed decision for the municipal elections in 2025.

IX. Closed Executive Session - Discussion of pending or reasonably imminent litigation, personnel matters, and/or sale or acquisition of real property as needed

There was no need for a closed Executive Session.

X. Meeting Adjournment

There being no further business, Mayor Rubin called for a motion to adjourn.

Motion made by Council Member Nadelberg, Seconded by Council Member Severini. Voting Yea: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, Council Member Severini

The meeting adjourned at 9:39 pm

_____

Alicia Fairbourne, Recorder for Hideout

DRAFT

File Attachments for Item:

1. Discussion of the Public Infrastructure District (PID) policy

Public Infrastructure District



Presented By.

URBAN & MAIN
CONSULTING

Public Infrastructure District Overview



A Public Infrastructure District (PID) is a financing tool with defined boundaries, created by Utah Statute in 2019



A PID is qualified to issue bonds to finance public infrastructure improvements within the PID boundaries



PIDs are approved by cities and counties, but PIDs are separate, stand-alone financing districts



PIDs are created for nearly all types of development. A mechanism to let growth pay for growth



Tax revenues and fees generated within PID boundaries may be used to pay bonds

PID Revenue Sources and Uses

Revenue Sources
Mill Levy (Property Tax)
Property Tax Increment
Sales Tax
Transient Room Tax (TRT)
Impact Fees

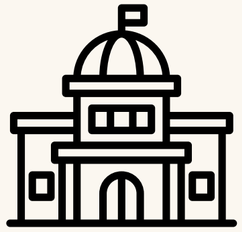
PID Bond

Bond Proceed Uses
Parks and Recreation
Street Improvements
Water Infrastructure
Wastewater Infrastructure
Parking Structures

Revenue sources are pledged to bonds issued by the PID. Bond proceeds are used to fund public infrastructure.

Implications of Public Infrastructure Districts

Creating Entity



- No recourse to the creating entity
- PID bonds do not impact the creating entity’s credit rating
- PID bonds not part of the creating entity’s balance sheet
- Creating entity is responsible for approving governing documents during the creation of a PID

Home Owner



- No recourse to the homeowner
- Homeowner is only responsible for their own share of taxes
- Undeveloped properties will not be the financial responsibility of current homeowners
- Homeowners directly benefit from the public infrastructure amenities

The District



- Due diligence prior to bond issuance is the responsibility of the potential bondholders
- Annual audit and disclosures are required by the PID board
- All expenses and costs must be certified by a trustee
- District is allowed to issue tax exempt bonds for infrastructure

Bond Structure

	Special Assessment (SA)	Limited Tax General Obligation (LTGO)
Tax Status	Tax-exempt	Tax-exempt
Maturity	~ 20 years	~ 30 years
Creating Entity’s Liability	None	None
Collateral	Lien on the land	None
Potential Revenue Sources	Assessment Lien	Ad valorem property tax, tax increment, sales tax, impact fees, etc.

PID Governing Document

PIDs are governed by a Governing Document agreed to at the time of creation between the PID and the creating entity. While creating entity will have standard policies and procedures for all PIDS, a separate Governing Document is drafted and adopted for each individual PID. The Governing Document is enforced contractually through an interlocal agreement between the creating entity and PID.

- Limitations and powers of the PID
- Establish reporting requirements
- Outline improvements that PID is allowed to finance
- Establish debt and mill rate levy limits
- PID board member term lengths and transition to elected board seats
- Enhanced disclosure to future property owners
- Establish standards for LTGO bonding, procurement, PID lifespan, etc.





CONTACT

Rob Sant, President

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URBAN & MAIN
CONSULTING

HIDEOUT, UTAH
POLICY STATEMENT:
ESTABLISHING PUBLIC INFRASTRUCTURE DISTRICTS

The magnitude of local and regional infrastructure needed in the new development areas and in redevelopment areas of Hideout, Utah (the "Town") requires that a broad range of financing tools be available to finance that infrastructure. This policy statement addresses the criteria under which the Town will consider applications for proposed Public Infrastructure Districts (the "District"). Compliance with these criteria shall not obligate the Town to approve formation of the District. The Governing Document will be subject to approval by the Town in both form and substance. The criteria are intended to serve as guidelines for the review of letters of intent and Governing Documents.

The policy statement has three sections:

1. **Process for applying including fees charged**
2. **The Town's decision-making criteria**
3. **Governing Document requirements**

I. Process and Fees

Any proposed Public Infrastructure District will be considered in relation to the best interests of the Town. Such interests include using the most appropriate financing mechanism for the type and magnitude of the improvements to be financed and appropriate governance mechanism. If through the review process, a Public Infrastructure District is determined to be the most appropriate mechanism, the process, the criteria, and requirements provided herein will apply, unless otherwise waived by the Town.

A. Petition and Letter of intent to form a Public Infrastructure District

The applicant shall submit (1) a petition meeting the requirements outlined in Utah Code Title17B, Chapter 1, Part 2 as modified by 17D-4-201 and (2) a letter of intent containing the following information in summary form. The petition and letter will be used by staff to make a preliminary determination about the appropriateness of a District and must be submitted prior to submittal of a draft Governing Document. A positive staff response to the Letter of Intent does not assure approval of the Governing Document. The petition shall also be submitted concurrently with the clerk of the Town for certification.

Letter of Intent contents:

1. Description of District (or Districts) area including size, location, area context (significant natural and man-made features, major public improvements, adjacent development), development history, and proposed development;

2. Summary of needed infrastructure, services and facilities:

    a. Currently expected development scenario;

b. Required local and regional infrastructure and facilities for such development;

c. Regional and local infrastructure the proposed District is to provide;

d. Estimated construction costs for the proposed District improvements;

e. General description of phasing of construction based on development projections; and

f. A sample plan of finance depicting the possible sources and uses of funds for the District.

3. Proposed timeline for District creation.

4. Provide the following financial plan information:

a. Proforma financial overview of total costs and total revenues from all revenue sources;

b. An example plan of finance showing a proposal of how the proposed financing might take place, recognizing that the actual financing terms and structure will be approved by the board of trustees of the District (the "Board") within the parameters of this Governing Document;

c. Anticipated maximum or fixed maximum mill levy required to meet debt service of the District;

d. Analysis of proposed mill levies in light of outstanding debt and mill levies of other taxing entities affecting the area;

e. Comparison of the mill levies of similar taxing entities in the area;

f. Proposed operating budgets for the District's first three years of existence; and

g. Any other forms of public financing and assistance being sought, including assessment areas.

5. Acknowledgement that a consent must be signed prior to the hearing date for the governing document by all property owners and registered voters, if any, within the proposed District boundaries approving of the creation of the proposed District and consenting to the issuance of debt in an amount sufficient for the proposed plan of financing.

6. Disclosure of any conflicts of interest between the applicant and the officers and employees of the Town.

7. Copies of signed engagement letters between the applicant and applicable consultants and legal counsel retained by the Town and/or the proposed District whereby applicant agrees to pay fees related to the review of the application and governing document. The Town currently engages Gilmore & Bell, P.C., Salt Lake City, Utah as its counsel for matters relating to Public Infrastructure Districts. A draft of the engagement letter with Gilmore & Bell is attached as

Exhibit A hereto.

B. Review Process

1. The Economic Development Committee ("EDC") is a Town committee that advises the Mayor, Town Council and other policy-makers about district issues. The EDC will review the petition and letter of intent utilizing these criteria to determine whether or not to direct the applicant to proceed with preparation of a draft Governing Document for submittal. Conceptual approval does not assure approval of the governing document.

C. Governing Document

1. If the concept for the District as contained in the letter of intent is approved, the applicant shall submit a draft Governing Document to the Town's Management Office. Unless the Town approves otherwise in advance, such Governing Document shall be initiated from the Model Governing on file with the Town. The applicant's draft shall include a clean draft and a redline showing all changes from the Model Governing Document.

2. The draft Governing Document will be reviewed by the EDC for compliance with the criteria and requirements contained herein. The EDC will discuss with appropriate policy-makers issues that arise during this drafting period to have such issues resolved.

3. The final Governing Document will be forwarded to Town Council for action through the standard Town and statutory processes.

D. Fees

No request to create a Public Infrastructure District shall proceed until the fees set forth herein are provided for. All checks are to be made payable to the Town and sent to Town Hall.

1. Letter of Intent: A Letter of Intent is to be submitted to the Town Administrator's Office and a fee (as listed in the Town's Fee Schedule) shall be paid at the time of submittal of the Letter to cover the cost of staff review.

2. If the applicant proceeds to the submittal of a Governing Document an application fee (as listed in the Town's Fee Schedule) shall be submitted concurrent with the draft Governing Document.

3. Other Expenses: In the event the costs of review exceed the application fee, the applicant for a District shall pay all reasonable internal, consultant, legal, and other fees and expenses incurred by the Town in the process of reviewing the draft Governing Document prior to adoption, documents related to a bond issue and other such fees and expenses as may be necessary to interface with such District. All such fees and expenses shall be paid within 30 days of receipt of an invoice for these additional fees and expenses.

4. In the event the applicant proposes to create more than one Public Infrastructure District with respect to the same project, the Town may modify the above fees to account for overlapping work in the review and creation of such Districts.

II. Criteria for Evaluating Proposed Public Infrastructure Districts

A. Public Benefit

Formation of a District bestows certain benefits on the District's proponents and is expected to provide public benefit consistent with the Creating Entities policy goals. Components of public benefit to be considered may include:

1. Resulting development that is consistent with the Town's General Plan and all applicable supplements;

2. Provision of and/or contribution to needed regional and sub-regional infrastructure;

3. Resulting development that contributes to diversifying and solidifying the Town's property or sales tax bases;

4. Resulting development preserves viewsheds, green space, and unique topography beyond baseline Town requirements; improves recycling efforts; installs community-minded open spaces including parks and trails; and promotes conservation and preservation practices to protect the local environment in excess of baseline Town requirements;

5. Resulting development promotes a mix of residential and commercial uses appropriate for the community;

6. Resulting development provides for moderate income housing;

7. Resulting development increases the livability of the Town by encouraging appropriate commercial uses to serve resident needs; enhances public gathering spaces and community connectivity; and/or encourages commercial uses that are financially beneficial to the Town to improve resident quality of life and generates revenues to expand and maintain public infrastructure;

8. Provision of public pedestrian, bicyclist, and motor vehicle facilities; improves quantity and quality of trails in the area; increases frequency of transit services to nearby cities; addresses user and wildlife safety concerns related to SR-248;

9. Enhancement and expansion of current utilities to account for current and future population growth; prioritization of the maintenance, mapping, and improvement of existing infrastructure; or improves student commute time;

10. Allows for well-planned, fiscally responsible annexations based on the Town's development needs;

11. Residential development which provides amenities and enhancements beyond baseline Town requirements;

12. Sustainable design including multimodal transportation, water conserving landscape design, thoughtful development phasing, green building design, and formation of and participation in transportation management programs; and

13. High quality site and building design, including street connectivity, multimodal street design, durable construction materials, and pedestrian-friendly building design.

B. Evaluation Criteria

These criteria provide thresholds for consideration. Compliance with some or all of these criteria is desired; however, alternative approaches may be considered.

1. Districts should not include land that is already included within the boundaries of another public infrastructure district without express provision in an adopted Governing Document. In such cases, the relationship with the existing or proposed districts must be addressed in the Governing Document., including any inclusion area concept and how ultimate district boundaries will be determined.

2. A District planning to levy more than 10 mills of tax in the District for repayment of limited tax bonds will not be considered without sufficient justification (determined by the City on a case-by-case basis) as to why additional mills are necessary and reasonable for the development.

3. There must be a demonstrated public benefit directly resulting from the creation of the District and its undertakings as described in the Governing Document.

C. Evaluation of Applicant

The following criteria relating to the applicant and the development will be considered:

1. Historical performance of the applicant (within and outside of the Town);

2. The current proposed plan of finance of the District;

3. The current development plans relationship to the master plans of the Town; and

4. The regional or overall benefits to the Town from the proposed plan of finance.

III. Governing Document Requirements

In addition to statutory requirements, a Governing Document memorializes the understandings between the District and the Town, as well as the considerations that compelled the Town to authorize the formation of the District. The Governing Document for the proposed District shall contain and will be reviewed for compliance with the following policies and requirements.

A. District Description

1. Description of District area including size, location, area context (significant natural and man-made features, major public improvements, adjacent development), development history, and proposed development scenario (land uses by type and intensity and general urban design character);

2. Description of the public benefit resulting from the creation of the District and its undertakings;

3. Description of proposed development within the boundaries of the proposed District including general distribution of land uses;

4. If the District boundaries overlap with another district, an explanation of the relationship between the districts and outline of any plans to utilize an inclusion area or multi-district structuring;

5. Itemization and description of all needed infrastructure (both regional and local) and facilities in the District's area;

6. Estimated construction costs of such infrastructure;

7. General description of phasing of construction based on development projections and phasing;

8. Description of the ultimate ownership and provision for the ongoing operating and maintenance costs for infrastructure.

9. Description of any proposed divisions and an annexation/withdrawal process as appropriate.

10. Proposed governance plan, including Board structure and to transition from appointed Board to elected Board.

B. Requirements and Expectations

1. The planned ownership of the Improvements, including any relationship with an existing statutory district must be addressed in the Governing Document.

2. All debt issued by the District for which a tax is pledged to pay the debt service shall meet the requirements of all applicable statutes.

3. Land, easements or improvements to be conveyed or dedicated to the Town and any other local government entity shall be conveyed in accordance with the related standards at no cost to the Town.

4. All public infrastructure within the District which will be connected to and owned by another public entity shall be subject to all design and inspection requirements and other standards of such public entity.

5. The District shall not pledge as security any land, assets or funds to be transferred to the Town.

6. The District shall be subject to Town zoning, subdivision, building codes, and all other applicable Town ordinances and regulations. Approval of the Governing Document shall not bind the Town to approve other matters which the District or developer may request.

7. The District shall pay all fees and expenses as provided in the Governing Document.

8. The District may not double tax, whether by mill levy, assessment, impact fees, or any combination thereof; any end user for the costs of Improvements.

C. Disclosure and Reporting Requirements

Disclosure of the existence of the District to property owners and potential property owners within the District is important and the following actions to be taken by each District shall be included in the Governing Document.

1. Within 30 days after the formation of the District, the Board shall record a notice with the county recorder:

   a. Containing a description of the boundaries of the District and inclusion area as applicable;

   b. Stating that a copy of the Governing Document is on file at the office of the Town;

   c. Stating that the District may finance and repay infrastructure and other improvements through the levy of a property tax;

   d. Stating the maximum rate that the District may levy; and

   e. If applicable, stating that the debt may convert to general obligation debt and outlining the provisions relating to conversion.

2. Applicant, homebuilders, commercial developers, and commercial lessors, as applicable, shall be required to disclose the following information to initial resident homeowners, renters, commercial property owners, and/or commercial tenants:

   a. All of the information required under (1)(b) above;

   b. A disclosure outlining the impact of any applicable property tax, in substantially the following form:

   "Under the maximum property tax rate of the District, a primary residence valued at $[insert average anticipated residential property value] would have an **additional annual property tax of $_____** for the duration of the District's Bonds. A business property valued at $[insert average anticipated commercial property value] would have an **additional annual property tax of $_____** for the duration of the District's Bonds."

c. Such disclosures shall be contained on a separate colored page of the applicable closing or lease documents and shall require a signature of such end user acknowledging the foregoing.

3. At least annually following the formation of the District, the District shall notify (by mail, e-mail, or posting to the District's website) property owners in the District of the existence of the District and of the next scheduled meeting of the Board of the District. Such meeting shall occur at least 30 days and not more than 60 days following the date of the notice. Such notification shall include names and addresses of the Board of Directors and officers, the address, telephone and fax numbers, and e-mail address of the District, and shall include reference to the existence of a District file maintained by the Town as described below.

4. The District shall provide the following information to the Town Administrator's Office on an annual basis, and the District shall create and maintain a file for public review of the following information.

   a. Annual District budget;

   b. Annual financial statements of the District, audited if required by Statute or bond covenant;

   c. Total debt authorized and total debt issued and presently planned debt issuances;

   d. Names and terms of Board members and officers and progress towards milestones required for transition to elected Board;

   e. A copy of the language required to be disclosed (2)(b) above;

   f. Rules and regulations of the District regarding bidding, conflict of interest, contracting, and other governance matters, if changed;

   g. List of current interlocal agreements, if changed (to be delivered to the Town upon request);

   h. List of all current contracts for services or construction (to be delivered to the Town upon request);

   i. Official statements of current outstanding bonded indebtedness, if not previously received by the Town;

   j. Current approved Governing Document, if changed; and

   k. District Office contact information.

5. The following shall be considered significant changes to the Governing Document, thereby requiring approval by the Town:

a. Exclusion or inclusion of property without Governing Document and Statute required approvals;

b. Change in the maximum mill levy;

c. Consolidation with any other district; and

d. Change in the dissolution date.

Submittal Instructions

Annual Financial Information: Submit one copy of each of the annual financial information, as described in Section III.C. above to:

Town Administrator
10860 No. Hideout Trail
Hideout, UT 84036

All other documents: Submit letters of intent, draft Governing Documents, and all other documents (with the required number of copies) to:

Economic Development Committee
10860 No. Hideout Trail
Hideout, UT 84036

With a copy of the petition to:

Town Clerk
10860 No. Hideout Trail
Hideout, UT 84036

Further Information: For additional information please contact the Town's Manager's Office at the address or telephone number shown below.

Jan McCosh, Town Administrator
10860 No. Hideout Trail
Hideout, UT 84036
Phone: (435) 776-6066
Email: jmccosh@hideoututah.gov

Exhibit A

Draft Engagement Letter

[Date]

Hideout, Utah
[Address]

Re: Engagement as Special Counsel for Hideout, Utah

This will record the terms of our engagement as special counsel for the Hideout, Utah (the "Town") in analyzing and exploring the use of a public infrastructure district ("PID") at the discretion of the Town to assist _____ (the "Developer") in the development of _____ within the Town (the "Development").

Our services as special counsel will include educating the Town and the Developer on PIDs and how they may be utilized in the Development and the preparation, negotiation, and review of any documents required for the formation of a PID. Our engagement is at the will of the Town and will terminate at the end of the review processes described herein.

While it is difficult to predict the complexity of such process, our fee for services provided as special counsel will be at a discounted blended hourly rate of $____/hour, plus reimbursement for out of pocket costs. Fees will be billed monthly and are subject to review by the Developer. A $_____ retainer fee is due from the Developer at this time. Under no circumstances shall the Town be liable for fees hereunder. The entire fee is payable by the Developer and is not contingent upon the formation of any PID. The creation of any Districts shall be at the discretion of the Town, and the entering into of this agreement in no way guarantees that any Districts will be formed or bonds issued for the Developer or the Development. If the review process is abandoned or deferred beyond a reasonable period, such as 3 months, we will negotiate a reasonable fee for the work undertaken to that point with the Developer, based on the circumstances.

The Town is our client in this engagement and we are not representing the Developer. [The Developer is represented by its own counsel, _____.] We note that we do expect to be bond and disclosure counsel (as applicable) for any PID(s) ultimately created at the Town's discretion.

If these terms are acceptable, please sign and return a copy of this letter. We look forward to working with you.

Sincerely,

GILMORE & BELL, P.C.

AGREED AND ACCEPTED:

HIDEOUT, UTAH

By:_____

Title:_____

Date:_____

_____, DEVELOPER

By:_____

Title:_____

Date:_____

Note: Gilmore & Bell, P.C. may be contacted at the below information:

Randall Larsen

Direct: 801.258.2722 / Mobile: 801.541.1108

rlarsen@gilmorebell.com

Aaron Wade

Direct: 801.258.2730 / Mobile: 801.652.6278

awade@gilmorebell.com

GilmoreBell.com

File Attachments for Item:

2. Presentation from The Peace House of Park City

peace house℠

KENDRA WYCKOFF
EXECUTIVE DIRECTOR

700 Round Valley Drive

kendra@peacehouse.org

435-658-4739 Ext 101

Mission and Vision

Peace House is dedicated to ending interpersonal violence and abuse and empowering survivors to heal and thrive by providing support services, safe housing, and prevention education.

We envision communities free from interpersonal violence and abuse.

In Utah

- **33% of Utah women** and **21% of Utah** men will experience domestic violence during their lifetime. **(NCADV, 2021)**
- There is approximately **one domestic violence-related homicide each month** in Utah. **(UDVC)**
- “Utah has had higher rates of rape than the national average since 1991," said Dr. Julie Valentine, who is also a forensic nurse with Wasatch Forensic Nurses. **(Salt Lake Tribune, 2022)**

Who We Serve

- Individuals and families who have or could experience:
  - Family violence
  - Domestic violence or abuse
  - Sexual assault
  - Stalking
  - Teen dating violence.
- Anyone affected including women, men, youth/children, and people who identify as non-binary.
- All forms of abuse – physical, sexual, emotional, verbal, financial, isolation, coercion, spiritual……

peace house℠

Community Campus and Programs

- Emergency Shelter
- 24/7 HELPLINE
- Transitional Housing
- Clinical Counseling
- Case Management
- Legal Advocacy
- Sexual Assault Victim Services
- Education and Awareness
- On the Horizon – Children's Services

peace house


peace house™



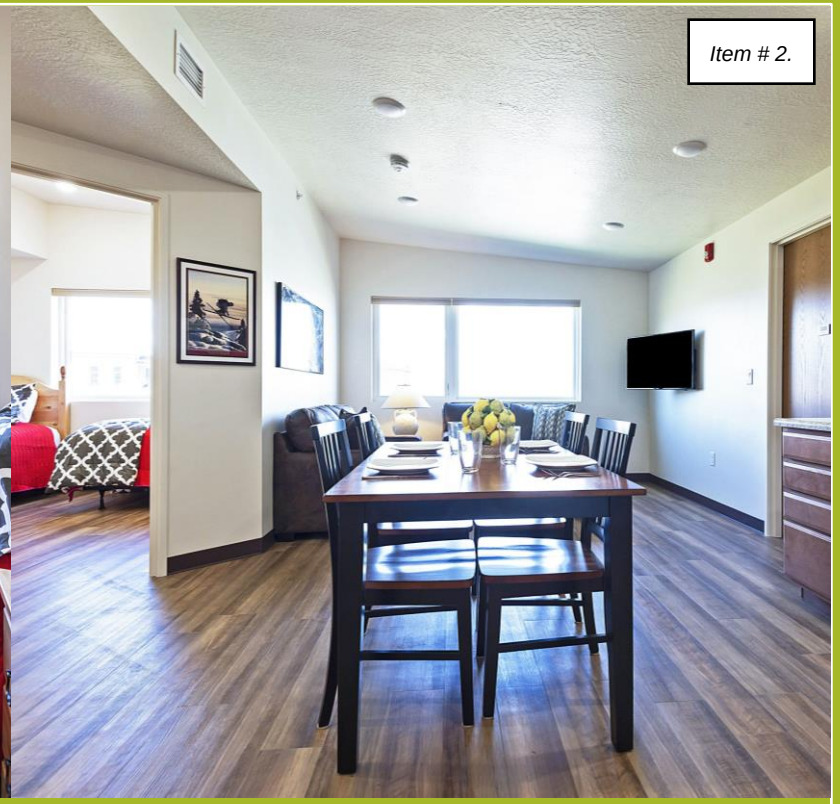
EMERGENCY SHELTER


EXIT


HELPLINE
1-800-647-9161







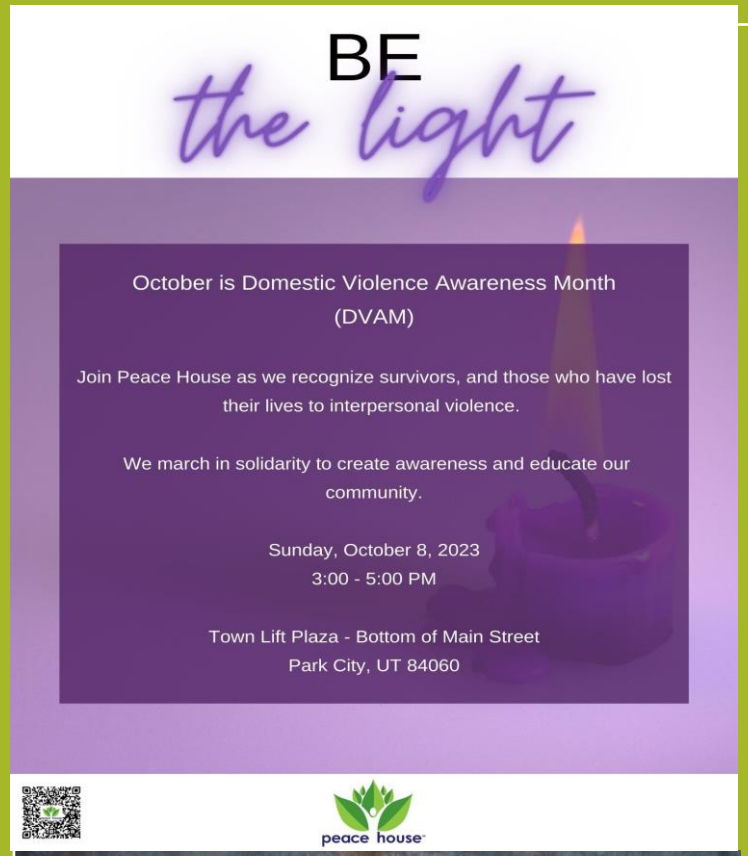
TRANSITIONAL HOUSING



CLINICAL COUNSELING
CASE MANAGEMENT
LEGAL ADVOCACY



SEXUAL ASSAULT VICTIM SERVICES



EDUCATION AND AWARENESS

October is Domestic Violence Awareness Month



CHILDREN'S SERVICES

Program impact July 2022-June 2023

Program Type	Total Individuals Served
Emergency Shelter	151
Clinical Therapy	203
Sexual Assault Services	120
Transitional Housing	42
Legal Advocacy	143
Case Management	172
Helpline Call	1,247
Total Unduplicated Clients	470 Adults and Children







SURVIVOR FEEDBACK

92% of clients reported overall program satisfaction "I feel healthier emotionally than I have in years."

"My stay in the emergency shelter was wonderful and I am extremely grateful for all the help and resources that have been provided. This place has been a miracle. "



How can you help?

- Private and public partnerships
  - Grants
  - In kind support
  - Education
- Talk to your friends, family and neighbors about our mission and how they can support survivors!
- Join us for events and activities!
  - October is Domestic Violence Awareness Month

File Attachments for Item:

5. Consideration and possible approval of adopting Resolution 2023-R-XX to update the Hideout Fee and Rate Schedule to include electrical permitting fees, update remodel fees, and make technical corrections

Section 1.1
Building Permit Application Fees

Residential

Building Fees (Based on Total Construction Value using 150% of IBC table 1) *The values per square foot are reflective of the current Building Valuation Data.*	.75 of 1% of Total Construction Value
Plan Review Fee	65% of Building Fee
Fire Sprinkler Review/Inspection Fee (where applicable)	$407.00
Reinspection Fee	$407.00
Construction Sign Fee	$220.00
Sewer Connection Fee	$440.00
Grubbing and Grading Fee	$275.00
Excavation Fee	$550.00 - $1 for each additional square foot of excavation - $500 minimum fee per excavation w/asphalt cut (up to 25 square feet) - $3.50 for each additional square foot of asphalt cut - Noxious Weeds on Active Construction Site - $137.50 minimum fee up to ½ acre plus $137.50 for each additional ½ acre
JSSD Sewer Impact Fee: Parcel 1 (West side of SR 248)	See JSSD
Parcel 2 (East side of SR 248)	See JSSD
JSSD Water Impact Fee (Parcel 1 - West side of SR 248)	See JSSD
State Surcharge	1% of Building Fee
Roadway Construction Fee	$550
Town Impact Fee (by subdivision)	See Section 10
Water Connection Fee	See Section 6.2

Commercial

Building Fees	.83 of 1% of Total Construction Value
Plan Review Fee	72% of Building Fee
Fire Sprinkler Review/Inspection Fee (where applicable)	$407.00
Reinspection Fee	$407.00
Construction Sign Fee	$220.00
Sewer Connection Fee	$440.00
Grubbing and Grading Fee	$275.00
Excavation	$440.00
Water Re-Connection Fee (plus cost of meter)	$165.00
Utility Property Owner Change Fee (plus cost of meter)	$22.00
JSSD Sewer Impact Fee: Parcel 1 (West side of SR 248)	See JSSD
Parcel 2 (East side of SR 248)	See JSSD
JSSD Water Impact Fee (Parcel 1 - West side of SR 248)	See JSSD
State Surcharge	1% of Building Fee
Roadway Construction Fee	$500
Water Connection Fee	See Section 6.2

Remodel Building Permit Fees

Application Fee	$220.00
Building Fees (Based on Total Construction Value using 150% of IBC table 1) *The values per square foot are reflective of the current Building Valuation Data.*~~Administrative Fee~~	.75 of 1% of Total Construction Value~~11% of Town Engineer estimated fees for plan review and inspections~~

Plan Review Fee	65% of Building Fee
Reinspection Fee	$407.00
State Surcharge	1% of Town Engineer estimated fees for plan review and Inspections

Electrical and Mechanical Permit Fees

Application Fee	$50.00
See Fee Table below	
Reinspection Fee	$407.00
State Surcharge	1% of Valuation Fee

Total Valuation Fee

$1.00 to $1,300.00 $50.00
$1,301.00 to $2000.00 $50.00 for the first $1,300.00 plus $3.05 for each additional $100.00, or fraction thereof, to and including $2,000.00
$2,001.00 to $25,000.00 $69.25 for the first $2,000.00 plus $14.00 for each additional $1,000.00, or fraction thereof, to and including $25,000.00
$25,001.00 to $50,000.00 $391.75 for the first $25,000.00 plus $10.10 for each additional $1,000.00, or fraction thereof, to and including $50,000.00
$50,001.0 to $100,000.00 $643.75 for the first $50,000.00 plus $7.00 for each additional $1,000.00, or fraction thereof, to and including $100,000.00
$100,001.00 to $500,000.00 $993.75 for the first $100,000.00 plus $5.60 for each additional $1,000.00, or fraction thereof, to and including $500,000.00
$500,001.00 to$1,000,000.00 $3,233.75 for the first $500,000.00 plus $4.75 for each additional $1,000.00, or fraction thereof, to and including $1,000,000.00 $1,000,001.00 and up $5,608.75 for the first $1,000,000.00 plus $3.65 for each additional $1,000.00,

Section 1.2
Planning Fees

1.2.1 Development Fees

Concept Review	Application Fee: $1,100 Escrow Fee: $5,000 (with a minimum required balance of $2,500Meetings: One (1) Planning Commission Meeting
Preliminary Subdivision (Residential) - Minor (5 Lots or Fewer)	Application Fee: $4125 + $110/acre **Preliminary Review not required if Applicant wishes to proceed directly to Final Review* Escrow Fee: $12,500 (with a minimum required balance of $5,000) Meetings: Two (2) Planning Commission Meetings and Two (2) Town Council Meetings
Preliminary Subdivision (Residential) - Major (6 Lots or More)	Application Fee: $6,050 + $110/acre Escrow Fee: $17,500 (with a minimum required balance of $7,500) Meetings: Two (2) Planning Commission Meetings and Two (2) Town Council Meetings
Preliminary Subdivision (Commercial/Other)	Application Fee: $3,025 + $825/acre Escrow Fee: $12,500 (with a minimum required balance of $5,000) Meetings: Two (2) Planning Commission Meetings and Two (2) Town Council Meetings

Final Subdivision (Residential) - Minor (5 Lots or Fewer)	$2,200 + $110/acre if Preliminary Subdivision review complete; OR $5,500 + $110/acre if Preliminary Review not completed Escrow Fee: $12,500 (with a minimum required balance of $5,000) Meetings: Two (2) Planning Commission Meetings and Two (2) Town Council Meetings
Final Subdivision (Residential) - Major (6 Lots or More)	Application Fee: $5,500 + $110/acre Escrow Fee: $17,500 (with a minimum required balance of $7,500) Meetings: Two (2) Planning Commission Meetings and Two (2) Town Council Meetings
Final Subdivision (Commercial/Other)	Application Fee: $3,300 + $825/acre Escrow Fee: $12,500 (with a minimum required balance of $5,000) Meetings: Two (2) Planning Commission Meetings and Two (2) Town Council Meetings
Plat Amendment and Lot Combination	Application Fee: $1,375 Escrow Fee: $5,000 (with a minimum required balance of $2,500) Meetings: One (1) Planning Commission Meeting and One (1) Town Council Meeting
Revised Development Plans	Application Fee: $1,650 Escrow Fee: $5,000 (with a minimum required balance of $2,500) Meetings: One (1) Planning Commission Meeting
Subdivision Construction Fee	5.5% of construction costs (must be paid prior to commencement of any construction activity)

1.2.2 Conditional Use Permit

Conditional Use Permit	Application Fee: $1,650 Escrow Fee: $5,000 (with a minimum required balance of $2,500) Meetings: One (1) Planning Commission Meeting and One (1) Town Council Meeting

1.2.3 Temporary Use Permit

Temporary Use Permit	Application Fee: $825

1.2.4 General Plan Amendment

Per Application	Application Fee: $2,750 Escrow Fee: $7,500 (with a minimum required balance of $2,500) Meetings: Two (2) Planning Commission Meetings and One (1) Town Council Meeting

1.2.5 Zone Change Application

Zone Change	Application Fee: $3,300 + $55/acre Escrow Fee: $7,500 (with a minimum required balance of $2,500) Meetings: Two (2) Planning Commission Meetings and One (1) Town Council Meeting

1.2.6 Annexations

Pre-Application	Application Fee: $3,300 Escrow Fee: $12,500 (with a minimum required balance of $5,000) Meetings: Two (2) Planning Commission Meetings and Two (2) Town Council Meetings
Annexation Areas Exceeding 40 Acres (deposit submitted upon certification of completeness of pre-application and prior to filing annexation petition. When the deposit is depleted, the applicant shall submit another equivalent deposit for the continued review. All unused deposited funds will be reimbursed to the applicant upon completion of the annexation and agreements)	Application Fee: $8,250 Escrow Fee: $20,000 (with a minimum required balance of $5,000) Meetings: Two (2) Planning Commission Meetings and Two (2) Town Council Meetings
Annexation Areas Less Than 40 Acres (deposit submitted upon certification of completeness of pre-application and prior to filing annexation petition. When the deposit is depleted, the applicant shall submit another equivalent deposit for the continued review. All unused deposited funds will be reimbursed to the applicant upon completion of the annexation and agreements)	Application Fee: $5,500 Escrow Fee: $12,500 (with a minimum required balance of $5,000) Meetings: Two (2) Planning Commission Meetings and Two (2) Town Council Meetings
Annexation Fiscal Impact Analysis plus actual cost of Town-approved consultant fee if greater than initial fee	Fee: $3,850
Modification to Annexation Agreement	Application Fee: $2,200 Escrow Fee: $10,000 (with a minimum required balance of $2,500) Meetings: One (1) Planning Commission Meetings and Two (2) Town Council Meetings

1.2.7 Sign Review Fees

Master Sign Plan Review	Application Fee: $550
Individual Signs or Sign Plans or Minor Amendment to Existing	Application Fee: $385
Individual Signs when a Master Sign Plan has been Approved	Application Fee: $275
Temporary Signs	Application Fee: $165

1.2.8 Special Meetings

Special Meeting Fee	Fee: $1,100 (in addition to all other applicable fees)

1.2.9 General Land Use, Variance and Appeal Fees

Variance	Application Fee: $1,650 Escrow Fee: $5,000 (with a minimum required balance of $2,500) Meetings: One (1) Meeting with the Administrative Law Judge (ALJ)
Appeal of Final Action	Application Fee: $1,100 Escrow Fee: $2,500 (with a minimum required balance of $1,000) Meetings: One (1) Meeting with the Administrative Law Judge (ALJ), Town Council or Planning Commission
General Land Use Application	Application Fee: $1,100 Escrow Fee: $2,500 (with a minimum required balance of $1,000) Meetings: One (1) Meeting with Town Council or Planning Commission

* Fees and Rates Schedule: All review work by the Town's consultants will be halted when an escrow account falls below the minimum balance as defined for each specific review process until the escrow account is replenished to a minimum of 75% of the originally required escrow amount.

** Each additional meeting (either Planning Commission or Town Council) will require an additional fee of $1,250 and must be paid at least two weeks prior to the scheduled meeting.

*** These fees are in addition to any requested Special Meetings (which have a fee of $1,250/meeting).

1.3 Subdivision Construction Review and Inspection Fees

Subdivision construction permit	$5,500.00
Cash (or equal) Bond requirement	100% of approved engineers estimate plus 10% Contingency
Inspection and quality assurance reviews	5.5% of approved engineers estimate
Reinspection fee	$407
Cash bonds can be reduced for work completed when requested by the developer with a maximum frequency of 1 reduction per quarter. 10% of the construction bond will be retained for 12 months AFTER FINAL ACCEPTANCE of the project as a warranty bond.	

1.4 Public Infrastructure District

PID Application Fee	$550.00

Section 2
Business License, Beer and Liquor License

License Application Fee	$83.00
Home Occupation Business Administrative Fee	$83.00
Annual License Administration Fee	$83.00
On Premises Beer Retail License Application/Annual Fee	$83.00
Restaurant Liquor License Application/Annual Fee	$330.00
Limited Restaurant Liquor License Application/Annual Fee	$330.00
On Premises Banquet License Application/Annual Fee	$385.00
Private Club Liquor License Application/Annual Fee	$385.00
Application and Annual Regulatory Business License Fee (Restaurants, Food Service, Taverns, Nightly Rental)	$193.00
Sexually Oriented business License Application/Annual Fee	$330.00

Section 3
Rental of Town Facilities

3.1 Town Hall Building

Hideout resident usage per day or any fractional part thereof	$110.00
Non-resident usage	$550.00
Note: renter will be charged actual cost for cleaning after usage.	

3.2 Fee Reduction or Waiver

Use of facilities for non-profit, public service clubs or organizations may have all or part of their associated rental fees waived by town.

Section 4
GRAMA Fees (Government Records Access and Management Act)

4.1 Copies Made at Town Facility

8-1/2 x 11 copies	$.33 per page (double-sided charged as two pages)
8-1/2 x 14 copies	$.50 per page (double-sided charged as two pages)
Other media duplication	At cost
Professional time	At cost in accordance with Utah State Code

4.2 Copies in Excess of 50 Pages

The Town reserves the right to send the documents out to be copied and the requester shall pay the actual cost to copy the documents, including any fee charged for pickup and delivery of the documents.

4.3 Compiling Documents

Records Request	(Utah Code §63-2-203) An hourly charge may not exceed the salary of the lowest paid employee who, in the discretion of the custodian of records, has the necessary skill and training to perform the request. No charge may be made for the first quarter hour of staff time.
In a form other than that maintained by the Town	$55.00 per request or $23.00 per employee hour required to compile the record, whichever is greater.

Section 5
Penalties and Fees for Non-Compliance with Town Ordinances and Code including Building Code and Water System and Sewer System Violations

5.1 Penalty Fees: Code Violations

Daily Fee for Each Cited Violation (Catch all)	$220.00
Non-Moving Vehicle Violations	$110
Parking Violations	$55
Unauthorized Dumping or Littering	$550
Building/Construction Without a Permit	$550
Occupancy without a Certificate of Occupancy	$550
Non-Conforming Landscaping	$110
Unauthorized Connection to Town Water System	$1,100
Fees will continue to accrue after each Notice of Violation until the referenced violation is corrected. If fines remain unpaid, the Town may assess late fees, issue a stop work order, or revoke any applicable permit.	

Section 6
Water Fees

6.1 Developer Reservations

Stand-by Fee	$262.00 per lot annually

6.2 Water Connection Fees

*1" Water Meter, Installation, and Inspection Fee	$1,021.00
Water Meter, Installation, and Inspection Fee	$1,521.00
ter Meter, Installation, and Inspection Fee	$1,746.00

Water Re-Connection Fee (plus cost of meter)	$165.00
Utility Property Owner Transfer Fee	$22.00
*If a larger meter is needed due to change in plans after permitting, an up-charge to the appropriate size will be required	

a. Monthly Water Metered Service

i. Residential

Base Rate	$94.90 for the first 10,000 gallons
Next 10,000	$11.44 per 1,000
Next 10,000	$13.78 per 1,000
Next 20,000	$15.22 per 1,000
Next 20,000	$16.78 per 1,000
Next 20,000	$ 18.46 per 1,000
Next 20,000	$ 20.42 per 1,000
Over 110,000	$22.50 per 1,000

ii. Multifamily

Base rate	$182.00 for the first 10,000 gallons
Next 20,000	$20.02 per 1,000
Next 20,000	$22.10 per 1,000
Next 20,000	$24.32 per 1,000
Next 20,000	$26.78 per 1,000
Next 20,000	$29.52 per 1,000
Next 30,000	$32.50 per 1,000
Over 140,000	$35.76 per 1,000

iii. Parks/Irrigation

First 10,000	$94.90 for the first 10,000 gallons
Next 20,000	$10.54 per 1,000
Next 20,000	$11.70 per 1,000
Next 20,000	$12.88 per 1,000
Next 20,000	$14.18 per 1,000
Next 20,000	$15.60 per 1,000
Next 30,000	$17.16 per 1,000
Over 140,000	$18.98 per 1,000

b. Hideout Irrigation

Outlaw Golf Course	JSSD annual bill plus 10% for administration and maintenance for the infrastructure

c. Water Reconnection Fee

Due to non-payment or failure to maintain backflow, etc.	$150.00

d. Extension of Water Services Policy

Any project or applicant or developer, whether an individual unit or multiple unit or subdivision, that requires connection to the Town water system, shell be required to pay all the costs of any extensions or facilities necessary to achieve a connection that meets the Town Council's standards or specifications in force at the time. This may include not only the capital cost of the project, but any Town costs associated with plan approval, engineering and inspection work, exclusive to the extension.

After final inspection of the improvements or extension(s), the applicant or developer must provide title and easements to the systems, free and clear of any encumbrances to the Town, to operate as a public system by the Town. A one-year warranty will be required on the system from the date of acceptance.

e. Construction use of Water Before Meter Installation

posit for 1 - 1 ½" Meter	$1,850.00 ($350.00 is non-refundable)
ce Fee/1000 gallons	$7.30

f. JSSD Water Impact Fee

JSSD Water Impact Fee (Parcel 1 - West side of SR 248)	See JSSD

Section 7
Sewer Fees

7.1 JSSD Sewer Impact Fees

Bonded (Parcel 2 - East side of SR 248)	See JSSD
Unbonded (Parcel 1 - West side of SR 248)	See JSSD

7.2 Sewer Connection Fees

Connection and Inspection Fee	Included in Application Fee
Administrative Connection Fee	$44.00

7.3 Monthly Sewer Fees

Per residential or commercial unit	$31.46

7.4 Extension of Sewer Services Policy

Any project or applicant or developer, whether an individual unit or a multiple unit or subdivision, that requires connection to the Town sewer system, shall be required to pay all of the costs of any extensions or facilities necessary to achieve a connection that meets the Town Council's standards or specifications in force at the time. This may include not only the capital costs of the project, but any Town costs associated with plan approval, engineering and inspection work, exclusive to the extension.

After final inspection of the improvements or extension(s), the applicant or developer must provide title and easements to the systems, free and clear of any encumbrances to the Town, to be operated as a public system by the Town. A one-year warranty will be required on the system from the date of acceptance.

Section 8
Account Late Fees

Overdue Accounts	1.5% monthly interest charge

Section 9
Storm Drain Fee

9.1 Monthly Storm Drain Fee

Per Billable Meter	$6.60

Section 10
Town Impact Fees

Subdivision	Water	Roads	Storm Drain	Sewer	Total Impact Fee
ADA LLC	$1,445	$5,215	$0	$1,330	$7,990
tments at Deer Mountain	$0	$5,215	$0	$0	$5,215
Springs	$0	$5,215	$0	$0	$5,215

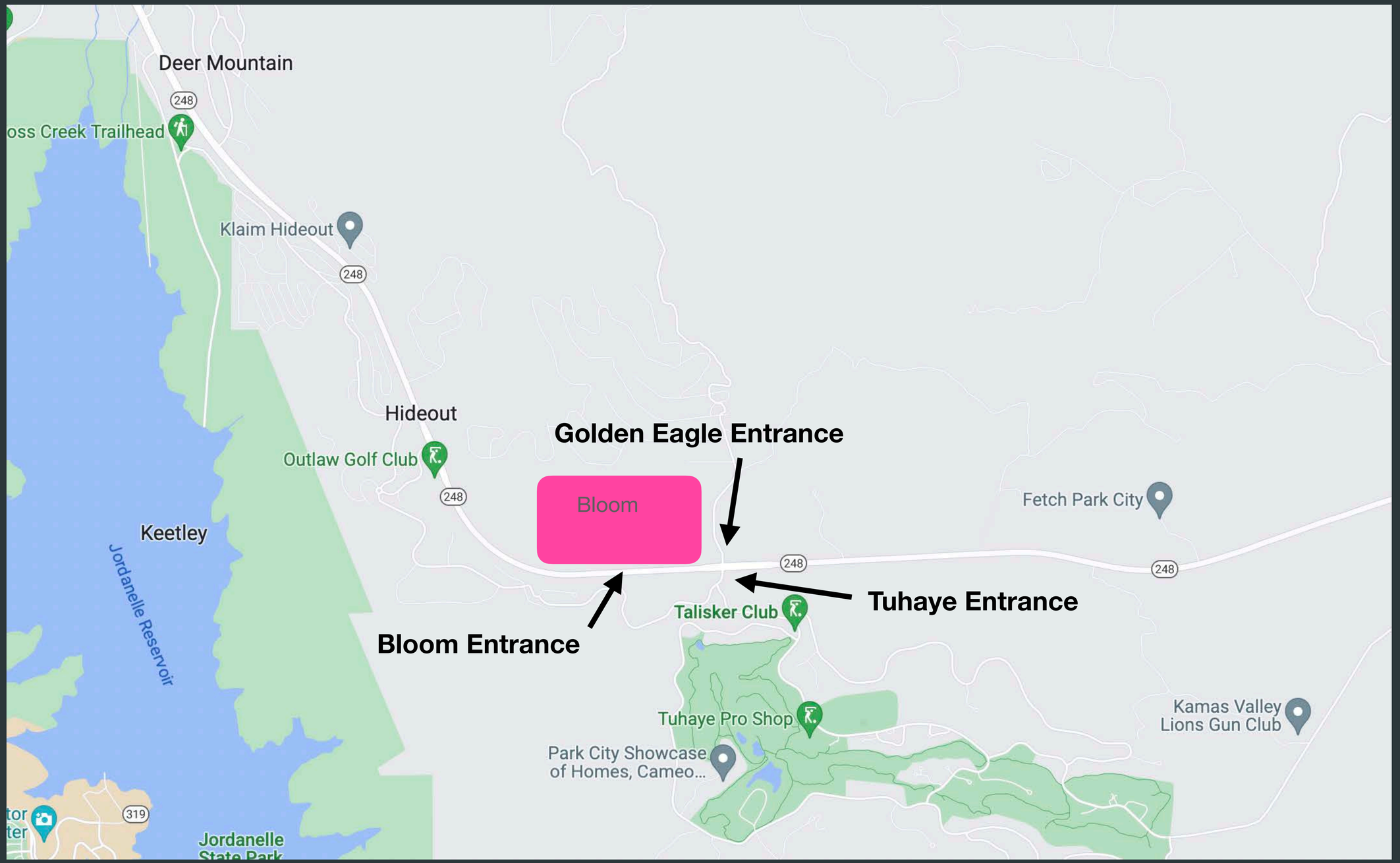
Deer Waters	$0	$5,215	$0	$0	$5,215
Forevermore	$1,445	$5,215	$6,665	$1,330	$14,655
Glistening Ridge	$1,445	$5,215	$6,665	$1,330	$14,655
Golden Eagle	$0	$5,215	$0	$1,330	$6,545
KLAIM	$0	$5,215	$0	$0	$5,215
Lakeview (aka Van Den Akker)	$0	$5215	$0	$0	$5215
New Town Center	$1,445	$5,215	$4,315	$1,330	$12,305
Overlook Village	$1,445	$5,215	$4,315	$1,330	$12,305
Perch (The Settlement)	$1,445	$5,215	$4,315	$1,330	$12,305
Plumb/Sundown Ridge	$1,445	$5,215	$4,315	$1,330	$12,305
Reflection Lane	$0	$5,215	$4,315	$1,330	$10,860
Reflection Ridge	$0	$5,215	$4,315	$1,330	$10,860
Ross Creek Entrance	$0	$5,215	$0	$0	$5,215
Rustler	$1,445	$5,215	$6,665	$1,330	$14,655
Salzman	$1,445	$5,215	$0	$1,330	$7,990
Shoreline Phase I	$1,445	$5,215	$0	$1,330	$7,990
Shoreline Phase II	$1,445	$5,215	$0	$1,330	$7,990
Shoreline Remaining (tentative)	$1,445	$5,215	$0	$1,330	$7,990
Silver Sky	$1,445	$5,215	$4,315	$1,355	$12,330
Soaring Hawk	$0	$5,215	$0	$1,355	$6,570
Sunrise	$1,445	$5,215	$0	$1,330	$7,990
Venturi	$1,445	$5,215	$4,315	$1,330	$12,305
Woolf	$0	$5,215	$0	$1,355	$6,570

File Attachments for Item:

1. Discuss and possibly approve an amendment of the Official Town of Hideout Zoning Map to rezone parcels 00-0020-8182 and 00-0020-8184 (the “Bloom in Hideout” Development) from Mountain (M) zone to Neighborhood Mixed Use (NMU), Residential 3 (R3), Residential 6 (R6), Mountain Residential (MR), and Natural Preservation (NP)



BLOOM


Deer Mountain
248
oss Creek Trailhead
Klaim Hideout
248
Hideout
Outlaw Golf Club
248
Golden Eagle Entrance
Bloom
Fetch Park City
248
248
Keetley
Jordanelle Reservoir
Talisker Club
Tuhaye Entrance
Bloom Entrance
Tuhaye Pro Shop
Kamas Valley
Lions Gun Club
Park City Showcase
of Homes, Cameo...
tor
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319
Jordanelle
State Park

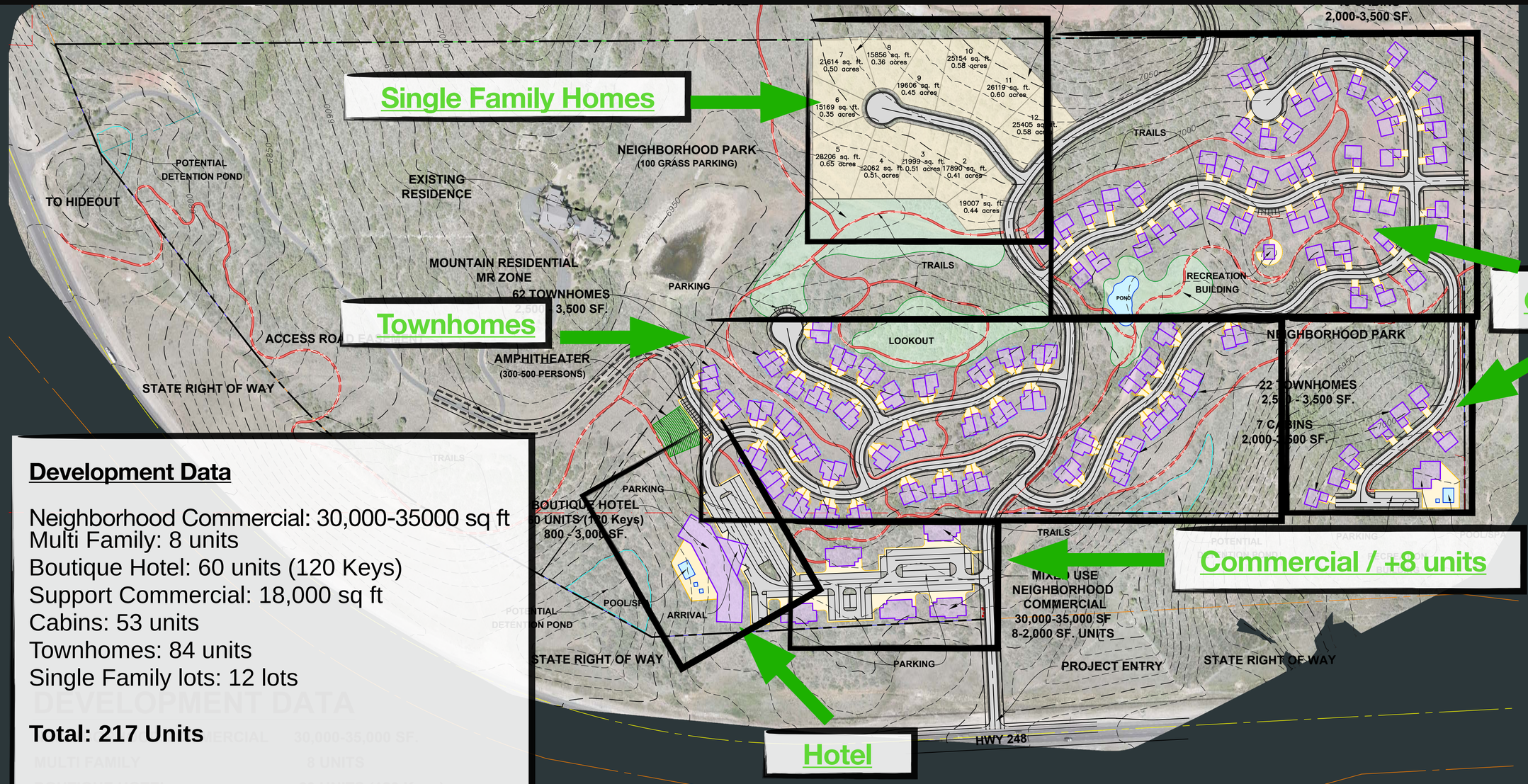
BLOOM

The Land



BLOOM

Concept



Development Data

Neighborhood Commercial: 30,000-35000 sq ft
Multi Family: 8 units
Boutique Hotel: 60 units (120 Keys)
Support Commercial: 18,000 sq ft
Cabins: 53 units
Townhomes: 84 units
Single Family lots: 12 lots

Total: 217 Units

0 75 150 300 450

22"x34" SCALE: 1"=150'
11"x17" SCALE: 1"=300'

Jack Johnson Consulting
Designing World Destinations
In-Person - 1910 Prospector Avenue - Suite 200 - Park City - Utah 84
Telephone - 435.645.9001 – Facsimile - 435.776.7590
www.jackjohnson.com

DATE:	OCTOBER, 2023
DESIGNED BY:	STAFF
DRAWN BY:	STAFF
REVIEWED BY:	BEJ
PROJECT:	1337
ISSUE:	CONCEPT PLAN

REVISIONS:
1)
2)
3)
4)
5)
6)

BLOOM
BOUTIQUE COMMUNITY

BLOOM

Commercial Village Visionboard

- 35,000 Square feet
- 4 buildings, 2 & 3 levels
- Plus Hotel
- Restaurant (example feel - Blind dog, Hearth/Hill, Midway Mercantile)
- Cafe/Breakfast (example feel - Five5eeds, Harvest, Ritual)
- Market (example feel - Small corner market from local communities)



Air | Fire | Water | Earth

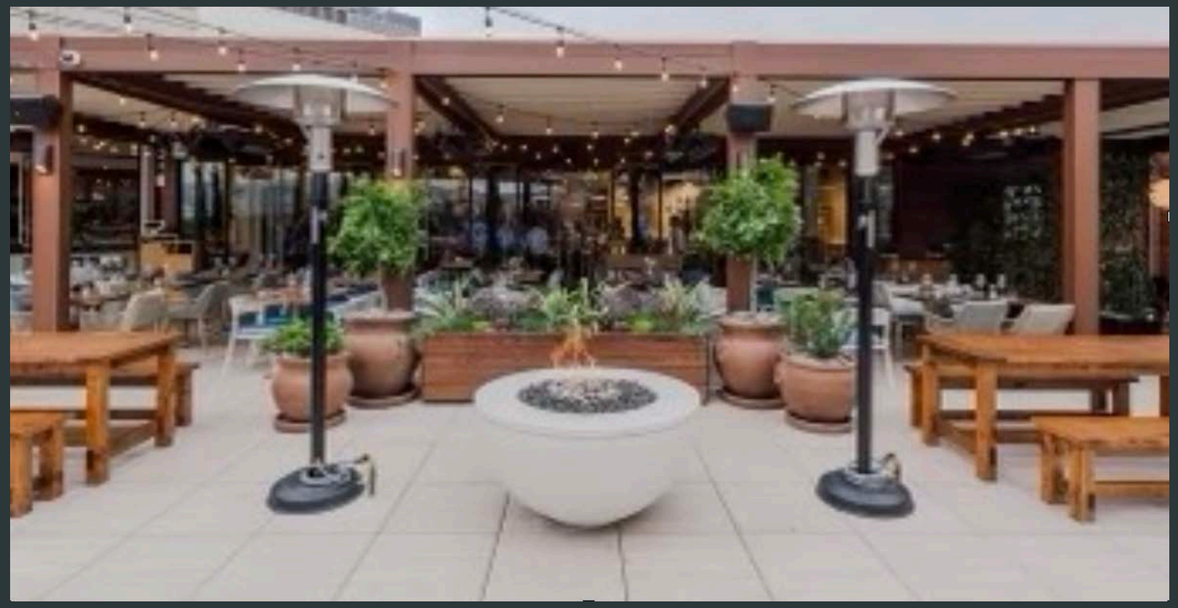
BLOOM

Commercial Village Visionboard



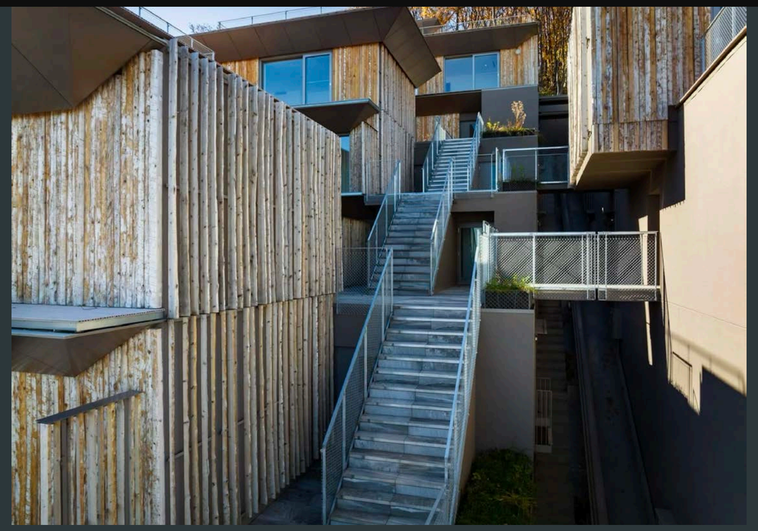


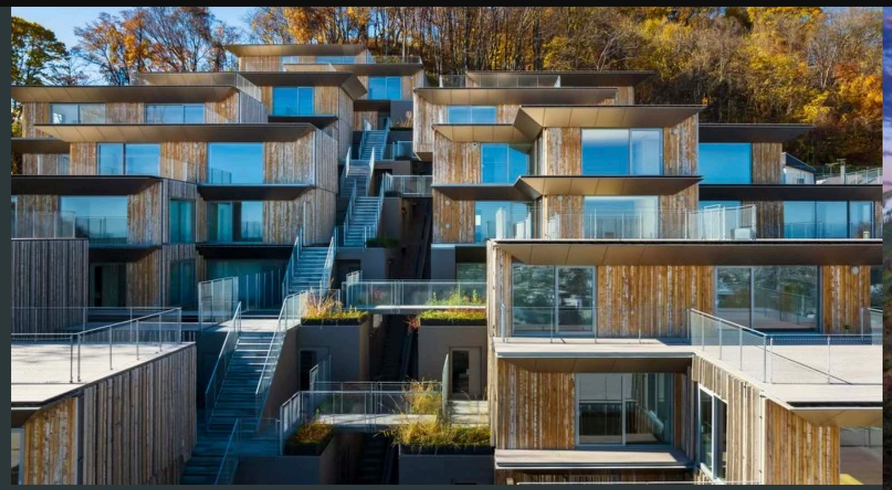




BLOOM

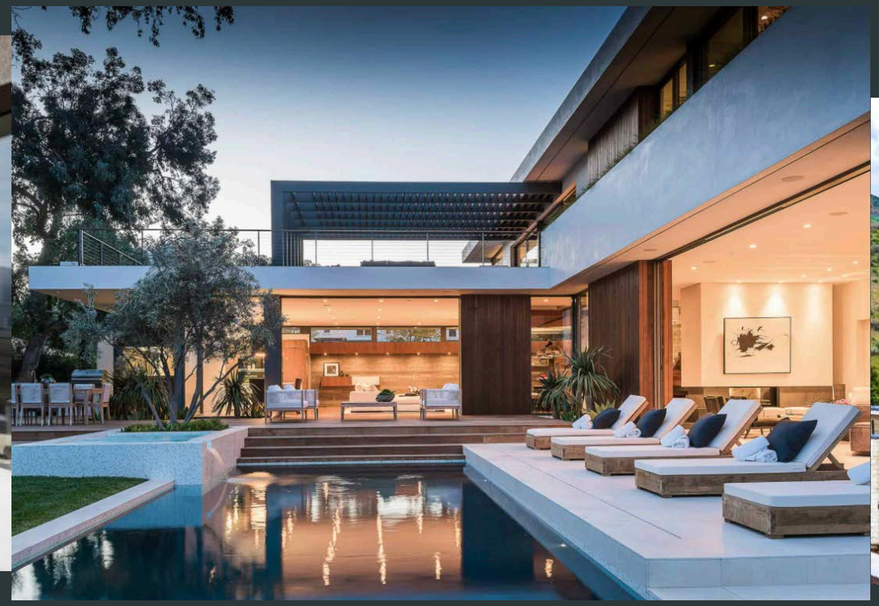
Hotel Visionboard







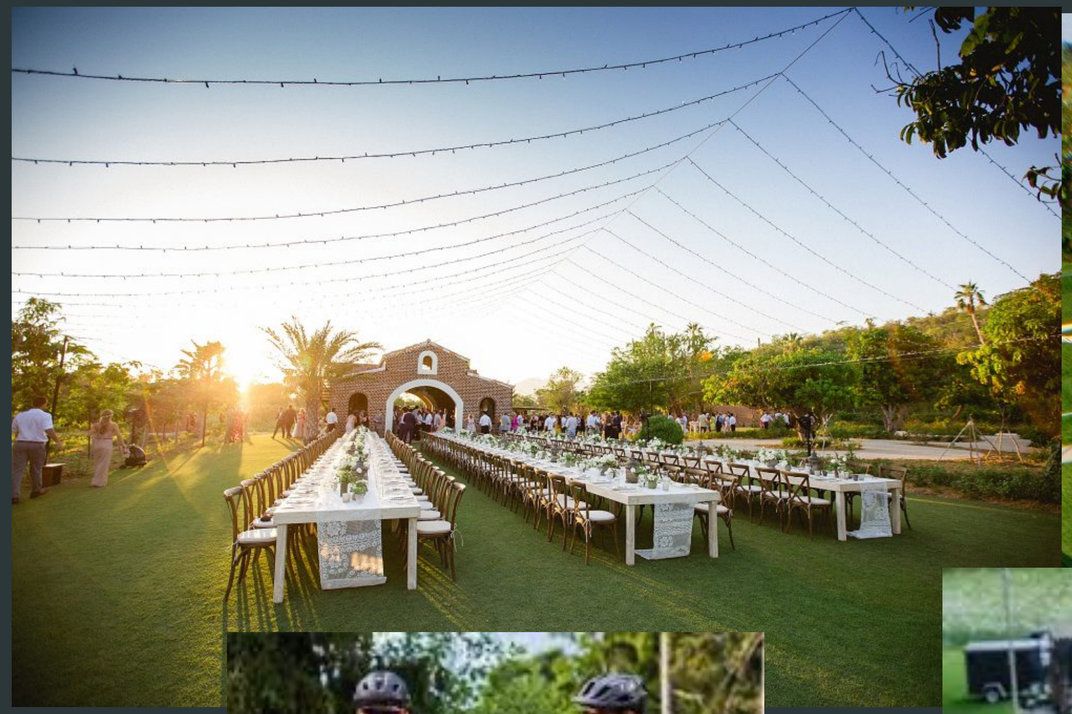


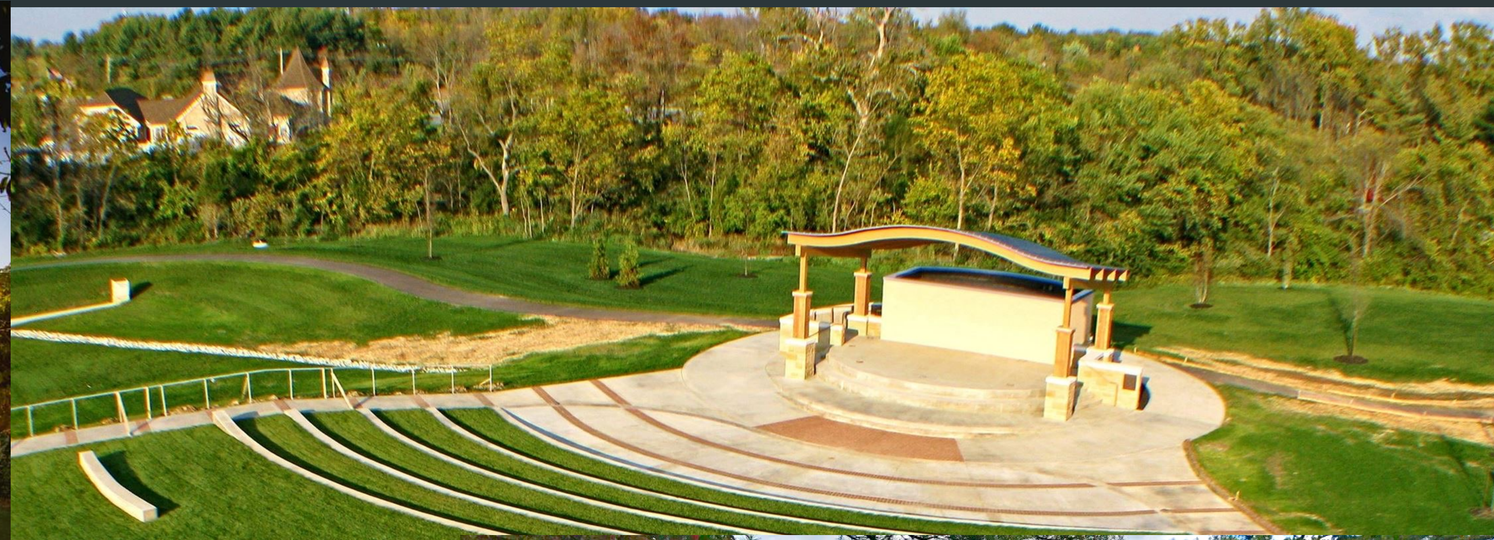




BLOOM

Community Spaces Visionboard









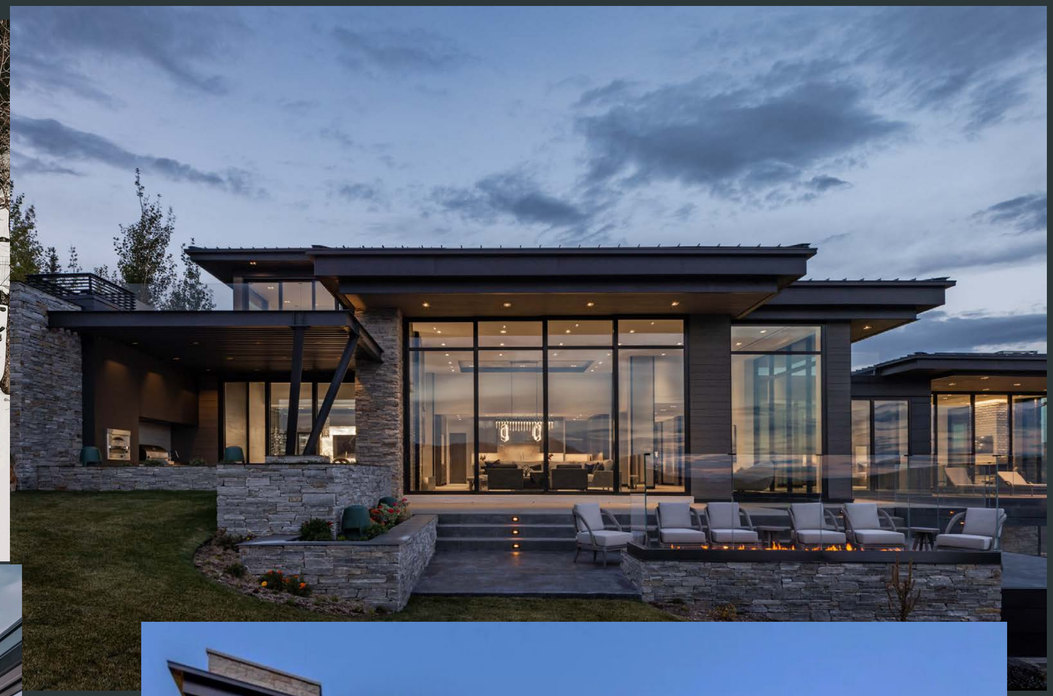


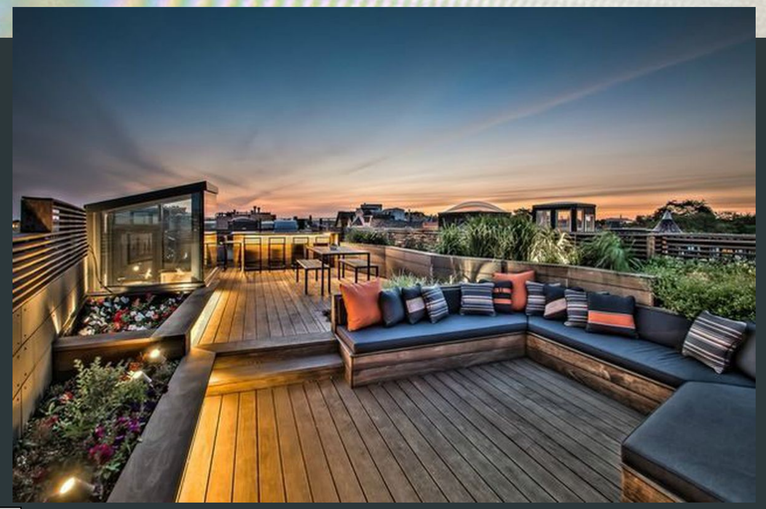
BLOOM

Residences (Townhomes, Cabins, Homes)













Current Zoning - Mountain

Approx annual Town Revenue:

Empty Land: Approx $18k a year (Property Tax)

Developed Land:
53 Single Family Homes
(No Sales Tax, Trails, Community Hub)

Total (build out): 150k - 200k / year



BLOOM

Proposed Zoning

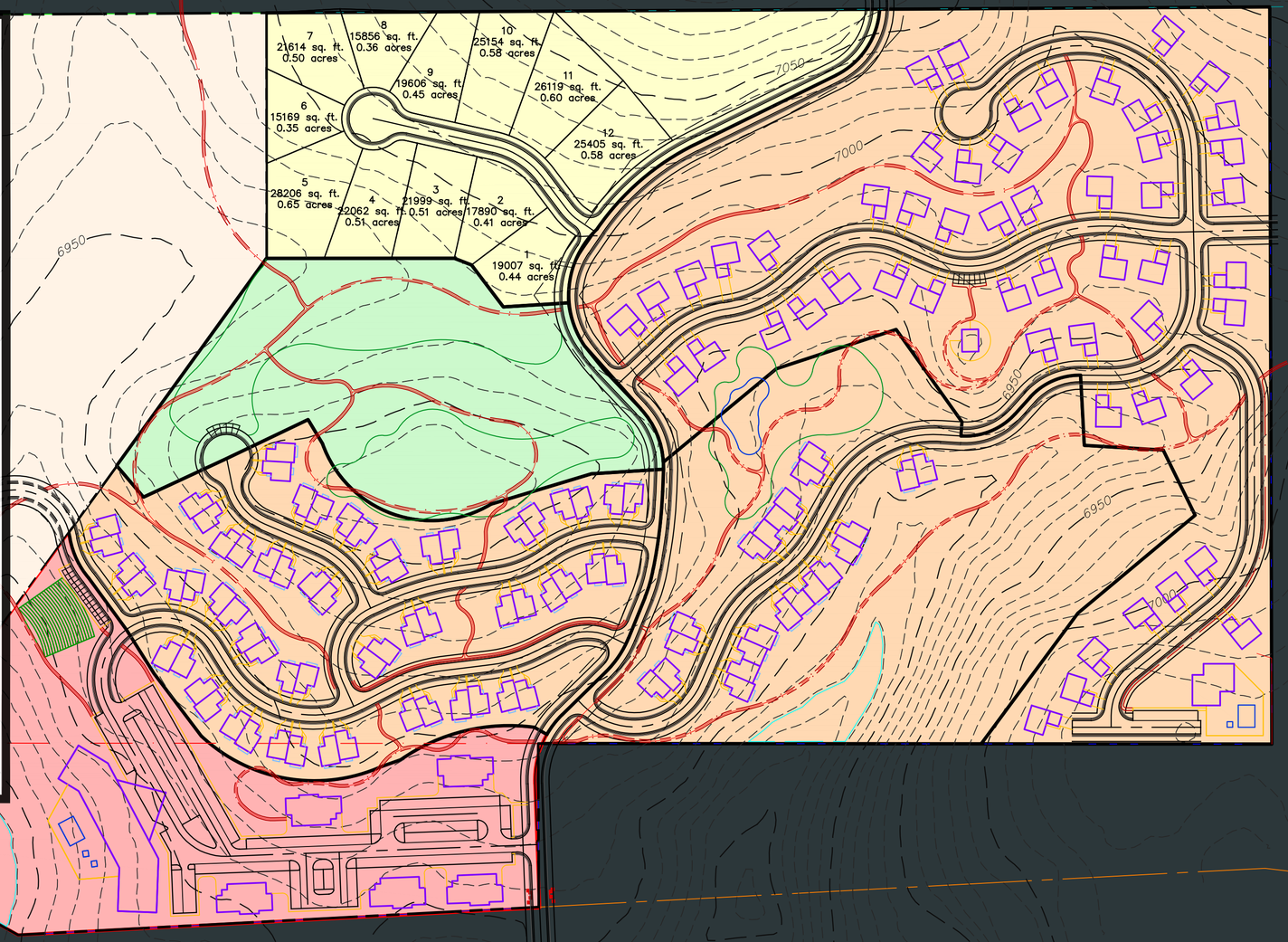
Approx annual Town Revenue:

City Tax/Transient Room Tax (TRT):
230k Cabins (53)
180k Hotel (60 Unit/120 Keys)
80k Commercial (35,000 square feet)
20k Single Family (12 homes)
50k Townhomes (84 Units)

Property Tax:
300k

Total: 860k/year

Trails, Community Hub, Open Spaces



BLOOM

Approx Timing and Steps

Steps For Bloom Development:

1) Application Submitted - March 8 (Oct 5th)
2) Concept Plan - Planning Commission Approved April 17
3) Zoning and MDA - Planning Commission Approved Nov 2
4) Zoning and MDA - Town Council (CURRENT STEP)
5) Final Application - Planning Commission
6) Final Application - Town Council

Other In Tandem:
PID Application (3-6 months)
- submitting petition and LOI next week
(first step prescribed in Hideouts PID Policy)

Bloom Goal Tonight

- Answer your questions
- Determine the list of things council needs to see to seek a vote on
  - 1) Zoning
  - 2) MDA

MDA Open Items

- Legal Wordsmith Edits
- Public Private Roads Wording
- Language/details around PID
- Developer Contribution Discussion
- OTHER

BLOOM

Thank you - Jenni & Ryan



File Attachments for Item:

2. Discuss and possibly approve a Master Development Agreement (MDA) for the Bloom in Hideout Development, which would include nightly rentals in zoning districts that do not currently allow for nightly rentals. Additionally, allowances for architecture and/or roof designs that are not currently allowed per the Town's current zoning ordinances may be included.

INTEGRATED planning & design

Staff Report for The Bloom Public Hearing with Planning Commission – Plan Review, Rezoning Request and MDA

To: Mayor Philip Rubin
Town of Hideout Council

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

Re: Bloom Re-Zone Request for the Salzman Property
Master Development Agreement (MDA)

Date: Prepared for the November 8, 2023 Town Council Meeting

Submittals: *Updated materials were submitted on October 5, 2023 and reviewed by the Planning Commission*

Background

- The Planning Commission approved a Concept Plan for the Bloom development (located on the eastern +/-72 acres of the total +/-112-acre Salzman property) on April 17, 2023.
- Overall, the Salzman property is 112 acres but the area which is being considered for development and for which a rezone is requested is +/-72 acres.
- This is an application to rezone the property accompanied by a Master Development Agreement (MDA).
- **The rezone request and MDA were favorably recommended by the Planning Commission at a special meeting on November 2, 2023 conditioned upon the areas highlighted in yellow on the attached MDA being reviewed in detail by the Town Council to reach 'mutually agreeable language' with the Applicants.**

If this proposed project is ultimately approved by the Town Council, the next steps in the process (estimated Winter 2023 or Spring 2024) will be the submittal of preliminary and final subdivisions for review by the Planning Commission and Town Council.

The Applicants recognize there is detailed work to do to finalize the Master Development Agreement (MDA) and understand this process will continue with Town Council input.

The proposed rezone is detailed as follows:

- The +/-40-acre site/parcel that surrounds the house is proposed will remain zoned Mountain (M) – minimum lot size of one acre for residential single-family use (this zoning classification is part of the Former Town Code).
    - **The Western 40-acre property is not part of this rezoning application**.

- The remainder of the site (+/- 72 acres) is proposed as a mix of zoning districts (all from the "New" Town Code):
  - Neighborhood Mixed Use (NMU) – for the hotel and commercial area
  - Residential 3 (R3) – for the proposed twelve (12) single-family detached units (maximum three per acre)
  - Residential 6 (R6) – for the proposed eighty-four (84) townhomes and fifty-three (53) cabins (maximum six per acre)
  - Natural Preservation (NP) – for the open space, parkland, and amphitheater

Existing Site Characteristics of the Area Proposed for Re-Zoning

Total Acres of Site: +/-72 Acres

Current Zoning: Mountain (M)

Allowed Density
(Eastern side only): One (1) unit per acre, or approximately 60 – 70 units after road infrastructure is built and steep slopes preserved (estimated at +/-20% of the site) on the +/-72-acre site

Concept Density: All density will be calculated by number of units (or doors/keys), square footage, and ERUs per the Town's ERU chart below:

Configuration	Notes	ERU's
Motel/Hotel Room, Apartment or Condo	Up to 500 sf including bathroom areas	.25
Motel/Hotel Room, Apartment or Condo	Between 501 and 1000 sf including bathroom areas	.50
Motel/Hotel Room, Apartment or Condo	Between 1001 and 1500 sf including bathroom areas	.75
Motel/Hotel Room, Apartment or Condo	Over 1500 sf; for each part of a 1500 sf interval (rounded up)	1.00
Single Family Residences (attached or detached)	Up to 5000 sf	1.00
Single Family Residences (attached or detached)	For residences over 5000 sf; add this value for each part of a 2000 sf interval (rounded up)	.50
Commercial	For each 2000 sf of gross floor area, or for each part of a 2000 sf interval.	.75

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East Parcel:

217 units primarily concentrated on the +/-70 acres that make up the eastern part of the site. 30,000 – 35,000 SF of neighborhood commercial space is also proposed. The units are generally designated for the following use and housing types:

- Neighborhood Commercial: 30,000 – 35,000 SF
- Multi-family: 8 units
- Boutique Hotel: 60 units (120 keys w/lockout units)
- Cabins: 53 units
- Townhomes: 84 units
- Single-Family Lots: 12 lots

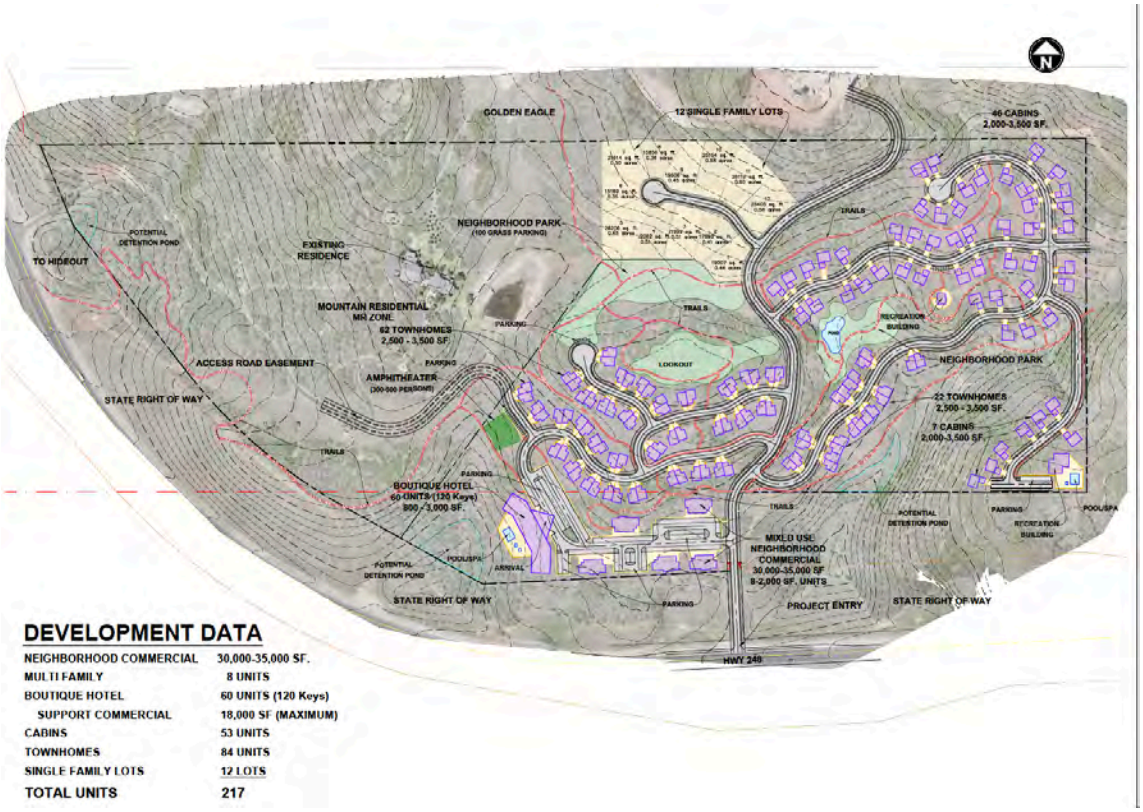
West Parcel (w/ Existing House)

*** Not part of this Application**

- No rezoning is proposed for this site
- Mountain Residential (M) Zoning: one single-family detached unit per acre is permitted
- The Applicant prepared a concept layout that indicated what could be built on this site given topography, road infrastructure necessary, and sensitive lands that would decrease this density:
    - Single-family Lots: 25 (maintain existing Mountain [M] zoning with one-acre minimum lot sizes)

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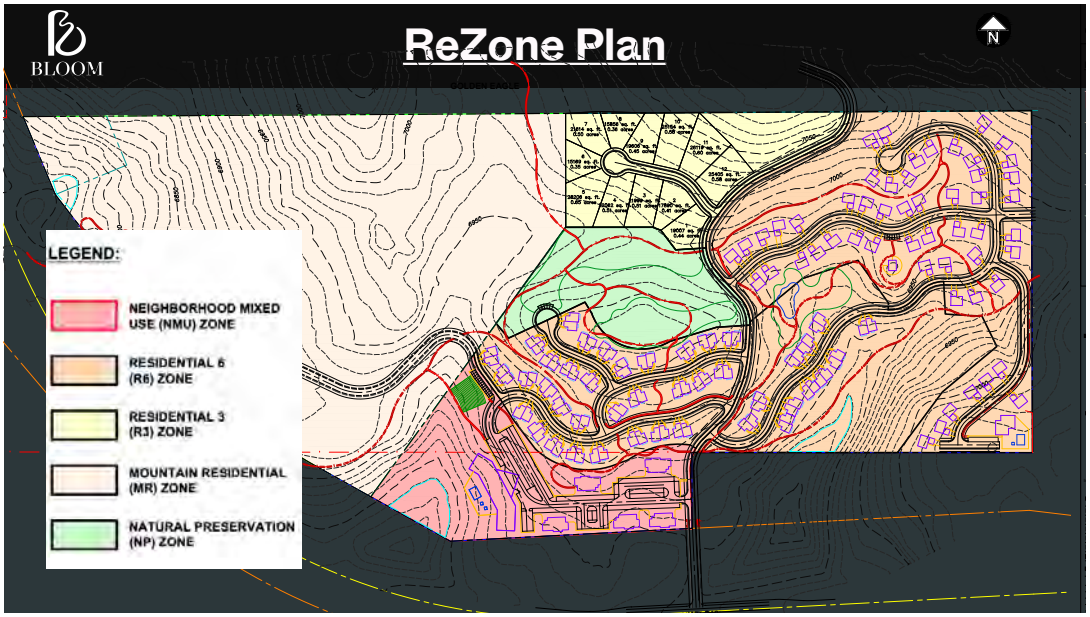
The Bloom Concept Plan – East Parcel (April 2023)



DEVELOPMENT DATA

NEIGHBORHOOD COMMERCIAL	30,000-35,000 SF.
MULTI FAMILY	8 UNITS
BOUTIQUE HOTEL	60 UNITS (120 Keys)
SUPPORT COMMERCIAL	18,000 SF (MAXIMUM)
CABINS	53 UNITS
TOWNHOMES	84 UNITS
SINGLE FAMILY LOTS	12 LOTS
TOTAL UNITS	217

Concept Plan Illustrating Proposed Zoning Changes



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Master Development Agreement (MDA) – Work with the Planning Commission to Date

The Planning Commission appointed two members, Jonathan Gunn and Glynnis Tihansky, to serve as a subcommittee and meet with the applicants to review the MDA in detail. Two virtual meetings were held and the following issues were addressed:

1. Phasing: The hotel will be constructed in Phase 1 – projected start date: fall 2024 with a projected completion date of winter 2025. Commercial development is also proposed in Phase 1 and 'vertical construction' of these buildings is specified in the phasing plan and defined.

2. Water Agreements: The Applicants indicated that the details of this will be written into the MDA and the current recommendation is that water rights must be secured prior to or at subdivision approval.

3. Allowance for flat roofs (at less than a 3:12 pitch)
    a. Language has been included in the MDA as follows:
    All development in the Project will be consistent with the Architectural Guidelines included as Exhibit E and incorporated herein by reference. Consistent with the Architectural Guidelines, no more than thirty percent (30%) of the roofs within the development shall be of a modern flat-roof style.

4. Short-Term Rental (< 30 days) allowance
    a. The following language excerpted from the Town's draft Short Term Rental and Community Amenity (STRACA) ordinance has been included in the MDA:

    2.8.1.All requirements of Section 4.07 of the HMC must be satisfactorily addressed

    2.8.2.No Accessory Dwelling Units (ADUs) may be located on a lot and no ADU may have a nightly rental allowance.

    2.8.3.All nightly rentals must be for a minimum period of two consecutive days. This must be included on all advertising materials.

    2.8.4.No more than two (2) automobiles are allowed to park on the property at any time. This must be included on all advertising materials.

    2.8.5.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.

    2.8.6.The owner of the nightly rental unit agrees to allow the Town's Building Inspector or designee and the Wasatch Fire Department's 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

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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.

5. Road Maintenance
    a. Initially, the Applicants indicated an HOA would be created and the roads will be private and the HOA would be responsible for the maintenance of the roads throughout the development.
    b. However, the use of a Public Infrastructure District (PID) to finance the roads and utility infrastructure may require dedication of the roads to the Town which would then be responsible for maintenance costs.
    c. This issue should be addressed in detail with the Engineering team, Timm Dixon, and may warrant addition al language in the MDA.

6. Possible Well on Site
    a. The following language was included for discussion with the Planning Commission but was removed from the MDA and noted here for discussion with the Town Council:
        i. *At the Town's request, Developer or its successor, shall grant an easement to the Town to allow the Town to utilize a well and associated water rights related to the well on the property. The Town shall be responsible for the costs related to developing such well.*

Next Steps

The Town Council should review the proposed Rezone Application and associated Master Development Agreement (MDA), consider any recommendations or revisions you wish to covey to staff and the Applicants, open the public hearing for public input, and recommend next steps and scheduling. The Applicants would like to finalize this rezone request and MDA by the end of the year given a tight timeline associated with their purchase contract on the property.

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DEVELOPMENT AGREEMENT
FOR THE BLOOM DEVELOPMENT
LOCATED AT 1220 EAST SR 248, HIDEOUT,
WASATCH COUNTY, UTAH

This Development Agreement (this "Agreement") is entered into as of this _____ day of _____, 2023, by and between Abundance Sanctuary LLC, a Utah limited liability company ("Developer"), as the owner and developer of certain real property located in Hideout, Wasatch County, Utah, on which Developer proposes the development of a project known as the Bloom Boutique Community, and the Town of Hideout, a Town and political subdivision of the State of Utah ("Hideout"), by and through its Town Council.

R E C I T A L S

Commented [TE1]: Cameron and Justin, are these recitals "codified" as you recommended?

A. Developer is the owner of a parcel of real property located at 1220 East SR 248, Hideout, Wasatch County, Utah, consisting of approximately 72 acres, the legal description of which is attached hereto as Exhibit A, incorporated herein by this reference, and which real property is depicted on the site plan attached hereto as Exhibit B and incorporated herein by reference (the "Property").

B. The Property is located in the Mountain Residential Zone ("MR – Zone") and the Developer has also obtained a partial rezone of the property to NMU, R3, R6, and NP under Ordinance 2022-O- XX, as more fully described in and subject to the Findings of Fact, Conclusions of Law and Conditions of Approval within the Ordinance recommended by the Planning Commission on November 2, 2023, and adopted by the Town of Hideout Council, a copy of which is attached hereto as Exhibit C and incorporated herein by this reference (collectively referred to herein as the "Rezone Ordinance").

Commented [TE2]: Polly and Justin to determine if we can incorporate the rezoning within the MDA rather than by ordinance as proposed here. That would protect the Town should the development not move forward. In such case, the zoning would revert to what it is now.

C. Developer has also received Concept Plan approval as more fully described in Exhibit H.

D. Developer is proposing and the Town of Hideout agrees that Developer, under this Development Agreement, has a vested right to develop 217 ERUs on the Property in the approximate mix and configuration demonstrated in Exhibits B and D (referred to hereinafter as the "Project"). All such development shall comply with the current Hideout Municipal Code unless expressly stated otherwise herein.

E. Hideout allows for Development Agreements under Hideout Municipal Code ("HMC") Section 11.08.04 and the parties agree that this Development Agreement satisfies those requirements. Additionally, Utah State Code 10-9a-532 regulates Development Agreements and the parties agree that this Development Agreement satisfies the requirements of that section.

F. Hideout has determined that, subject to the terms and conditions of this Development Agreement for the Bloom Development (the "Development Agreement"), Developer complied with the applicable provisions of the HMC as provided in this Development Agreement and has found that the Project is consistent with the purpose and intent of the relevant provisions of the HMC and State Code.

G. Following a lawfully advertised public hearing, and a recommendation from the Planning Commission, Hideout, acting pursuant to its authority under Utah Code Ann., Section 10-9a-101, ***et seq***., and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations, has made certain determinations with respect to the proposed Project, and, in the exercise of its legislative discretion, has elected to approve this Development Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, conditions and considerations as more fully set forth below, Developer and Hideout hereby agree as follows:

1. <u>Definitions:</u>

1.1. "Act" means the Land Use, Development, and Management Act, Utah Code Ann. § 10-9a-101 (2018), et seq.

1.2. "Approved Uses" means the approved uses which are shown on the Site Plan and detailed in this Development Agreement.

1.3. "Building Permit" means a permit issued pursuant to the requirements of the Code, International Building Code, and related building codes as applicable in the Town of Hideout, including permits for grading, footings, foundations, and construction of other improvements.

1.4. "Code" means the Hideout Development Code ("HCD").

1.5. "Developer" means Abundance Sanctuary LLC, a Utah limited liability company, and its assignees or transferees.

1.6. "Development Agreement" means this Development Agreement.

1.7. "Effective Date" is the date first set forth in the first paragraph of this Development Agreement.

1.8. "Final Site Plan" means the Final Site Plan which is included as Exhibit B to this Development Agreement including the legal description of the Property found in Exhibit A, the establishment of the Approved Uses, development layout, architectural, landscaping, lighting, and other development details of the Project.

1.9. "Party/Parties" means, in the singular, Developer or the Town; in the plural Developer and the Town.

1.10. "Planning Commission" means the Hideout Planning Commission.

1.11. "Permitted Uses" means the uses allowed as set forth in the Final Site Plan.

1.12. "Project" means the vested entitlements and rights to build consistent with this Development Agreement, which is known generally as the "***Bloom Development***".

1.13. "Property" means the approximately 70-acres of real property located in the Town of Hideout, Wasatch County, Utah, which real property is more particularly described on Exhibit A attached hereto and incorporated herein by reference, and which real property is depicted on the site plan attached hereto as Exhibit B.

1.14. "Public Facilities" means those arterial and access roads and the other public infrastructure or public service facilities serving the Property.

1.15. "Public Infrastructure" means those elements of infrastructure that are planned to be dedicated to the Town or other public entities as a condition of the approval of a

Development Application.

1.16. ***"Recordation Date"*** means the date on which this Development Agreement is recorded in the Office of the County Recorder, Wasatch County, Utah, as stamped and shown on the recorded Development Agreement.

1.17. ***"Residential Dwelling Unit"*** means a structure or portion thereof designed and intended for use as attached residences as illustrated on the Final Plan.

1.18. ***"Town"*** means The Town of Hideout, a political subdivision of the State of Utah.

2. ***Project Conditions:***

2.1. Incorporation of Recitals. The foregoing Recitals are, by this reference, incorporated into the body of this Development Agreement as if the same had been set forth in the body of this Agreement in their entirety.

2.2. The (i) Findings of Fact, Conclusions of Law and Conditions of Approval dated _____ _____, 2023, attached hereto as Exhibit H, and (ii) the Bloom Development, prepared by Jack Johnson Consultants, dated October 2023, attached hereto as Exhibit B, together with related documents attached thereto, are hereby incorporated herein by reference (the "Approval Documents") and shall govern the development of the Project, subject to the provisions of the Development Agreement including the vested rights to construct the following:

Commented [TE3]: Input after final TC meeting.

- Neighborhood Commercial: 30,000 – 35,000 SF
- Multi-family: 8 units
- Boutique Hotel: 60 units (120 keys w/lockout units)
- Cabins: 53 units
- Townhomes: 84 units
- Single-Family Lots: 12 lots

Development Applications for an Administrative Conditional Use Permit (as necessary) and a Hideout Building Department building permit are required prior to the commencement of any construction in connection with the Project and shall be processed and granted as set forth in this Development Agreement and the Hideout Municipal Code, as amended from time to time.

2.3. Developer agrees to pay the then-current impact fees lawfully imposed and uniformly established by the HMC at the time of permit application, whether or not state statutes regarding such fees are amended in the future, unless otherwise made unlawful.

2.4. The Development Agreement may include residential Cluster Development as outlined in the Town Standards.

2.5. The Commercial Uses in the Project shall include a full-service hotel that is rated, at a minimum, a three-star hotel or a three-diamond hotel (per the AAA rating system). The timing for the construction of this hotel must adhere to the phasing schedule indicated in Exhibit C. The Town Council may, in its discretion and upon application by Developer, approve a boutique hotel that does not qualify under the star rating or does not include the amenities below. In considering such an application, the Town Council shall determine whether the boutique hotel proposed meets the desired character and quality of the community and the long-term goals of the Town of Hideout. The following amenities must be incorporated within the hotel:

2.5.1. A full-service dining establishment (minimum 500 SF) shall be constructed within the hotel, or in the commercial space located near the hotel as long as the dining establishment is constructed prior to the hotel or within six months of the hotel receiving a Certificate of Occupancy.

2.5.2. A fitness center (minimum of 300 SF).

2.5.3. A sundry shop or market (minimum of 100 SF).

2.5.4. An indoor or outdoor swimming pool and hot tub.

2.5.5. A minimum of 500 SF of meeting or convention space.

2.6. The Commercial Uses shall also include related support commercial as identified on the Master Development Plan included as Exhibit B. Commercial areas shall not be converted to non-commercial purposes. The first-floor commercial square footage in the area zoned Neighborhood Mixed Use (NMU) must be reserved for "walk-in" commercial space such as retail, restaurant, café, bar/pub, grocer, or other sundry purposes. Office uses shall not be permitted on the first floor unless all commercial square footage is on the first floor in the NMU zone. In no event shall more than 25% of the first-floor commercial be dedicated to office or non-walk-in commercial uses. Vertical construction on commercial pads for phase I shall be defined as the completion of a building's walls, roof, facades, mechanical systems, parking area, and landscaping and signed off by the Town's building department or designee.

2.7. The Master Development Plan (Exhibit B) is hereby incorporated by reference.

2.8. The Residential Uses in the Project shall consist of no more than twelve (12) single family homes; eighty-four (84) townhomes; and (53) fifty-three cabins and eight (8) multi-family units.

2.9. The residential units within this Development Agreement shall be permitted to be used as short-term rentals and shall be considered through this Development Agreement as approved as an allowed use. All such units shall be subject to the provisions of the HMC governing short term rentals as amended from time to time but not outright disallowing them in the Bloom Development. Developer shall ensure that any negative impacts such

Commented [TE4]: General scope of language recommended by the Planning Commission and for review by the Applicants and their attorney.

as parking or noise caused by the nightly rental use are mitigated through the CC&Rs recorded against the units. The Town of Hideout is granted the right and shall be entitled (but not obligated) to enforce all such CC&Rs.

2.9.1. All requirements of Section 4.07 of the HMC must be satisfactorily addressed

2.9.2. No external/independent Accessory Dwelling Unit (ADU) may be located on a lot and no internal ADU may have a nightly rental allowance.

2.9.3. All nightly rentals must be for a minimum period of two consecutive days. This must be included on all advertising materials.

2.9.4. No more than two (2) automobiles are allowed to park on the property at any time. This must be included on all advertising materials.

2.9.5. 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.

2.9.6. The owner of the nightly rental unit agrees to allow the Town's Building Inspector or designee and the Wasatch Fire Department's designee to conduct an annual walk-through inspection of each rental unit to ensure compliance with all applicable State, County and local 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.

2.10. All development in the Project will be consistent with the Architectural Guidelines included as Exhibit G, as permitted by Utah State Code Section 10-9a-534(3)(d), and incorporated herein by reference. Consistent with the Architectural Guidelines, no more than thirty percent (30%) of the roofs within the development shall be of a modern flat-roof style.

Commented [TE5]: For each roof or of all the roofs in totality?
The Ordinance allows 30% of an INDIVIDUAL roof to be flat. If the request is for up to 30% of all roofs (structures), we may need to add a clarifying sentence here.

2.11. Developer shall construct a public trail system throughout the Project providing pedestrian and bike connectivity as demonstrated in Exhibits B and D. Developer shall ensure perpetual maintenance of all such trails shall remain the sole and exclusive responsibility of the Community by way of the duly recorded CC&Rs. Easements for public use of the trails shall be provided at time of subdivision approval for the phased development.

2.12. Developer and its successors agree that the following are required to be entered into and approved by the Town of Hideout prior to the recordation of a Subdivision Plat:

(a) a construction mitigation plan; (b) a utility plan; (c) a storm water plan; (d) a grading plan; and a landscape plan. Approvals by the Town of Hideout shall not be unreasonably withheld.

2.13. Preservation of Native Vegetation and Slopes. The major portions of the development site shall remain undisturbed meaning there will be no change to the contours of the land, nor will any native vegetation be removed or disturbed consistent with Exhibit E. For individual structures, the limits of disturbance (LOD) shall not extend greater than 20'-0" beyond the building footprint. For rights-of-way, the LOD shall not extend greater than 20'-0" beyond the edge of pavement. For driveways, the LOD shall not extend greater than 10'-0" beyond the edge of pavement. Deviations from these standards must be preapproved by the Town Planner or designee.

2.14. Construction envelope for disturbed land to be defined at time of subdivision approval for each phase, leaving undisturbed land between building envelopes. No disturbance to natural vegetation shall extend beyond any Limits of Disturbance (LOD) fence line.

2.15. MONETARY CONTRIBUTION PLACEHOLDER

Commented [TE6]: To be discussed with Town Council. Early on, the Planning Commission had discussed money for a tunnel or bridge to cross SR248 but this was left out for the TC to address.

3. Development Applications:

3.1. Timeliness. Development applications shall be approved by the Town within a reasonable time if they comply with the Development Agreement, all applicable provisions of the HMC, the Town's vested rights laws as well as all Federal and State laws and requirements.

3.2. Town's Denial of a Development Application. If the Town denies any Development Application, the Town shall provide a written determination advising the Applicant of the reasons for denial, including the specific reasons why the Town believes that the Development application is not consistent with this MDA, applicable law, the HMC, or the Town's vested rights laws.

3.3. Meet and Confer regarding Development Application Denials. The Town and Applicant shall meet within fifteen (15) business days of a denial to resolve the issues specified in the denial of a Development Application.

3.4. Town Denials of Development Applications Based on Denials from Non-Town Agencies. If the Town's denial of a Development Application is based on the denial of the Development Application by a non-town agency, Developer shall appeal any such denial through the appropriate procedures for such a decision and not through the processes specified below.

3.5. Mediation of Development Application Denials.

3.5.1. Issues Subject to Mediation. Issues resulting from the Town's denial of a Development Application shall be mediated.

3.5.2. Mediation Process. If the Town and Applicant are unable to resolve a disagreement subject to mediation, the parties shall attempt within ten (10) business days to appoint a mutually acceptable mediator, free of conflicts, with subject matter knowledge of the issue in dispute. If the parties are unable to agree on a single acceptable mediator, they shall each, within ten (10) business days, appoint their own representative. These two representatives shall, between them, choose the single mediator. All such mediators shall be free of conflicts. Applicant shall pay the fees of the chosen mediator. The chosen mediator shall within fifteen (15) business days, review the positions of the parties regarding the mediation issue and thereafter promptly attempt to mediate the issue between the parties. If the parties are unable to reach agreement, the mediator(s) shall notify the parties in writing of the resolution that the mediator deems appropriate. The mediator's opinion shall not be binding of the parties.

3.5.3. Compliance with local laws. Developer is responsible for compliance with all local, state, and federal regulations including but not limited to those regarding the soils and environmental conditions on the Property. Furthermore, Developer is responsible for receiving any required Army Corp of Engineer Permits related to any riparian zone if it is required.

3.5.4. No monetary damages. If there is any litigation related to denials of applications or interpretation of this Development Agreement, no monetary damages shall be claimed against the Hideout, its staff or elected officials. All claims shall be limited to specific performance.

Commented [TE7]: The Applicants have not discussed this section with their attorney and will do so prior to the public hearing meeting before the Town Council.

4. Master Plan Approval and Reserved Legislative Powers:

4.1. Development Approval. Subject to the provisions of this Development Agreement, Developer is hereby granted the right to develop and construct the Project in accordance with the general uses, densities, massing, intensities, and general configuration of development approved in this Development Agreement, in accordance with, and subject to, the terms and conditions of the Approval Documents, and subject to compliance with the other applicable ordinances and regulations of the Town of Hideout. The Town shall have the right to inspect all work during normal business hours and developer shall facilitate and fully cooperate with all such inspections, including but not limited to providing documents containing drawings, plans, surveys, specifications and the results of all 3rd party inspections/evaluations.

4.2. Public Infrastructure District. Developer may elect to petition the Town to create a Public Infrastructure District ("PID") pursuant to Utah Code § 17D-4-101 et seq. for the Property. The Town shall review and reasonably consider Developer's petition to create the PID as an option to implement and facilitate the financing, construction, and operation of some or all of the Public Infrastructure for the Project. If Developer elects to proceed with the creation of a PID and the Hideout Town Council approves, the Town shall cooperate in

Commented [TE8]: Additional language may be added by the Town Council and/or the EDC. The Town should expand upon it's foundational PID policy and establish criteria for accepting a PID. Is a bond necessary to protect the Town from responsibility for infrastructure costs?

the formation and operation of the PID.

4.3. Reserved Legislative Powers. Developer acknowledges that the Town is restricted in its authority to limit its police power by contract and that the limitations, reservations, and exceptions set forth herein are intended to reserve to the Town all of its police power that cannot be so limited. Notwithstanding the power of the Town to enact legislation under the police powers vested in the Town, such exercise of power through legislation shall only be applied to modify land use and zoning regulations which are applicable to the Project in conflict with the terms of this Development Agreement based upon policies, facts, and circumstances meeting the important, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed legislative changes affecting the Project and terms and conditions of this Development Agreement under the above specific limitations and applicable to the Project shall be of general application to all development activity in the Town of Hideout; and, unless the Town of Hideout declares an emergency, Developer shall be entitled to the required notice and opportunity to be heard with respect to the proposed change and its applicability to the Project under the compelling, countervailing public interest exception to the vested rights doctrine. Nothing in this section shall limit the future legislative amendment of more specific ordinances or codes for which the Developer does not yet have a vested right, and except as otherwise provided in this agreement, no such rights will vest until such time as a completed application is approved by the Town of Hideout in conformance with the then applicable code(s), including but not limited to building and energy, lighting, sign, and subdivision codes.

4.4. No Undisclosed Rights. Developer acknowledges that this Development Agreement does not restrict any rights that Developer holds under clearly established state law. Thus, the Town of Hideout has met any obligation it may owe under Utah Code Section 10-9a-532(2)(c).

Commented [TE9]: Let's discuss how to address this requirement - is this statement enough?

4.5. Application Under Town's Future Laws. Without waiving any density rights granted by this Development Agreement, when the Developer submits a Development Application for some or all of the Project such application shall be reviewed under the Town's Future Laws in effect at the time of the Development Application.

5. General Terms and Conditions:

5.1. Term of Agreement. Unless earlier terminated as provided for herein, the term of this MDA shall be until December 31, 2032. If Developer has not been declared to be currently in Default as of December 31, 2032 (and if any such Default is not being cured) then this MDA shall be automatically extended until January 31, 2034. This MDA shall also terminate automatically at Project Buildout which shall be defined as the date on which a final inspection is completed for the last Project improvement, residential home or other structure to be constructed pursuant to the Approvals, Subsequent Approvals and this Agreement. Failure of Developer to obtain a building permit within 36 months of the effective date of this agreement shall constitute a default as contemplated by this paragraph. Notwithstanding the foregoing, however, the maintenance obligations of the

Commented [TE10]: Is this acceptable to the Town Council? Too long in duration, or ok? There was some discussion early on with the Planning Commission regarding a 'pause clause' in the middle of the project – if paused for too long, the MDA is nullified unless otherwise agreed to by the Town Council.

Association shall survive termination of this Agreement and continue in perpetuity.

5.2. Binding Effect; Agreement to Run With the Land. This Development Agreement shall be recorded against the Property as described on Exhibit A hereto and shall be deemed to run with the land, provided it remains effective, and shall be binding on all successors and assigns of Developer in the ownership or development of any portion of the Property.

5.3. Vested Rights Granted by Approval of this MDA. To the maximum extent permissible under the laws of Utah and the United States and at equity, the Parties intend that this MDA grants to Developer all rights to develop the Project as described in this MDA, the Town's Laws, the zoning of the Property, and the Final Plan except as specifically provided herein. The Parties specifically intend that this MDA grant to Developer the "vested rights" identified herein as that term is construed in Utah's common law and pursuant to Utah Code Ann. § 10-9a-509 (2018). The Town's laws at the time of approval (and as amended when so referenced herein) shall apply.

5.4. Provision of Municipal Services. Except as otherwise provided in the Development Agreement, the Town of Hideout shall provide all Town services to the Project that it provides from time-to-time to other residents and properties within the Town including but not limited to police and other emergency services. The services shall be provided to the Project at the same level of services, on the same terms, and at the same rates as provided to other residents and properties in the Town or applicable service district.

5.5. Water. Prior to the recording of a plat for any phase of the development, the Developer shall provide satisfactory evidence confirming that 1) it has sufficient water rights for that phase and 2) Jordanelle Special Service District ("JSSD") has sufficient water supply for domestic water use and fire protection to service the existing and proposed development phase as reflected on the plat to be recorded; or 2) an alternative water supply with sufficient capacity to serve the existing and proposed development phase as reflected on the plat to be recorded will service the site. The burden is upon the Developer to submit responsive information.

5.6. Public Infrastructure. Developer, at Developer's cost and expense, shall have the right and the obligation to construct or cause to be constructed and install all Public Infrastructure reasonably and lawfully required as a condition of approval of a Development Application pursuant to the Town's Laws. Public and private roadways and responsibility for, and maintenance of the same (including snow removal, etc.) shall be consistent with Exhibit F. Such construction must meet all applicable standards and requirements and must be approved by the Town's engineer, or his designee. Developer shall provide proof of adequacy of utilities for each phase of the Project prior to the recording of a plat for that phase.

5.7. Assignment. The rights and responsibilities of Developer under this MDA shall run with the land and be binding on Developer and Developer's successors in interest (except for purchasers of completed Residential Dwelling Units). Developer's selling or conveying

Commented [TE11]: The Applicants expressed some concerns about this language and will discuss with their attorney prior to the public hearing meeting with the Town Council.

Commented [TE12]: Possible location for the language in the staff report pertaining to a well (new 5.7?).

Commented [TE14]: The Applicant initially proposed that roads would be maintained by the HOA but now the percentage of roads that get dedicated to the Town have increased significantly (see Exhibit F) due to the PID. Cabin roads excepted are excepted in the current Exhibit. What are the estimated costs to the Town if the PID process requires dedication to the Town?

Deleted: <#>At the Town's request, Developer or its successor, shall grant an easement to the Town to allow the Town to utilize a well and associated water rights related to the well on the property. The Town shall be responsible for the costs related to developing such well. ¶

Commented [TE15]: Timm Dixon must review the public and private roadways as proposed.

lots to residential purchasers shall not be deemed to be an "assignment" unless specifically designated as such an assignment by Developer and approved by the Town.

5.8. No Joint Venture. Partnership or Third Party Rights. This Development Agreement does not create any joint venture, partnership, undertaking, or business arrangement between the parties hereto. Nor does it create any rights or benefits to third parties.

5.9. Integration. This Development Agreement and the Approval Documents collectively contain the entire agreement with respect to the subject matter hereof and integrates all prior conversations, discussions or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed by the parties hereto.

5.10. Severability. If any part or provision of this Development Agreement shall be determined to be unconstitutional, invalid or unenforceable by a court of competent jurisdiction, then such a decision shall not affect any other part or provision of this Development Agreement except that specific provision determined to be unconstitutional, invalid, or unenforceable. If any condition, covenant, or other provision of this Development Agreement shall be deemed invalid due its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

5.11. Attorney's Fees. If either party commences litigation regarding this Development Agreement, any of the Exhibits hereto or the Approval Documents, the prevailing party, as determined by a court of competent jurisdiction, shall be entitled to reasonable attorney's fees and all costs paid by the other party.

5.12. Minor Administrative Modification. Minor administrative modifications to the site plan shall be allowed by the Town's Planner or his/her designee. Any substantive modifications to the site plan such as changes in access, including but not limited to number of structures, building locations, building size, setback, or density shall be reviewed and recommended for action by the Planning Commission with final approval of the Town Council for consistency with the Master Development Plan included in Exhibit B.

Commented [TE16]: Rename: Master Concept Plan?

5.13. No Waiver. Failure to enforce any rights under this Development Agreement or applicable laws shall not be deemed to constitute a waiver of such right.

5.14. Default.

5.14.1. Notice. If Developer or the Town fails to perform their respective obligations hereunder or to comply with the terms hereof, the party believing that a Default has occurred shall provide Notice in writing to the other party. If the Town believes that the Default has been committed by a subdeveloper, then the Town shall also provide a courtesy copy of the Notice to Developer.

5.14.2. Contents of the Notice of Default. The Notice of Default shall:

5.14.2.1.Specific Claim. Specify the claimed event of Default;

5.14.2.2.Applicable Provisions. Identify with particularity the provisions of any applicable law, rule, regulation, or provision of this Development Agreement (including exhibits) under which the claimed Default has occurred;

5.14.2.3.Materiality. Identify why the Default is claimed to be material; and

5.14.2.4.Optional Cure. If the Town chooses, in its discretion, propose a method and time for curing the Default which shall be of no less than sixty (60) days duration.

5.14.3.Meet and Confer; Mediation. Upon the issuance of a Notice of Default the parties shall engage in the "Meet and Confer" and "Mediation" processes specified in Section 3.5.

5.14.4.Remedies. If the parties are not able to resolve the Default by "Meet and Confer" or by Mediation, then the parties may have the following remedies:

5.14.4.1.Law and Equity. All rights and remedies available at law and in equity, including, but not limited to, injunctive relief, specific performance, and/or damages.

5.14.4.2.Security. The right to draw on any security posted or provided in connection with the Project and relating to remedying of the particular Default.

5.14.4.3.Future Approvals. The right to withhold all further reviews, approvals, licenses, building permits, and/or other permits for development of the Project in the case of a default by the Developer, or, in the case of a default by a subdeveloper, development of those Parcels owned by the subdeveloper until the Default has been cured.

5.14.5.Public Meeting. Before any remedy in Section 5.13.4 may be imposed by the Town, the party allegedly in Default shall be afforded the right to attend a public meeting before the Town Council and address the Town Council regarding the Claimed Default.

5.14.6.Emergency Defaults. Anything in this Development Agreement notwithstanding, if the Town Council finds on the record that a default materially impairs a compelling, countervailing interest of the Town and that any delays in imposing such a default would also impair a compelling, countervailing interest of the Town, then the Town may impose the remedies of Section 5.13.4 without the requirements of Section 5.13.5. The Town shall give Notice to the Developer and/or any applicable subdeveloper of any public meeting at which an emergency default is to be considered, and the Developer and/or any applicable subdeveloper shall be allowed to address the Town Counsel at that meeting regarding the claimed emergency

Default.

5.14.7. Extended Cure Period. If any Default cannot be reasonably cured within sixty (60) days, then such cure period shall be extended so long as the defaulting party is actively making real, substantial, and demonstrable progress in curing any such defect(s).

5.14.8. Cumulative Rights. The rights and remedies set forth herein shall be cumulative.

5.14.9. Default of Assignee. A default of any obligations assumed by an assignee shall not be deemed a default of Developer.

Commented [TE17]: MDA still applies a buyer or sub-developer. Clarification needed.

5.15. Applicable Law. This MDA is entered into in Wasatch County in the State of Utah and shall be construed in accordance with the laws of the State of Utah irrespective of Utah's choice of law rules.

5.16. Venue. Any action to enforce this MDA shall be brought only in the Fourth District Court for the State of Utah.

5.17. Entire Agreement. This MDA, and all Exhibits thereto, is the entire agreement between the Parties and may not be amended or modified except either as provided herein or by a subsequent written amendment signed by all Parties.

5.18. Mutual Drafting. Each Party has participated in negotiating and drafting this MDA therefore no provision of this MDA shall be construed for or against any Party based on which Party drafted any particular portion of this MDA.

5.19. Authority. The Parties to this MDA each warrant that they have all of the necessary authority to execute this MDA. Specifically, on behalf of the Town, the signature of the Mayor of the Town is affixed to this MDA lawfully binding the Town pursuant to Resolution No. _____ (Exhibit H) adopted by the Town on _____, 2023.

5.20. Notices. All notices required or permitted under this MDA shall, in addition to any other means of transmission, be given in writing and delivered to the Mayor with a copy to Town attorney. In addition, a copy must be provided by certified mail and regular mail to the following address:

To the Developer:
Abundance Sanctuary LLC
C/O Jenni Hogan and Ryan Sapp
7110 Stagecoach Drive
Park City UT 84098

To the Town:
The Town of Hideout
Attn: Town Clerk
10860 North Hideout Trail

Hideout, Utah 84036

6. **Phasing; Access.**

6.1. Project Phasing. The Project shall be constructed in phases in accordance with the phasing plan approved together with this Development Agreement (the "Phasing Plan") (attached hereto as Exhibit C), and in accordance with the HMC. Developer may proceed by constructing the Project all at one time or by phase within this approved project Phasing Plan. In the event of such phasing, the issuance of a building permit on the first such phase shall be deemed to satisfy the requirement of issuance of a building permit. Any major modifications or elaborations to the approved Phasing Plan must be approved by the Town Council prior to the commencement of construction of the applicable phase. If such proposed major modifications or elaborations are substantial as determined by the Town's Building Department designee or the Town Planner, such modifications or elaborations will come before the Town Council for approval.

6.2. Construction of Access. Developer may commence grading access to the Project as approved by the Town Engineer according to generally accepted engineering practices and standards, and pursuant to permit requirements of the HMC, the International Building Code (or if such Code is no longer then in effect, according to the code that is, in fact, then in effect), the Uniform Fire Code, and the Army Corps of Engineers. Developer shall be responsible for maintenance of any such accesses until they are completed according to Town standards and accepted by the Town.

6.3. Form of Ownership Anticipated for Project. The Project will consist of a hotel, commercial buildings and related improvements, mixed-use buildings, and residential unit, including nightly rental units.

7. **List of Exhibits.**

Exhibit–A - Legal Description
Exhibit B – Master Development Plan
Exhibit C - Phasing Plan
Exhibit D – Concept Plan Approval by Planning Commission
Exhibit E – Limits of Disturbance Map
Exhibit F – Public/Private Road Map
Exhibit G – Architectural Guidelines
Exhibit H – Copy of Town Council Resolution

Commented [TE18]: Correct Name? Or rename: Concept Plan?

IN WITNESS WHEREOF, this Agreement has been executed by the Developer by persons duly authorized to execute the same and by the Town of Hideout, acting by and through its Town Council as of the ___ day of _____, 2023.

TOWN OF HIDEOUT

By: _____
Philip Rubin, Mayor

ATTEST:

By: _____
Alicia Fairbourne, Town Recorder

APPROVED AS TO FORM:

_____
Polly McLean, Town Attorney

DEVELOPER:

Abundance Sanctuary LLC
a Utah limited liability company

By:_____

Name: _____

Title: _____

STATE OF UTAH)
: ss
COUNTY OF WASATCH)

On this ____ day of _____, 2023, personally appeared before me _____, whose identity is personally known to me/or proved to me on the basis of satisfactory evidence and who by me duly sworn/affirmed), did say that s/he is a member/manager of Abundance Sanctuary, LLC, a Utah limited liability company_____
Notary Public.

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Tax ID #s: 00-0020-8182 & 00-0020-8184, totaling 69.57 acres +/-

The Land referred to herein below is situated in the County of Wasatch, State of Utah, and is described as follows:

BEGINNING AT A POINT NORTH 89’43”12" EAST 145.04 FEET FROM THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, RUNNING THENCE
ALONG THE HIGHWAY RIGHT OF WAY AND LIMITED ACCESS LINE SOUTH 22’25' EAST 327.24 FEET; THENCE ALONG THE HIGHWAY RIGHT OF WAY AND LIMITED ACCESS LINE SOUTH 37’37”39" EAST 686.10 FEET TO THE BEGINNING OF A CURVE; THENCE ALONG THE HIGHWAY RIGHT OF WAY AND LIMITED ACCESS LINE AROUND A CURVE TO THE LEFT (DELTA = 23’06”12"; RADIUS 1951.83 FEET) 787.035 FEET; THENCE ALONG THE HIGHWAY RIGHT OF WAY AND LIMITED ACCESS LINE SOUTH 60’43”51" EAST 595.813 FEET; THENCE NORTH 87’00”01" EAST 938.59 FEET; THENCE NORTH 00’05”33" WEST 294.229 FEET ALONG THE QUARTER SECTION LINE TO THE 40 ACRE LINE; THENCE ALONG THE 40 ACRE LINE NORTH 89’43”12" EAST 1343.685 FEET TO THE 40 ACRE LINE; THENCE ALONG THE 40 ACRE LINE NORTH 00’05”33" WEST 1317.51 FEET TO THE SECTION LINE; THENCE ALONG THE SECTION LINE SOUTH 89’43”12" WEST 1343.685 FEET TO THE NORTH QUARTER CORNER
OF SECTION 21; THENCE ALONG THE SECTION LINE SOUTH 89’43”12" WEST 2589.70 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THE FOLLOWING PORTION:
BEGINNING AT A POINT WHICH IS NORTH 89’43”12" EAST 145.04 FEET FROM THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, RUNNING THENCE ALONG THE HIGHWAY RIGHT OF WAY AND LIMITED ACCESS THE FOLLOWING COURSE, SOUTH 22’25”00" EAST 327.24 FEET; THENCE SOUTH 37’37”39" EAST 686.10 FEET; THENCE AROUND A 1951.83 FOOT RADIUS CURVE TO THE LEFT, (DELTA = 23’06”12") 787.035 FEET; THENCE SOUTH 60’43”51" EAST 242.32 FEET; THENCE NORTH 35’55”54" EAST 1289.100 FEET; THENCE NORTH 441.850 FEET TO THE NORTH SECTION LINE OF SAID SECTION 21; THENCE ALONG SAID SECTION LINE SOUTH 89’43”12" WEST 2103.120 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

MASTER DEVELOPMENT PLAN

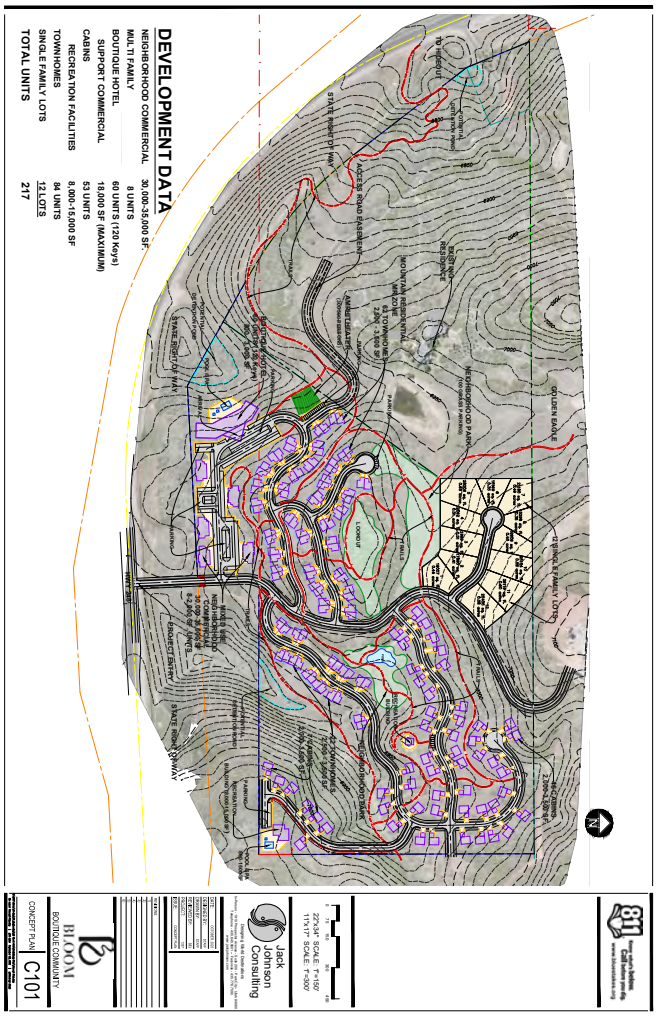
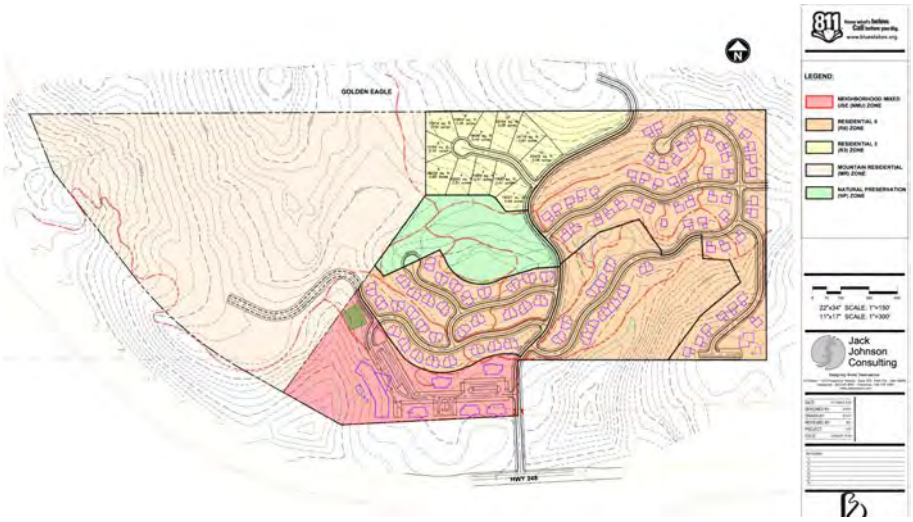


EXHIBIT C

PHASING PLAN



Phase 1:

Infrastructure A:
Main route through middle and lower west loop
Infrastructure B:
Finish west loop middle
Upper west cul-de-sac
Infrastructure C:
Upper East loop
Amphitheater/Grass Top Park

Buildings:
Hotel - 120 keys
40 townhomes - 2500 to 3500 Sq ft
Commercial space and structures - South West - 18,000 square feet

Deleted: pads

Phase 2:

Buildings:
12 single family (on back west side cul-de-sac)

Phase 3:

Infrastructure D:
Lower East side cul-de-sac
Infrastructure E:
Upper East Side Loop
Infrastructure F:
East/South corner road cul-de-sac

Phase 4:
Buildings:
53 cabins - 2000-3500 square feet
Cabins Resort Amenities

Phase 5:

22 Townhomes - 2500 to 3500 square feet
Commercial space and structures #2 North West -17,000 square feet, 8 multifamily 2000 square ft

Deleted: Sq
Deleted: pads

Phase 6:

Buildings:
22 townhomes on the east side - 2500 to 3500 Sq ft

Phase	1	2	3	4	5	6
Includes						
Hotel	120	0	0	0	0	0
Commercial	18,000	0	0	0	17,000	0
Townhomes	40	0	0	0	22	22
Homes	0	12	0	0	0	0
Cabins	0	0	0	53	0	0
Multi Family	0	0	0	0	8	0

Phase Timeline Plan			
Timeline and value		**Projected Start goal**	**Projected Completion Goal**
Phase 1			
Bloom Infrastructure Phase 1 - A	Main route through middle plus lower west loop	2024 Spring/Summer	2025 Q1
Bloom Infrastructure Phase 1 - B	Finish West Loop Middle, and upper West Cul-de-sac	2024 Spring/Summer	2025 Q1
Amphitheatre		2024 Spring/Summer	2025 Q1
Grass/Top Park		2024 Spring/Summer	2025 Q1
Hotel (Total)		2024 Fall	2025 Winter
Hotel (Extra) Commercial		2024 Fall	2025 Winter
Hotel (Extra) Restaurant		2024 Fall	2025 Winter
Hotel (Extra) Landscape		2025 Summer/Fall	2025 Winter
Bloom Landscape Phase 1		2025 Summer/Fall	2025 Winter
Commercial Phase 1 - A	Commercial space and structure - 8000 square feet	2024 Fall	2026 Fall
Commercial Phase 1 - B	Commercial space and structure - 10000 square feet	2025 Fall	2027 Fall
Townhouses Phase 1 - A	10 Townhouses	2025 Spring	2026 Spring
Townhouses Phase 1 - B	10 Townhouses	2026 Spring	2027 Spring
Townhouses Phase 1 - C	10 Townhouses	2027 Spring	2028 Spring
Townhouses Phase 1 - D	10 Townhouses	2028 Spring	2029 Spring
Phase 2			
Single Family Phase 2 - A	4 Single Family Homes	2025 Spring	2026 Fall
Single Family Phase 2 - B	4 Single Family Homes	2026 Spring	2027 Fall
Single Family Phase 2 - C	4 Single Family Homes	2027 Spring	2028 Fall
Phase 3			

Bloom Infrastructure Phase 3 - C	Lower Eastside Cludesac	2027 Spring	2027 Fall
Bloom Infrastructure Phase 3 - D	Upper East Loop	2027 Spring	2027 Fall
Bloom Infrastructure Phase 3 - E	East right corner road	2027 Spring	2027 Fall
			***Note: Infrastructure complete**
Phase 4			
Cabins Phase 4 - A	25 Cabins	2028 Spring	2029 Fall
Cabins Phase 4 - B	28 Cabins	2029 Spring	2030 Fall
Cabins - Club House/Restaurant/Amenities	Club house, Small 30-person restaurant, Meeting space, cold plunge, Pool, etc.	2028 Spring	2029 Fall
Phase 5			
Townhouses Phase 2 - A	8 Townhouses	2029 Spring	2030 Spring
Townhouses Phase 2 - B	8 Townhouses	2030 Spring	2031 Spring
Townhouses Phase 2 - C	6 Townhouses	2031 Spring	2032 Spring
Bloom Landscape Phase 2		2030 Summer	2030 Fall
Commercial Phase 4 - A	Commercial space and structure - #three and #four of commercial 17000 square feet	2028 Spring	2030 Fall
Commercial Phase 4 - B	8 Multi Family Units atop the commercial space	2028 Spring	2030 Fall
Phase 6			
Townhouses Phase 4 - A	11 Townhouses	2032 Spring	2033 Spring
Townhouses Phase 4 - B	11 Townhouses	2033 Spring	2034 Spring

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EXHIBIT D

CONCEPT PLAN APPROVAL BY PLANNING COMMISSION

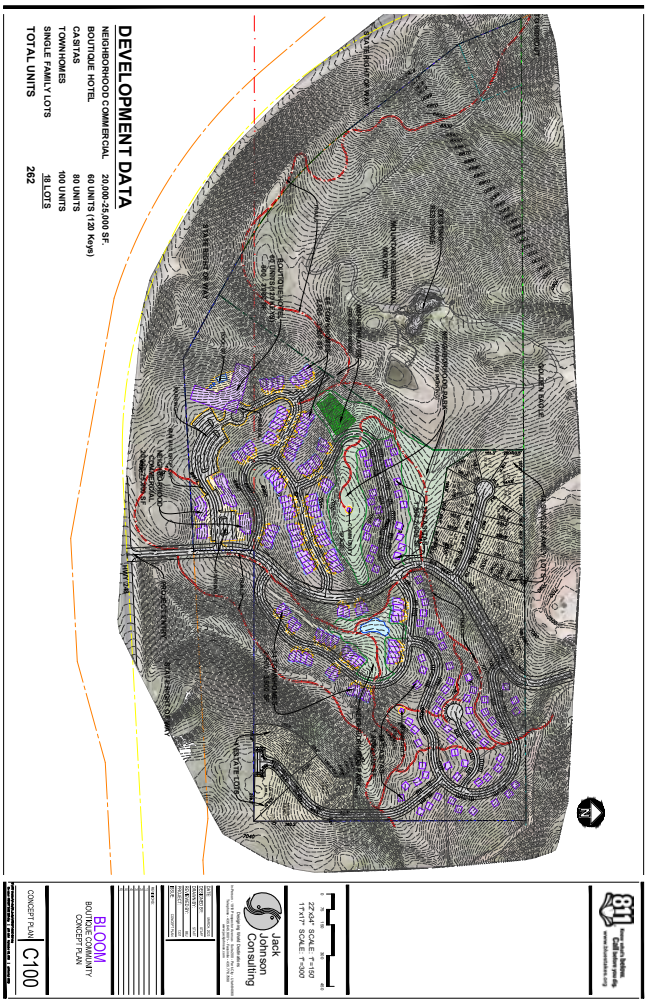
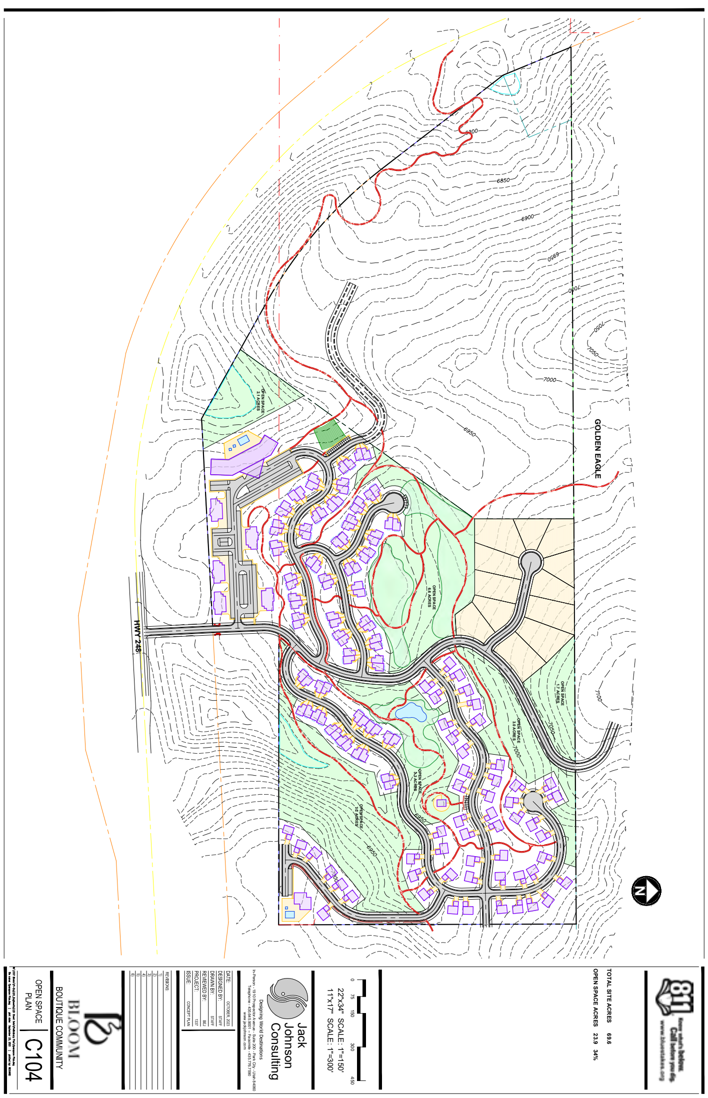


EXHIBIT E

LIMITS OF DISTURBANCE MAP



1

EXHIBIT F

PUBLIC/PRIVATE ROAD MAP

Commented [TE19]: Applicants shall provide the linear feet of roads proposed and then calculate the linear feet proposed to be dedicated to the Town vs. the linear feet that are proposed to be private.

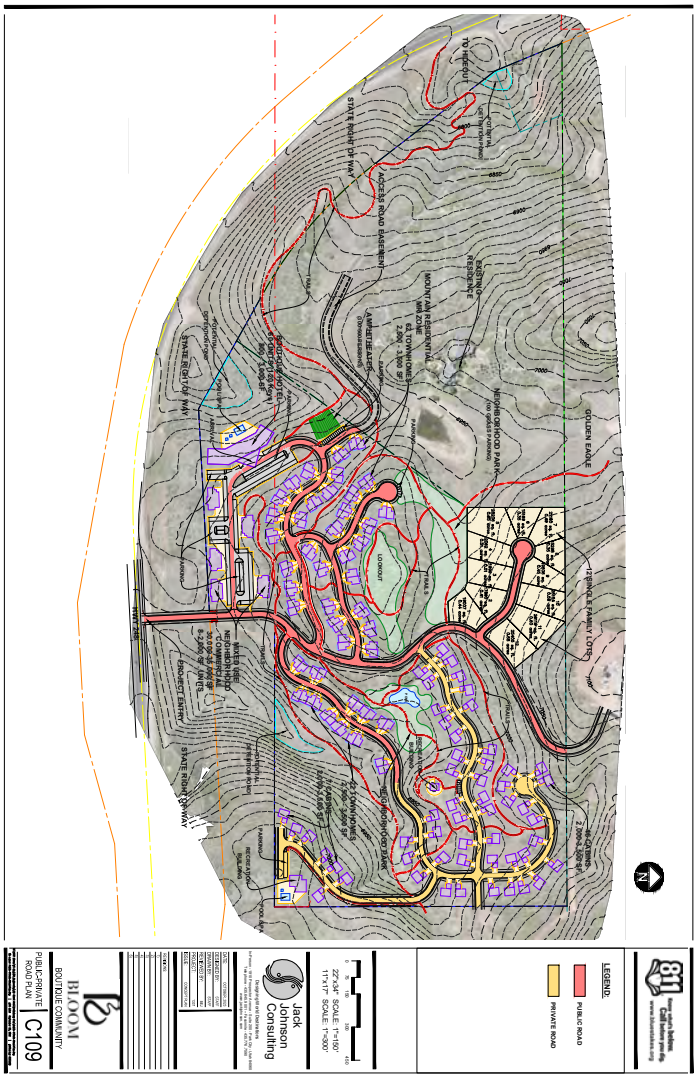


EXHIBIT G

ARCHITECTURAL GUIDELINES

(see the following pages)

Bloom

At Hideout

DESIGN GUIDELINES

October 2023

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PARKING .....
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Parking Area Design .....
Parking Structure Guidelines .....

EXHIBIT A - COMMUNITY LIGHTING .....
EXHIBIT B - STREET SIGNS .....

PURPOSE AND INTENT

The BLOOM MDA has established this Design Guideline, which is intended to convey "Mountain Architecture" and common elements for the Bloom area and to create a coordinated and coherent development. The architecture is based on an authentic Wasatch Mountain vernacular, where structures are reflective of both their respective functions and the surrounding environment.

Buildings and common elements are to be consistent in material finish and general form and constructed of quality materials consistent with the Bloom style. The use of natural materials is encouraged. This Design Guideline identifies key elements that define the character of buildings and common elements and creates a consistent vocabulary that unifies the community.

This Design Guideline will contain images and plans illustrating the Architectural Design Standards and Principles described herein, as well as all approved materials and finishes for architecture. This Design Guideline will be recorded in the town of Hideout and will be used in conjunction with the Town Code.

DESIGN THEME STATEMENT

The general character of the buildings should be one of authenticity, where the buildings look and feel as if they belong to the resort and the surrounding environment. Depending on the building type, the building should be articulated and textured in order to generate visual interest and allow structures to fit harmoniously within the landscape of the surrounding Wasatch Mountains. The general character is defined by the overall form, massing, setting, and detail in the key component pieces. Materials will look like they are part of the mountain.

It is very important that buildings within the Bloom appear harmonious with their mountain environment and that they allow the natural landscape to dominate the distant views of the lake and mountains. The climate, terrain, and important natural features, such as stands of trees and rock outcroppings, are all important factors to be considered in designing any improvements to properties within the Community. The following guidelines are intended to ensure environmentally sound and aesthetically pleasing development of the Bloom, which will mutually benefit all.

Buildings shall embody "Mountain Resort Architecture" with a Contemporary Mountain Modern design, displaying simplicity with a modern flair. Designs should focus on how the buildings meet the ground, work with the existing grades, and harmonize with the natural character of the specific area within the Bloom. The primary objective of these guidelines is to minimize off-site visual impacts through sensitive massing, color and materials selection and create consistent elements regardless of project boundaries. The design standards govern architectural elements such as building massing, roof form and the color and reflectivity of materials as well as establishes common elements in and out of the public right-of-way. These standards do not mandate an identifiable architectural style or theme beyond "Mountain Architecture." Developers and owners are required to design with materials and forms that reflect the mountain character of the site and its climate in order to create places intimately connected with the natural surroundings. Imitation of non-indigenous styles that are closely identified with other geographic regions is discouraged.

ARCHITECTURAL DESIGN STANDARDS

The following architectural design standards have been established according to both climatic and aesthetic characteristics of the Bloom. These standards are specifically intended to maintain the character of this region, as they promote a level of architecture which is not only compatible with the natural landscape but is also environmentally sound.

The architectural character of the Bloom is Contemporary Mountain Modern styles. The goal is to maintain a blend of Traditional and refined Contemporary styles, representing understated elegance and emphasizing quality of construction, natural colors and materials, preservation of the natural environment, and distinctive design creativity within the surrounding natural color palette and that is intended to maintain the "Mountain Resort Architecture".

Architectural Objectives & Unifying Purposes

In keeping with the vision and the design objectives of the Bloom, developers and residents will be required to design their projects in accordance with the appropriate standard design elements and the other guidelines described herein.

Bloom Architectural Principles

The unifying strategy of architectural design is summarized by the following BLOOM Architectural Principles:

a. The Bloom projects shall invoke an image of Mountain Resort Architecture.

a. Projects shall use natural stone as a unifying element or design accent in the building bases, streetscape and pedestrian walkway details.

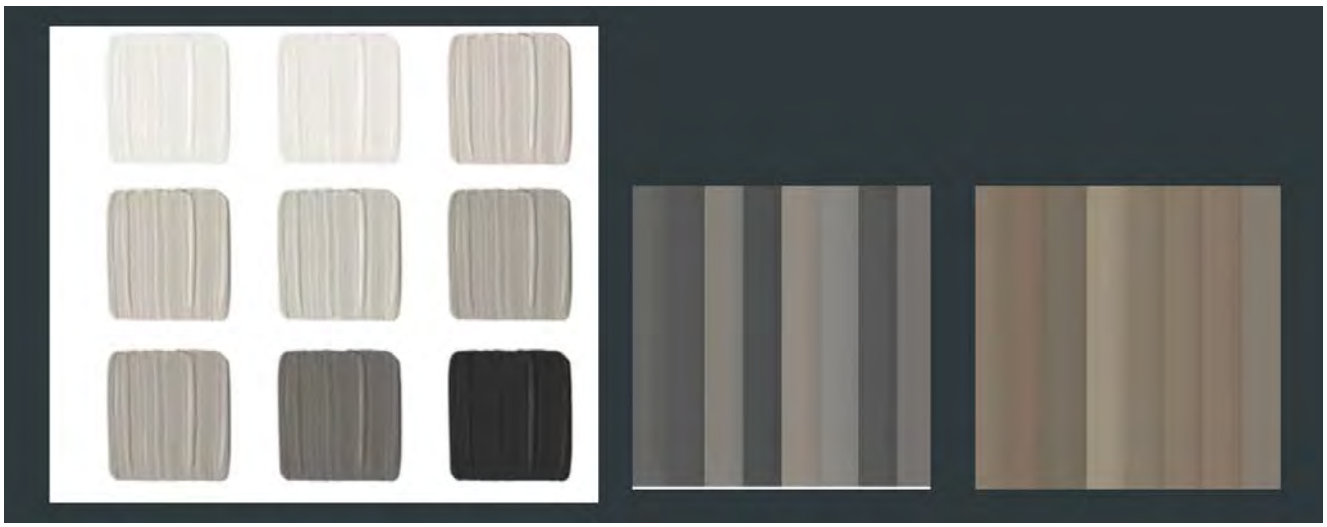
a. Use wood siding, cement board with the appearance of natural wood, COR-TEN (COR-TEN is a brand name that is generally understood but is intended to mean weathered steel) or painted steel, natural stone or natural stone veneer, and smaller areas of stucco on the facades of buildings, and utilize large planes of colors; and

b. Side Architecture is required. All elevation sides must contain doors, windows, or other openings in the walls and must be treated with the same attention to detail given to the front or street elevation.

Color Palette

Colors shall be similar to the natural backdrop colors of the Jordanelle Basin. Main building colors should be more earth tones and subdued tones such as grays, browns and nut. Accent colors may pick up on the subtleties of the spring, summer, and fall seasons to broaden the palette.

The color palette shall reflect a similar range of hues as shown below:



Style Descriptions

Contemporary Mountain Modern:

Contemporary Mountain Modern is a refined style characterized by clean lines, flat- to low-pitched mono-slope roofs, minimal gable roof shapes, and minimal heavy trim details, with larger expanses of window systems used as exterior walls. This style allows any Traditional Mountain-influenced residence to have a bolder modern interpretation while maintaining regional charm. This will be incorporated through the entire development from single family homes, townhouses, cabins, to the commercial village area and hotel essence.

Single Family Homes Images:



Commercial Village Images:

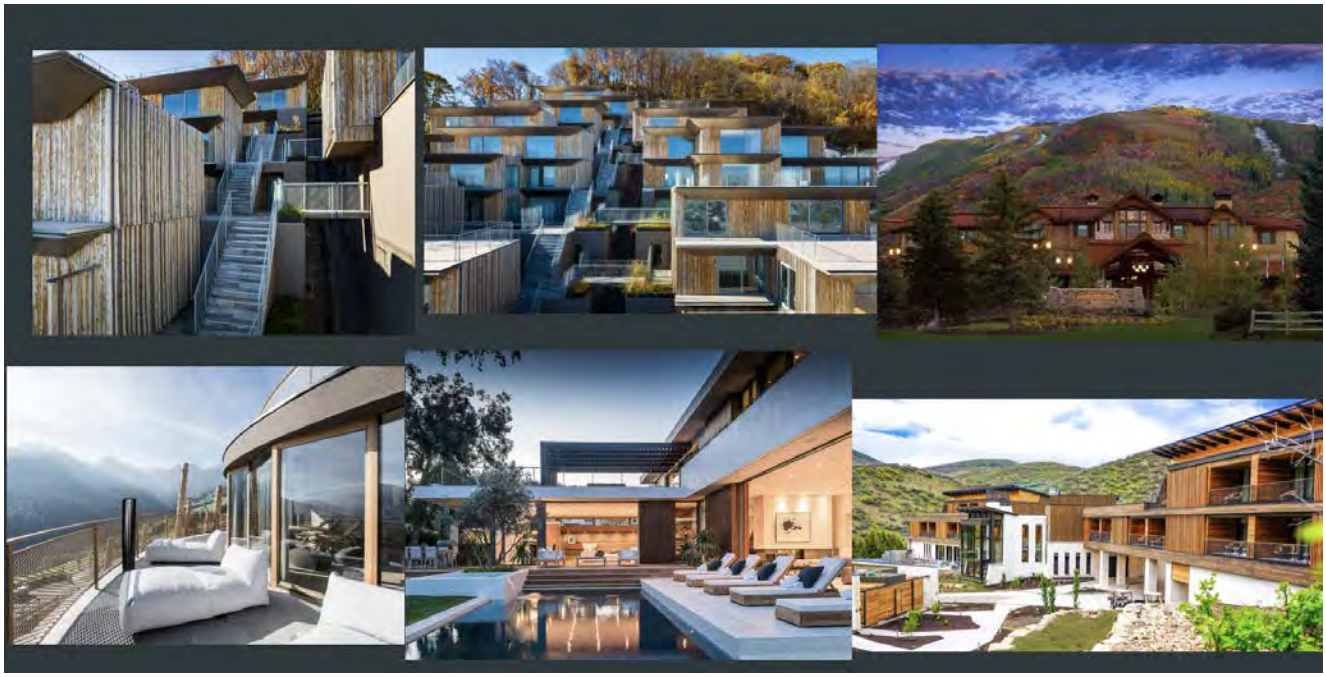


Cabin Resort Home Images:



Townhome Images:





Hotel Images:

Building and Massing:

Architectural elements at the base of buildings which express structure shall be stockier, and foundation walls shall be heavier and more pronounced and grounded in their respective environment. Building massing should step with the natural variations in the topography to integrate the building into the natural landscape.

Columns and Building Articulation

Building columns and articulation are highly interrelated. Columns provide detail along the vertical planes of a building as well as below supported structures such as awnings and

balconies. Columns provide the spatial definition and depth that are critical to the articulation of a building. Additionally, the way columns establish spatial definition along the ground plane greatly impacts the quality of the adjacent pedestrian environment. Columns should not appear spindly or smaller than the scale of the project.

Height and Massing of Structures

The primary purpose of building height restrictions is to create and maintain the overall skyline appearance of the Bloom Community.

The roof lines are of particular important because the roofs, on the majority of the home sites, will be readily visible from both adjacent and distant properties. The roof of each house shall be designed to create a harmonious relationship with the existing site contours, street, and adjacent structures when viewed from all directions.

As per R6, R3 zoning, no residential building shall be greater than thirty-five feet (35”) or three (3) stories. As per NMU zoning, no commercial building shall be greater than (45”) and Mixed Used building (52”). Building heights shall be determined by the true vertical distance measured from the natural grade. Roof top decks are not considered a story but will meet height requirements.

Design of all home elevation sides shall be approached with the same attention as that given to the front or street elevation, and each elevation must contain door(s) and/or window(s) openings in the walls. Articulation, offsets, and indentations in wall planes are required and necessary to create visual interest and add depth via shadow lines.

The placement, style, and scale of elements such as windows, doors, and different exterior materials establish a building’s character, adds richness, and enhances its sense of place.

Building Materials

Building materials shall reflect the natural surroundings and complement the architectural style of the building. Foundation walls must create a strong connection to the ground. For purposes of this section the adjusted exterior surface area shall be defined as the combined total exterior wall area of all facades, including all exposed foundation walls, deducting all

window and door openings. Stucco accents are acceptable and shall be less than 10 percent of the adjusted exterior surface area. Large unbroken surfaces of stucco are not permitted. Corrugated metal, round logs, and faux stone are not permitted.

Wall forms should be continuous in pedestrian areas with attention paid to detail. Storefronts in commercial areas must also be continuous.

Foundation Walls

Buildings must be carefully integrated into the natural landscape and should appear to grow out of the land. Architectural elements at the base of buildings shall be stockier to express structure and foundation walls should be heavier and more pronounced. In a building that is well integrated with the site, the foundations become a platform that defines the exterior perimeter of the interior and outdoor living spaces and sets the nature of the transition between the existing and built environment. Strong-looking foundations with the heaviest materials beneath lighter materials and forms that ex press longevity in a harsh climate are key to successful mountain architecture. Natural stone is considered a heavy material and shall be placed beneath other approved materials. Within six inches of ground level, foundations must be covered with materials such as naturals stone, or COR-TEN or blackened steel.

Exposed posts, bracing weather decorative or structural, large timbers, corbels and substantial natural stone columns or posts with natural stone bases that are consistent with the architectural vernacular are allowed as support structures for projecting elements from buildings.

Exterior Walls

Exterior walls shall match the medium color and value of the natural landscape and color palette. Buildings shall avoid flat wall planes. Building elevations should be horizontally and vertically stepped to avoid large uninterrupted wall surfaces that can distract or look out of place from the natural landscape.

Building materials shall reflect the natural surroundings and complement the architectural style of the Residence.

Approved Exterior Materials:

1. Natural Stone or Natural Stone Veneer
2. Natural Wood – the use of natural wood siding installed in different directions with different colored stain is not acceptable as a distinct material option. However, the use of two (2) different wood species is an acceptable distinct material option if the profile style, installation direction, and a different finish stain color are used.
3. Corten Steel and Blackened Steel – (minimum 22-gauge metal panel is required to prevent oil canning)

1. Fiberboard, Cemplank, or Cementitious Siding with an embossed appearance of natural wood grain.





Doors

Main entry doors should be oversized to make a grand statement and should have side lights, window accents, or surrounding windows whenever possible. Doors shall be constructed of steel, glass and/or wood. The primary treatment on wood doors should have the appearance of natural stained wood. Steel doors can have a natural patina and paint finish. All doors should match the overall character and architecture of the building and incorporate glass as appropriate. Side or service doors may be fiberglass or aluminum. All doors can be painted.



Windows

Buildings may have expanses of glass to celebrate the fantastic views and provide a refined touch. Windows offer the opportunity to create scale, proportion, and detail to exterior elevations, while responding to view, privacy, and natural daylighting considerations. Sizes of window components in multi-pane assemblies can add a human scale and proportion to the building.

Window design is an integral component of the building architecture and should enhance the visual interest of the building. All elevation sides should contain doors, windows, or other openings in the walls and be treated with the same attention to detail given to the front or street elevation. Roof overhangs should be used to shade large glass areas and avoid reflective glare.

Window frames shall be constructed of the following materials: thermally-broken aluminum frames, thermally-broken steel frames, wood frames with exterior extruded aluminum cladding, fiberglass, vinyl composite or wood composite.

Garage Entrances and Doors

Garage entrances and doors shall be designed and placed to be compatible with the building and the surrounding area. Garage doors occupy a major portion of the building's ground floor and can therefore have a major impact on the pedestrian's perception of the building. In order to minimize the visual impacts of the garage door, it must be designed to be an integral part of the building's architecture, with trim and detailing that are visually interesting. Garage doors shall be designed to complement the architecture of a building and not become the dominant facade feature. Garage doors shall be recessed and landscaped to soften the impact of the door when viewed from the street.

Garage doors shall be constructed of steel, wood, fiberglass, or wood composites with windows that complement the structure. Doors that are primarily glass may have frames that are aluminum, steel, fiberglass or wood which are painted.

Garage doors shall be set back from face of detached or attached single family housing. Front facing garage doors shall have a minimum eave overhang of 2 feet.



Roofs and Snow Guards

Building roofs are an essential element of the visual landscape of Bloom. For traditional mountain architecture, the main roof should be articulated with a combination of gables and dormers that integrate windows and usable spaces. Additionally, on all roofs, secondary roofs should be used to break up large expanses of the main roof. All roof materials should have a natural appearance. Roof colors shall be conforming to Bloom design standards, color palette and be analogous to the natural colors present in the Jordanelle Basin area. Snow guards must match the color of the roof. Roofs above entrances should be gabled or take similar measures to prevent snow from shedding in the entries.

Solar panels are allowed flush to a roof or hidden from view behind a parapet wall.





Roof Material

Approved roof materials: painted standing seam metal roof, COR-TEN or blackened steel, patinaed copper, patinaed zinc, Vail metal tile, and environmentally sensitive composite shingles such as a substantial 40-year approved wood-like shake profile. Other materials that may be acceptable include concrete, slate tiles, presidential superior grade asphalt shingles similar in quality to "Presidential Shake," and thermoplastic polyolefin.

Eaves

Eaves shall project a minimum of 24 inches (inclusive of rain gutters) beyond the building walls in order to minimize reflections from glazing, create shadow patterns on the building walls, and protect south facing interior spaces from glare caused by the low angle of the winter sun and protect pedestrians from falling snow and ice.

Fireplaces, Chimneys, Flues, Vents & Rooftop Equipment

All roof vents shall be incorporated into the roof design and shall be complimentary to the building architecture. Acceptable solutions to individual utility roof vents are dormer venting, fireplace venting or cupola venting. Attic venting can be prefabricated shingle cap, ridge venting, custom built ridge venting, or cupola venting. Box vents, also known as "turtle vents" (powered or static), are acceptable if they are placed on non-street-facing roof planes, such as the back sides of ridges, and are evenly distributed so as to avoid vent clusters. Colors should be harmonious with the roof material and reflective surfaces or finishes should be avoided. Flues, vent stacks, roof mechanical equipment, and other penetrations should be ganged together using as few stacks as possible. These stacks should be articulated as features on the roof with appropriate architectural detailing and spark arresters. Chimneys and roof mechanical equipment enclosures shall be clad in natural stone or COR-TEN, or siding or blackened steel.

Site Lighting

Developers shall use the approved street lights or something similar and utilizing the common materials of COR-TEN, wood and rock adopted as part of this Guideline with the intent of a low-level, uniform street lighting scheme for safety purposes. Additional site lighting is permitted, provided such lighting has a low-level, subdued intensity and is fully shielded, down facing, and does not result in any kind of excessive glare toward the street or Neighboring Properties. External lighting fixtures are encouraged to have frosted or

heavily seeded glass so that the light source is not visible. All exterior lighting sources must meet the town of Hideout's Dark Sky requirements.

Setbacks, Developable Envelopes, and Public Utility Easements

During the design development process of your Homesite plans, we encourage your stewardship to ensure that Bloom's unique mountain community design sensibilities remain intact.

Setbacks, Developable Envelopes, Public Utility Easements, and Rights-of-Way all need to be carefully considered during planning or proposed improvements on a Homesite. Each of these areas are restricted and cannot be built in or encroached upon.

Setbacks have been established to maintain a balance between buildings and the natural setting, while still providing flexibility in building configuration and location relative to protected existing vegetation and topography.

Public Utility Companies have easements on all Homesites measuring ten feet 10' from the property line on all sides. Owners are also responsible to provide access to any utility company or the Association for any services, repairs, or maintenance, including snow removal. Furthermore, owners are responsible for damage that may occur to any utility within the PUE.

Setbacks and Public Utility Easements measured from the Property Lines:

Property Line	Setback	Public Utility Easement (PUE):
Front	ten feet (10')	ten feet
(10') Sides	ten feet (10')	ten feet
(10')		
Rear	twelve feet (12')	ten feet (10')

Areas of a Homesite that may be developed are determined by Setbacks, PUEs, ROWs and/or Developable Envelopes (DE). A Developable Envelope (DE) may be delineated on Homesites with steeper slopes.

Allowed Encroachments

The **ONLY Allowed Improvements or site disturbance within the ROW and PUE** are landscape enhancements with trees and plants selected from the approved plant list, appropriate irrigation, drainage swales, and:

Front ROW:

- Utility Connections
- Driveway Entrance and Associated Grading and retaining walls associated with the driveway

Front Setback and PUE:

- Utility Connections
- Driveway Entrance and Associated Grading
- Roof Eaves to encroach into the Setback up to two feet (2')
- On Ground Hard Surface Areas, or Decks less than two feet (2') Above Ground up to two feet (2')

Side Setbacks and PUEs:

- Utility Connections
- Roof Eaves up to two feet (2')
- On Ground Hard Surface Areas, or Decks less than two feet (2') Above Ground up to two feet (2')

Rear Setback Area to PUE:

- Roof Eaves up to four feet (4')
- On Ground Hard Surface Areas, or Decks less than two feet (2') Above Ground up to four feet (4')
- Retaining Walls, and Associated Grading up to the PUE
- Hot Tubs and Fire Pits up to four feet (4')

Rear PUE:

- Encroachments are not allowed

If during construction, the General Contractor encounters unforeseen site design constraints that may warrant the need to encroach into the PUE setback, the Owner/General Contractor must submit a detailed redline drawing outlining their proposed design modifications to the Town of Hideout for review and approval prior to start of construction.

Retaining Walls

Retaining walls and associated grading should be contained within the Buildable Property limits and shall not encroach into the Public Utility Easements (PUE) or Rights-of-Way except on a case by case basis when permitted by the ARC / HOA.. Only retaining walls associated with driveway grading may extend into the in the Front yard PUE and ROW. Construction of any site grading retaining wall(s) (concrete or stone boulders) shall not encroach into any of the PUE setbacks.

Owners are responsible to ensure construction, maintenance, and site drainage are contained within their property and will not adversely affect Neighboring Properties.

Improvements and Site Disturbance

Owners are required to vegetate, irrigate, and maintain the area along the front of each Homesite from the edge of driveways to the Private Area with plants and trees selected from the approved plant list. Bloom recommends that Owners strongly consider incorporating Xeriscaping in their landscape designs and utilization of species which minimizes water use. Areas along the sides and rear of the Homesite that were disturbed by site development are to be restored to reflect the characteristics of the natural environment or/and may be enhanced with plants selected from the recommended plant list. Owners are responsible to provide access to any utility company or the Association into all PUEs and Rights-of-Way for required service, repair, or maintenance, including snow removal, and shall be responsible for the repair of any resulting damage that may occur.

The clear-cutting of vegetation will not be permitted; however selective pruning and/or the removal of trees and shrubs necessary for developing any Homesite is allowed.

Limit of Disturbance

Preservation of natural Site features and existing vegetation is required wherever possible. The area around a project impacted by construction activity, defined as the Limit of Disturbance (LOD), shall be limited to the immediate area around the building excavation, with reasonable allowances made for the practicality of construction and the safety requirements imposed by local and jurisdiction authority.

Homesite Planning

Residences shall undulate with the existing Homesite slopes. Engineered Building Pads and excessive excavation or fill more than 20’ should be avoided on a Homesite unless the BLOOM and County have specifically approved such excavation or fill. No portion of front, rear and side yard retaining walls shall be located inside the PUE setback lines. All retaining walls must be contained with the buildable area defined by the PUE setbacks and shall not encroach into the PUE or Rights-of-Way.

Grading and Drainage

For sloping Homesites with a natural grade elevation variation, the BLOOM requires residential design solutions to incorporate slope considerations, so that the structure will step upward or downward with the sites’ natural slope.

On sloped Homesites, artificial terracing that creates an engineered pad suited to accommodate a “flat” Homesite Design is discouraged.

Industry standard construction and grading practices must be used to implement Homesite surface drainage. Any improvement which creates an obstruction to surface water flow and/or causes stormwater to flow onto or back up onto neighboring properties is prohibited. Site grading design should take into consideration adjacent properties, whether vacant or developed, and coordinate surface drainage be contained and/or rerouted as required on the lot and to follow along property lines where feasible. Whenever possible, where two driveways are located adjacent to each other, coordinate grading efforts to eliminate peninsulas of earth between driveways and/or the need for duplicate retaining walls.

All ground floor levels on a homesite should occur at a vertical elevation that allows for the final placement of backfill, walkways, driveways, and porches to produce positive drainage which moves water away from the structure in all directions.

During the construction phase, all Builder(s) shall respond appropriately to eliminate site erosion.

Driveway Access

Because of the snowy conditions in the winter months, access grades should be minimized for vehicles. The driveway transition from the roadway to the garage door may

not exceed a twelve percent (12%) grade to allow easy of access and snowplows to clear driveways and roads safely. This requirement also allows standard passenger cars to easily access streets in storms and icy conditions.

Walls and Fencing

Garden or Privacy walls shall employ the same or complementary materials as the Residence. Concrete walls must be faced on all exposed surfaces with the same natural stone used on the Residence. Fences shall not be allowed in the residential areas to support an "open" feel and allowing for wildlife migration.

LANDSCAPE & PLANTING

Landscape elements within the public and private areas are intended to enhance the mountain character that is important to the overall design.

Landscaping should be reminiscent of the natural landscape found in the Jordanelle Basin by using native materials such as landscape boulders and plant species. Natural appearing land forms and flora should be maintained and predominate wherever possible. In natural open areas and private spaces, the landscape design should allow new vegetation to appear to be integrated with the existing mountain landscape and utilize indigenous species wherever possible.

Planter walls are recommended adjacent to public spaces to encourage a sense of scale and intimacy. The walls should be faced with approved materials and standard design elements, but care should be taken to make these walls relate both to land form and building structures.

Grade changes within the landscaped pedestrian areas should be made using retaining walls with a maximum of five feet in height. Wall heights greater than five feet may be used when necessary to minimize disturbance to land form and to preserve the natural character of the area. Higher walls should have more natural stone and should be visually integrated into the landscape in form and texture. Building and landscaping should be carefully integrated to assist in creation of the streetscape, improving quality of private open space and providing color and diversity to the Bloom.

Based in a mountain setting, it is key to the success of the Bloom to effectively fuse the vernacular landscape with the proposed built form. By weaving the inherent natural patterning of the landscape into the fabric of the development, a solution appearing to "grow out of the landscape" is born.

Planting

Planting is an important part of the landscape character for the Bloom. Plant composition should help emphasize the sense that the mountain landscape extends through the Bloom and down to the Jordanelle Reservoir. To mimic the natural landscape character, the use of native or native-like plant massing and compositions that combine deciduous and evergreen trees with under-story shrubs and groundcovers reminiscent of the surrounding mountain slopes and native Utah landscape is required. Plantings are to be incorporated into landscape design to create edges, frame views, soften building edges and extend the mountain landscape character into the resort core. A variety of plant sizes is recommended to ensure visual diversity.

Plant Materials

Plant materials should be tolerant to the Jordanelle Basin, which is characterized by cold winters and hot summers with very little rainfall. The Basin is also subject to diurnal winds throughout the year, making it difficult to plant large stock plant materials in unprotected lands. However, because of the hilly terrain in the Resort, many areas with more hospitable microclimates are formed.

Native Plants/Native-Like Plants

Native landscapes and vegetation areas that reflect the indigenous plant materials and landscape textures are envisioned. Native landscape species consist primarily of drought-tolerant plants. Plants in wet areas shall be consistent with native species in these types of plant associations.

Turf, Meadow Grass and Wildflowers

Use alternatives to turf where ever possible. Effective alternatives to turf, which will better maintain a natural setting, include wildflowers and shrub massing for season-long color and interest. All-season planting beds adjacent to paved areas will require adequate soil depth for plant materials. In certain settings, wildflower reseeding will be necessary to maintain the color vibrancy of the planted areas. Soil depth within the planting beds can be obtained by mounding soil or building walls and raising curb edges. Planting depth requirements are critical to the health and maintenance considerations of the plant material.

Wildfire Mitigation

Fire safety and defensible space provisions on homesites are the responsibility of the homesite owner. Available at http://www.ffsl.utah.gov/index.php/fire/resources-for-homeowners.

HARDSCAPE ELEMENTS

Hardscape elements within the public and private areas are intended to enhance the mountain character that is important to the overall design of the Bloom. Hardscape elements include street furniture, feature landscape elements, walls and planters, signage, paving materials, and streetscapes.

Water Features

Man-made, large-scale water features should be designed as special feature elements only and should be located strategically for maximum visitor impact and for sound attenuation.
They should be designed to provide visual interest and celebrate entrances or special areas. Water should be recirculated through the water feature to minimize water loss. Consideration should be given to water quality by incorporating filtration and/or purification systems where appropriate.

The use of accent lighting in water features is encouraged; however, lighting level intensities should be kept to a minimum. Light sources, electrical cables and mechanical hardware shall be hidden from view. Water features should be constructed of natural stone and natural shaped stone with consideration given to finishing pool bottoms with natural stone or material to give a finished elegant look. Water features should be designed to create four- season interest.

Street Furniture

Within the public realm, the intent of the street furniture such as benches and trash receptacles and other landscape elements is to unify and define the elements and character of the Bloom. Custom motifs consistent with the theme of the Bloom should be used in public spaces. Street furniture within the public realm must be high quality materials and may include BLOOM logo. Finishes should be durable, easily maintained and respond to the demands of heavy use. Street furniture should be made of wood, natural stone, COR-TEN or blackened steel, using colors that blend with the surrounding natural areas, in accordance with the images in the Design Guideline.

Benches and Picnic Tables

Bench or table designs for public seating will be made from wood or COR-TEN or steel in styles shown below. There may be more than one bench or table design, so long as they all capture the unifying design and materials within the Bloom.



Kiosks, Interpretive Centers and Wayfinding

Kiosks, interpretive centers and wayfinding are an important element to enhance the pedestrian experience for the Bloom and shall embody the unifying image, approved BLOOM logo, and design elements. Kiosks are another way to insure a seamless shopping experience to visitors and guests of the BLOOM. The kiosks, interpretive centers, and wayfinding signs should blend with the natural background colors and be constructed with natural stone bases and shed roofs using wood, COR-TEN steel, and natural stone with phenolic resin information panels steel and substantially similar to design shown below.





Bike Racks

Bike storage will be provided near entries to commercial and amenity spaces for use by the public. Bike racks must be highly visible, convenient and accommodate locking mechanisms to reduce the risk of theft. Bike racks should blend with the natural background colors and be constructed of wood and COR-TEN steel as shown below.



Mail Boxes

Mail boxes will be coordinated in design and detailing with boxes in a darker color. Mail boxes should blend with the natural background colors and be constructed with a shed roof using natural stone, wood and COR-TEN steel and shall be built similar to the design shown below. Smaller numbers of gang boxes shall comply with the same requirements.



Picnic Shelters

Picnic shelters will be coordinated in design and detailing, should blend with the natural background colors and shall be constructed with natural stone bases and shed roofs using wood, natural stone, COR-TEN or steel, and painted metal.

Bus Shelters

Bus shelters will be coordinated in design and detailing, should blend with the natural background colors and be constructed with natural stone bases and shed roof using wood, natural stone, and COR-TEN steel and shall be built as shown below.



Paving Materials

Paving materials and patterns are important elements within the Bloom. Paving character should be inspired by natural elements within the Utah landscape. It is important that a hierarchy of paving within each landscape character area be established to delineate spaces, direct pedestrians and create interest at the ground plane level. Acceptable paving materials must be durable, frost proof, easily plowed and should have a high coefficient of friction.

Acceptable materials are textured concrete, colored and stamped concrete, pavers made of concrete or rock, and asphalt when edged with pavers or concrete. It is intended that the commercial uses or village type development will refine this portion of the Guideline.

Streets

The streetscape is a strong component of the Bloom design. Streetscapes, especially in villages, are the primary interface between the pedestrian and automobile and become vibrant activity areas that invite people to come and shop or discover the amenities.

Streetscapes should provide interesting signs, banners, paving materials and other Bloom design elements. The streetscape should address the needs of both the pedestrian and automobile. Legibility for these two key users should be at the forefront of every signage design decision. Vehicle accessibility should not be at the expense of the pedestrian. Signs within streetscapes should not be overpowering from sign to sign but should work in harmony.

Walkways

Walkways should be designed to act as their own way-finding features by using textures, colors and materials to reinforce the travel direction and provide an exciting pedestrian experience. Wayfinding and educational kiosks or signs should be used at points of interest.

Community Lighting

Lighting is a very important aspect of the Bloom. Due to the nature of lights and how they attract attention it is imperative that great care be taken in the selection of light stanchions to enhance the theme of the Bloom. Lamps should use a minimal number of lumens and still provide a safe environment for pedestrian and vehicular traffic. All lighting shall be constructed of wood and/or COR-TEN steel, be Hideout Dark Sky compliant, approved by the power provider and shall be substantially similar to the designs shown below.

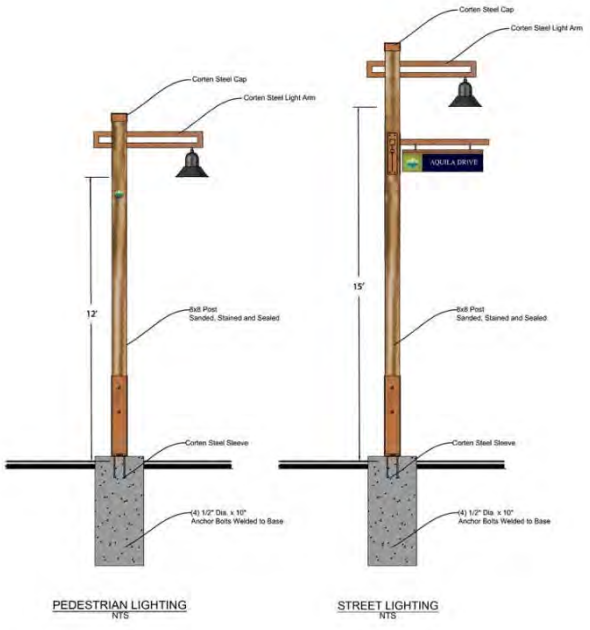
Street lighting illumination levels must be of sufficient intensity to provide security but not overpower the nightscape. Street lights shall not be more than 14 feet in overall height. Bollards and other low-level lighting will be provided for pedestrian pathways. Bollards shall not exceed 42 inches in height and shall have a light cut-off of no more than 90 degrees.

Parking lot lights are permitted to be a maximum of 20 feet tall and street lights outside of the villages shall conform to the height and other regulations shown below and listed in Exhibit A. Street lights shall be located primarily at street intersections. Signs within a public right-of-way may only display the BLOOM logo.









SIGNAGE

One of the single most effective unifying elements within the Bloom will be signage and the related design elements. It is the design of the common signage, the nature of the design of the other signage and how they relate together that will provide the most immediate and apparent visual stimulus to the visitor and those who reside locally. The signage must be consistently used throughout the Bloom in order to be effective in the unifying process. All signage shall be consistent with the materials, character, scale and finish that define the Bloom Area.

It is the intent of this sign standard that signage contributes to the character of the development in an unobtrusive manner. Signage within the Bloom will add to the character of the area. Signs shall be straightforward, professional in appearance and clear as to ability to convey its information. Signs should be limited throughout the Bloom and will be integrated as decoration or awnings and covers. Signs are to be scaled in a manner as to encourage pedestrian circulation and appropriate scale to the public realm. Distracting, bright or visually intrusive signage shall not be allowed.

Signs within Bloom will have a common theme but also provide variety and interest to the area. Elements of the "brand identity" should be present in each sign in the BLOOM. Colors shall be consistent with the approved color palette and image of the resort. Loud and overbearing colors are not allowed. Using natural materials that relate to the mountain environment shall be used.

Sign locations size and scale should be carefully considered and in accordance with the town and County regulations. Signs come in many categories, each with their own specific purpose. Signs in the Bloom should be purposeful and reflect their intent clearly.

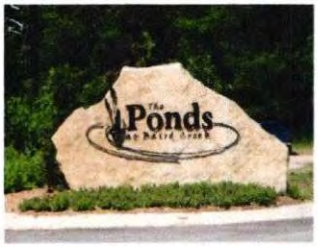
Allowed Signs

In compliance with ordinances the following signs may be allowed including projecting signs, freestanding signs, fascia signs, awning signs, hanging signs, window signs, building directories, display boxes, traffic control signs (private), election signs, real estate signs, contractor's signs and rezoning and development permit signs. Exceptions to these sign types shall be where they do not perpetuate a legitimate directional or business purposes.

Entry Signs and Monumentation

Entry signs should be larger in scale and often create the first impression for the resort itself. These entry signs shall be monumental in scale, look like they belong to the native landscape, and be a maximum of ten feet in height. They should act as if they are a part of the natural experience and blend with the natural background colors. Natural stone bases shall be provided if other materials are used for the sign. Signs must be constructed of natural stone, COR -TEN, wood or steel, with lettering made from wood or metal, and if lit have Dark Sky compliant down- or back-lighting as shown below. Where possible, monument signs will look as if they are an extension of the native setting and local culture.







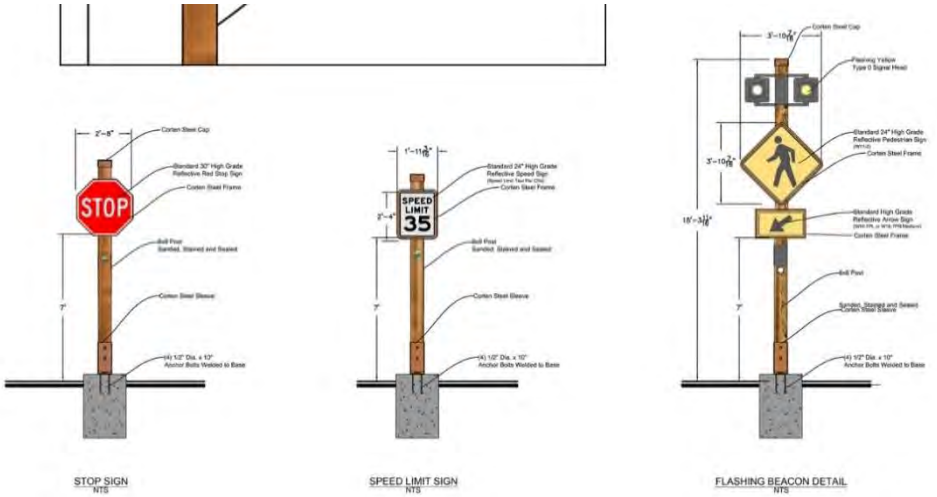


Directional Signs

Directional signs must be easily identified for the first-time visitor to the Bloom. Directional signs are oriented toward vehicles and higher speeds. Directional signs should capture the natural theme, not be overstated, and a maximum of six feet in height. These signs should be simple to read and make getting around the resort simple. Directional signs shall be consistent in their look and graphic vocabulary, blend with the natural background colors, and if lit have Dark Sky compliant down- or back-lighting as shown below.

Street Signs

These signs, which will identify various streets in subdivisions within the Bloom, will be standard signs that comply with Health and Safety standards and reflect the image of the BLOOM. Street signs shall be consistent in their look, display the approved BLOOM logo, and be constructed of wood and/or COR-TEN steel as shown below and in Exhibit B. Signs within a public right-of-way may only display the BLOOM logo.



Business Signs

Business signs have a long and colorful history in western culture. Not only do they define the type of business, but they also often set the character of a street, acting like banners that reinforce the brand. Business signs often are meant to provide an edge over competition making it very important to regulate the size, scale, color and material to ensure their consistency with the overall BLOOM experience and the character of the room or pathway where they are located. Business signs should blend with the natural background colors, be constructed of natural stone, wood, and COR-TEN or steel as shown below and if lit have Dark Sky compliant down- or back-lighting.



Building Signs

Building Signs are often important elements of other private users and will reflect the users specific brand elements. These signs must also be carefully integrated into the overall theme for the Bloom. The ownership group will work closely with other private groups to keep these building signs within the overall brand context for the Bloom. Building signs either identify an entire building or a specific business located within the building. Building signs are mounted flush to the building and should blend with the natural background colors, be constructed of natural stone, wood, and COR-TEN or steel, and if lit have Dark Sky compliant down- or back-lighting as shown below.



Blade Signs

Blade signs are signs that are perpendicular to the pedestrian movement and are attached to posts, buildings or hang down from awnings. Blade signs are typically part of a pathway and should not be so competitive in color or scale to detract from the overall BLOOM experience. At the same time they should reflect the type of business to allow easy identification for resort visitors. Blade signs should blend with the natural background colors, be constructed of natural stone, wood, and COR-TEN or steel, and if lit have Dark Sky compliant down- or backlighting as shown below.



Sign Lighting

Lighted signs must be carefully considered. Sign lighting should integrate into the overall theme of the setting and buildings on which they are located. Sign lighting should have Dark Sky compliant down- or back-lighting as shown below and should not cause glare to pedestrians or adjacent properties.



Prohibited Signs

The following signs and sign types are prohibited: billboards, balloons, roof signs, changeable copy signs, pole signs, painted windows or building walls, internally illuminated plastic/Plexiglas or neon signs, animated, audible, dynamic or moving signs, or signs that emit light, air, noise, smoke, vapor, particles or odor or any sign not authorized by the code. Painted wall signs and signs made of material not in keeping with the natural materials found in the Bloom area are also prohibited.

Signs that create a safety hazard by obstructing building ingress/egress or clear view of pedestrian or vehicular traffic are prohibited.

PATHS AND TRAILS

The master trail system within BLOOM is also part of a comprehensive trail system in Wasatch County and the Regional Trail System. BLOOM is intended to have an extensive trail network to provide multiple types of trail users with different experiences. Trails within the master planned area shall provide connections to adjacent neighborhoods and to the Resort Villages.

The design objective for the paths and trails is to provide a safe, pleasant and "experiential" pedestrian system to link residential areas, community facilities, and public amenities as part of trail system within BLOOM, as well as to areas outside of BLOOM.





Comprehensive Trail System

The year-round success of the BLOOM is largely based on a comprehensive, well designed trail system with connections to all adjacent trail systems. The BLOOM system is designed as part of a much broader trail system that extends to communities within the County and also connects to Summit County, the Snyderville Basin and Park City/Deer Valley trail systems.

The trail system is designed to accommodate multiple non-motorized user groups and to provide a series of recreational experiences for biking, equestrian, hiking, cross-country skiing, walking and running. Motorized use of trails is prohibited except for authorized emergency vehicles not to exclude e-bikes. As final trail alignments are set, careful coordination should take place with Wasatch County to ensure standards are met.

Trail and Paths Standard Design Elements

Suggested standard design elements for trails and paths are as follows:

a. Common Lighting standard design elements;

b. Common bollards;

c. Paved or native materials with a weed barrier;

d. Railings (consistent styles and sizes);

e. Materials and design for rest areas and viewpoints (including restrooms where appropriate) ;

f. Landscape planting and re-vegetation;

g. Trail signs with the BLOOM logo (the same for the entire BLOOM);

a. Walls and wall treatments;

b. Common kiosks (as approved in this document) and wayfinding signs with the approved BLOOM logo; and

c. All trails shall be built in accordance with the Wasatch County trail standards that contains additional detail to this document.

Compacted Soft Surface Pedestrian Trails

Compacted surface trails should be extensive throughout the BLOOM. These trails link critical areas to more trafficked hard surface trails. Compacted soft surface trails will require regular maintenance to keep the trail from overgrowing. Where necessary, shoulders on the uphill side of the trail should slope back to capture sediment from the hill and keep it from running over the trail system. Drainage swells should be provided on uphill sides of the trail with culverts in key locations to keep water off the trail.

Hard Surface Pedestrian/Bicycle Trails

Hard surface pedestrian trails shall be paved in asphalt with a weed barrier. Shoulders on the uphill side of the trail should slope back to capture sediment from the hill and keep it from running over the trail system. Drainage swells should be provided on up hillsides of the trail with culverts in key locations to allow water to pass under the trail. View areas should also be considered in key locations.





PARKING

Parking must be adequate, simple, convenient, and very easy to find. Structured parking is anticipated in commercial and hotel areas.

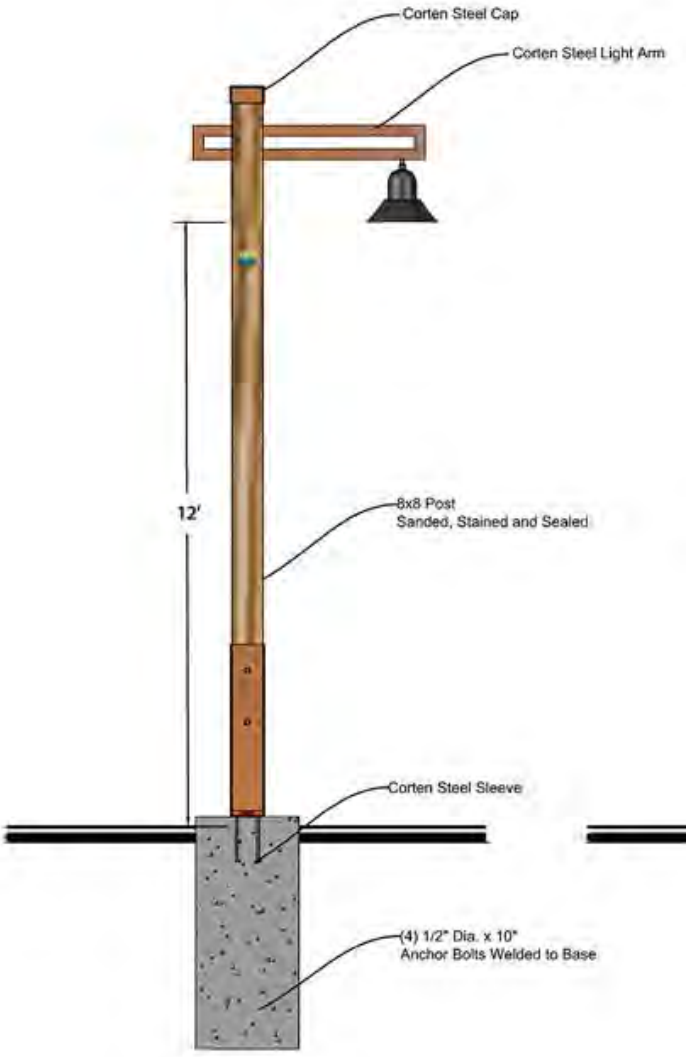
Parking Plan

The number of parking spaces required shall be governed by the Town of Hideout Planning, Zoning and Development Code regulations. In a resort setting parking lots and parking structures may be critical to the success of the resort. However, because of aesthetic concerns, it is also just as important that these types of facilities be implemented in such a way as to not detract from the overall theme of Bloom.

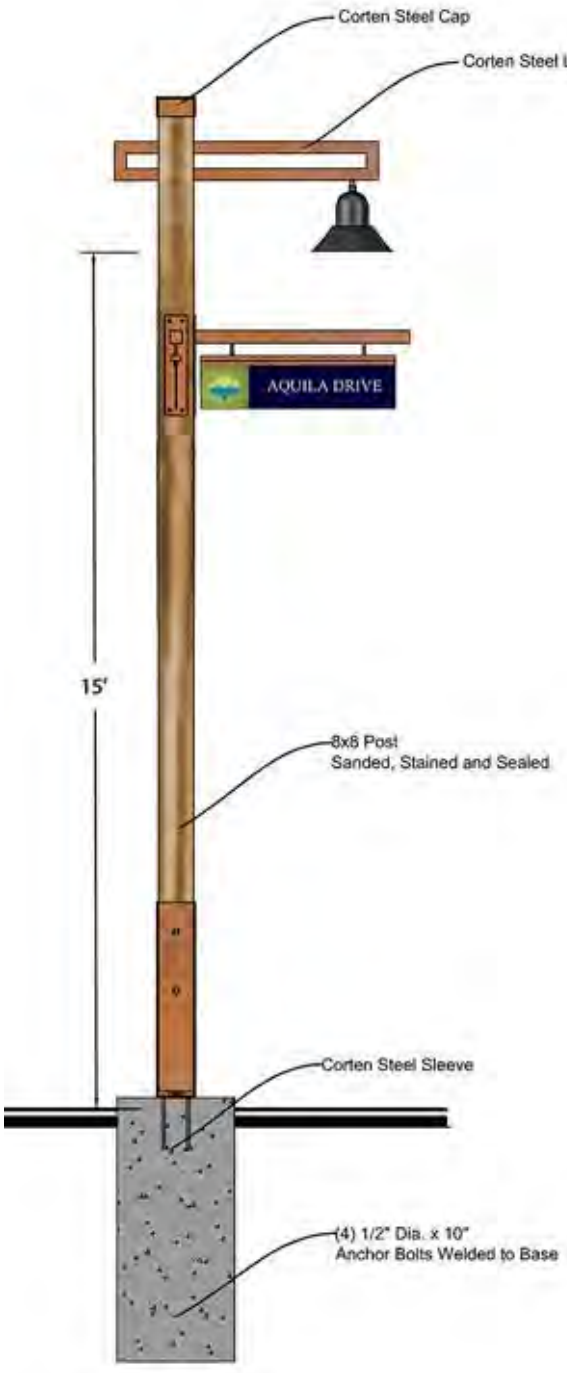
Parking Area Design

Parking areas should be designed so that a car within a parking area will not have to enter a street to move from one location to another within the same parking area, and the number of entrances and exits should be limited to reduce conflict and lessen possible congestion at street intersections. Parking areas should also allow seamless links to pedestrian patterns. This can be implemented through the use of design elements such as painted or enhanced paving, architectural features, or landscape treatments.

EXHIBIT A - COMMUNITY LIGHTING

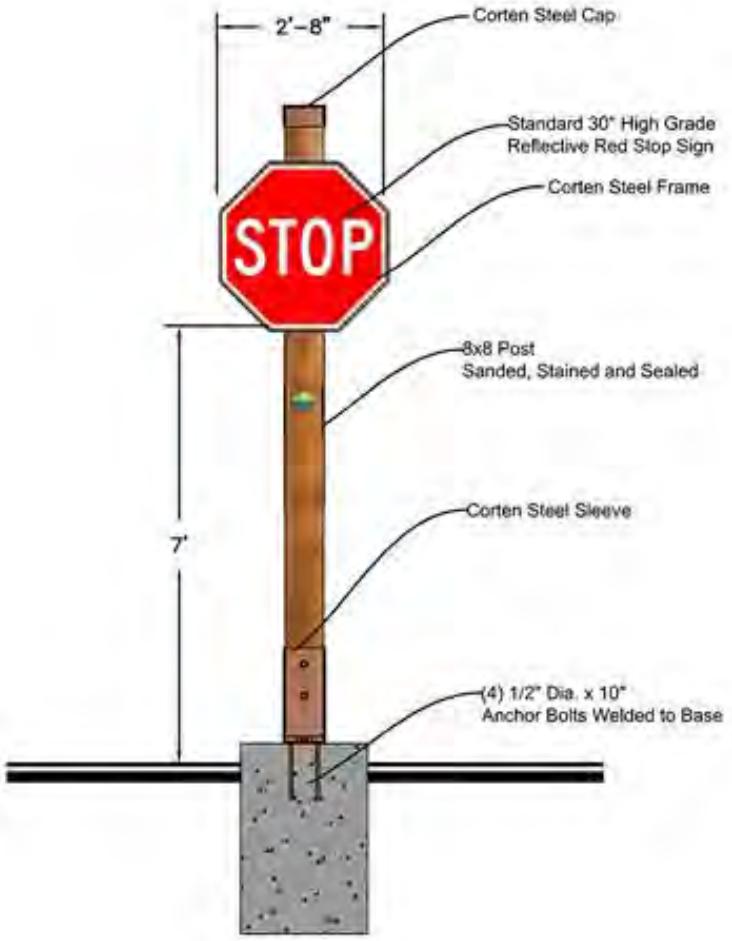


PEDESTRIAN LIGHTING
NTS

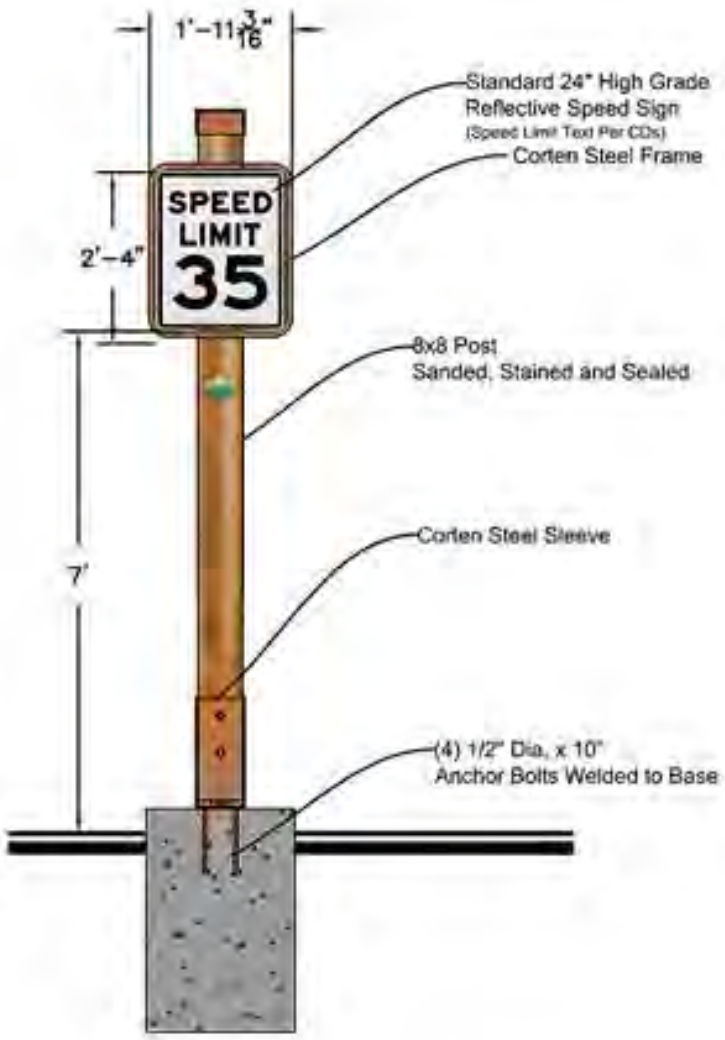


STREET LIGHTING
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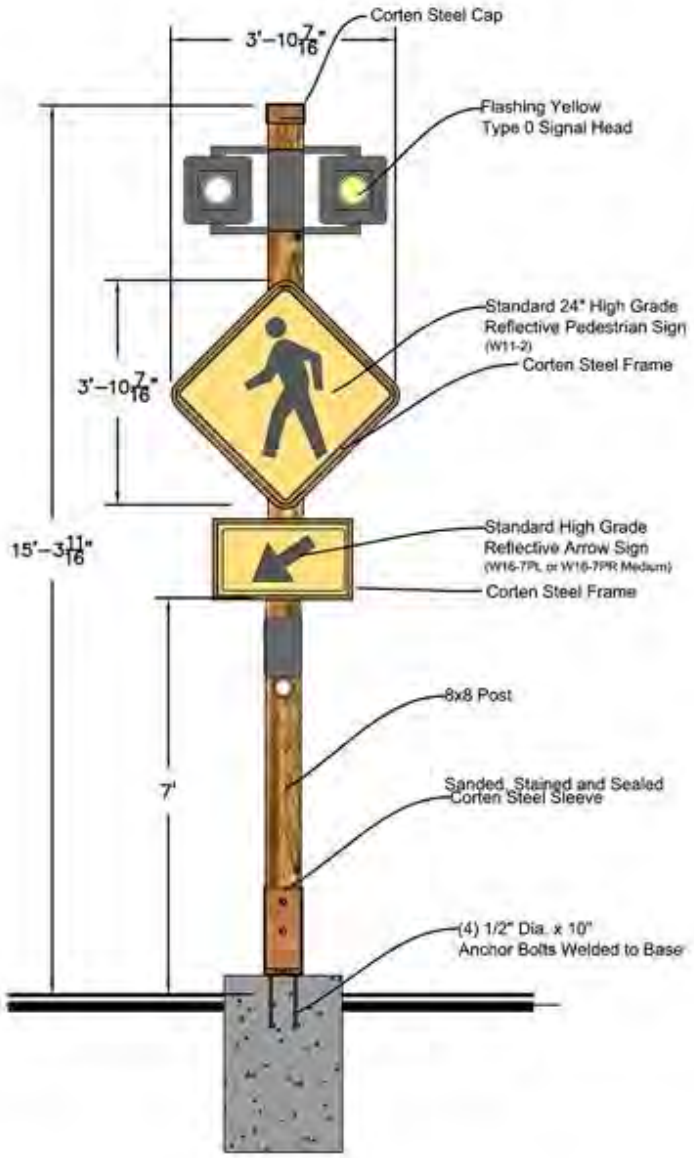
EXHIBIT B - STREET SIGNS



STOP SIGN
NTS



SPEED LIMIT SIGN
NTS



FLASHING BEACON DETAIL
NTS

EXHIBIT H

COPY OF TOWN COUNCIL RESOLUTION

(forthcoming)