



HIDEOUT, UTAH TOWN COUNCIL REGULAR MEETING AND CONTINUED PUBLIC HEARINGS RESCHEDULED

March 06, 2024

Agenda

PUBLIC NOTICE IS HEREBY GIVEN that the Town Council of Hideout, Utah will hold its Regular Meeting and Continued 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, March 6, 2024.

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 Continued Public Hearings
6:00 PM

- I. Call to Order
- II. Roll Call
- III. Public Input - Floor open for any attendee to speak on items not listed on the agenda
- IV. Agenda Items
 1. [Update of the Town Council and Planning Commission Retreat which was held on January 11, 2024](#)
 2. Discussion and approval of a Request for Proposal (RFP) process for public relations
 3. Update of the funding needs for the temporary Hideout Fire Station
 4. [Consideration of approving Ordinance 2024-O-XX to repeal sections of the Hideout Municipal Code to match state requirements and to incorporate fees in the Hideout Fee Schedule](#)
 5. [Consideration of approving Ordinance 2024-O-XX amending Chapter 1.16 Purchasing so that Requests for Proposals are not approved by the Hideout Town Council](#)
- V. **Continued Public Hearing Items** **Please note: Items 1 and 2 will not be discussed at this meeting and will be continued to a date certain of April 11, 2024 at 6:00 pm.*
 - *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 certain uses or conditional uses and architecture and/or roof designs that are not currently allowed per the Town's current zoning ordinances may be included.
 3. [Consideration of an amendment of the Master Development Agreement \(MDA\) for Deer Springs allowing short-term rentals in Phases 2B, 4, and 8](#)
 4. [Consideration of approving an Ordinance regarding updates, technical corrections, and amendments to Hideout Municipal Code Titles 3, 7, 8, 10, 11, and 12](#)
- VI. Approval of Council Minutes
 1. [December 14, 2023 Meeting Minutes DRAFT](#)
- VII. Follow up of Items from Approved Minutes
- VIII. Closed Executive Session - Discussion of pending or reasonably imminent litigation, personnel matters, and/or sale or acquisition of real property as needed
- IX. Meeting Adjournment

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Mayor or City Recorder at 435-65-4739 at least 24 hours prior to the meeting.

HIDEOUT TOWN COUNCIL
10860 N. Hideout Trail
Hideout, UT 84036

Phone: 435-659-4739
Updated 03/05/2024

File Attachments for Item:

1. Update from the Town Council and Planning Commission Retreat which was held on January 11, 2024

To: Town Council
 From: Jan McCosh
 Re: Next steps following the Annual Retreat
 Date: Prepared for the February 28, 2024 Council Meeting

Subject: Council vote to approve professional services

Under the Town's procurement code 1.16.060 (D)

The town council shall approve all requests for proposals and approve the award of contracts for professional services exceeding ten thousand dollars (\$10,000.00) in any single fiscal year.

Recommendation: Approve Requests for Proposals (RFP) process for soliciting proposals from qualified firms to provide assistance with public outreach services which would include informing the public and helping shape the public conversation on town-related goals and plans and implementation of a strategic plan and selected recommendations that flowed from the annual retreat.

Background: At the January 11, 2024 Council Meeting/Town Annual Retreat, X-Factor Strategic Communications facilitated a discussion with stakeholders to identify short and long-term priorities for the Town to get input to outline actionable strategies for the development of a strategic plan.

Stakeholders including the Mayor, Hideout Council and Commissioners, Wasatch County Council members (Searle and McMillan), staff, consultants and committee members gathered to discuss the Town's strengths, weaknesses, opportunities and threats and then through a series of exercises worked through issues centered on five key issues:

- 1) Community engagement
- 2) Strategic partnerships
- 3) Economic and commercial development
- 4) Parks, open space and trails
- 5) Transportation

After the retreat, X-Factor delivered a Stakeholder Retreat Report (attached) that suggests six recommendations. The town has begun efforts around these recommendations. Listed below are the recommendations along with a brief description of efforts begun:

- 1) Establish guiding principles to align priorities with agreed-upon fundamentals

A "rebranding" in the community has been discussed. Changing the way we represent the town, such as Council member Ralph Severini suggested--"The Jewel of the Wasatch Back," represents the opportunity we have ahead of us.

The development of Ross Creek as an amenity available to residents in the surrounding areas—Park City, Kamas Valley and Heber gives us an opportunity to invite in planners and stakeholders for visioning and community input.

A series of visioning type meetings organized by Hideout could help create collaboration and a positive image of the Town. Thomas Eddington and Jan McCosh have begun talking to regional planners as well as a resident of Hideout (who has experience creating placemaking in cities) about a meet-up/visioning session.

- 2) Streamline internal processes and procedures to improve efficiency and reduce miscommunication

The Economic Development Committee (“EDC”) has created a Ross Creek Committee that includes members of town council, planning commission and staff to streamline the commercial development process. The committee is working to create policies and procedures to further improve efficiency.

The committee has been effectively recruiting and meeting with seasoned commercial developers in the area.

- 3) Proactively engage the community to improve public perception and build trust.

The Town has a limited budget and a very small staff tasked with large demands. The Town has also tasked Council members to lead volunteer committees in furtherance of goals and plans and those committees continue to provide excellent support to the Town.

As a new member of the Council, Jonathan Gunn suggested we garner additional support of members in the community via a skills assessment survey to align needs with potential availability of residents who would be willing to offer their time and expertise.

A skills assessment was circulated via email and 12 residents responded to that survey. Council members and staff have met with at least four of the respondents so far and will continue to utilize the list.

The POST Committee headed by Council member Chris Baier has been collaborating successfully on a strategic partnership with Jordanelle State Park and is collaborating with Mountainland Association of Government (“MAG”) grant writer and others on a project that will increase the value of the Ross Creek area and offer added increased trail connectivity and maintenance.

Council member Carol Haselton has agreed to join a regional planning organization on transportation, organized by Wasatch County and in conjunction with MAG. This opportunity will allow relationship-building with others in the region and the opportunity to improve perceptions of Hideout.

Former Council member, Sheri Jacobs has agreed to continue to lead a community engagement committee and has been arranging community events in the upcoming year as well as collaborating with the POST committee and the Jordanelle State Park (“JSP”) on community volunteer efforts. Hideout and JSP will be co-hosting the grand opening of the Ross Creek entrance to the Park in June.

One member of the engagement committee has agreed to organize communication through HOA members in the town.

- 4) Leverage strategic partnerships to facilitate favorable regulatory policies and outcomes

In addition to the aforementioned relationships with regional associations,

Jan McCosh had a follow-up meeting with Wasatch County Council members McMillan and Searle and County Manager, Grabau. The County was complimentary of our strategic planning efforts and is willing to help us work toward resolution on issues presented at the retreat.

Jan McCosh continues to be involved in Park City and Summit County events and talks authentically about all of the positive things happening in Hideout.

Mayor Rubin and Jonathan Gunn have been actively involved in efforts to improve access to safety in the area and are working collaboratively with the Wasatch Fire District and GCD, a developer in town to create a temporary fire station.

- 5) Cultivate relationships of trust to attract thoughtful, responsible commercial development

The EDC/Ross Creek Committee has met with Utah Land Institute members and is evaluating the possibility of engaging a Technical Advisory Committee (“TAC”) that would give the Town access to a national pool of development professionals spanning issues from annexation to access to capital.

- 6) Explore funding and financing opportunities for critical infrastructure and services

Summit Land Conservancy has been a topic of discussion for maximizing stewardship of the land in the long-term.

Analysis: With the assistance of a PR firm, we can boost the town’s efforts in changing the dialogue as well as create a strategic plan that effectively advances the short and long-term priorities of the Town.



TOWN OF HIDEOUT

STAKEHOLDER RETREAT REPORT

January 2024

Prepared by:
Muriel Xochimitl
Kimberly Rivers

X-FACTOR
STRATEGIC COMMUNICATIONS



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OVERVIEW



On January 11, 2024, local officials from the Town of Hideout gathered for their annual retreat to discuss the future of their community. These officials included the mayor, town council members, planning commissioners, committee members, staff and consultants.

The Town hired X-Factor Strategic Communications, full-service communications agency, to facilitate the workshop. Held at the Homestead in Midway, Utah, more than two dozen participants actively engaged in a five-hour facilitated workshop with two main objectives:

1. Identify **short and long-term priorities** for the Town of Hideout.
2. Outline **actionable strategies** for the development of a strategic plan.

ICE BREAKERS

Where in the world have you traveled?



In one word, what motivated you to serve in your current role?

engineering
change
future building public
care wirt
challenges
experience optimism

SWOT ANALYSIS

Workshop participants underwent a S.W.O.T. analysis to identify the Town's existing strengths to leverage, future opportunities to pursue, weaknesses to address and threats to mitigate. The S.W.O.T. examined both internal and external factors, including factors outside of the Town's control.

S

Strengths

- Scenic views
- Access to outdoor recreation
- Small-town feel
- Proximity to urban areas

W

Weaknesses

- Insufficient commercial development
- Financial constraints
- Limited land
- Developer-friendly regulations

O

Opportunities

- Commercial development
- Access to State Park
- Annexation of land
- Strategic partnerships

T

Threats

- Ongoing litigation
- Public perceptions
- Lack of funding
- Water availability

SWOT ANALYSIS

S

Strengths

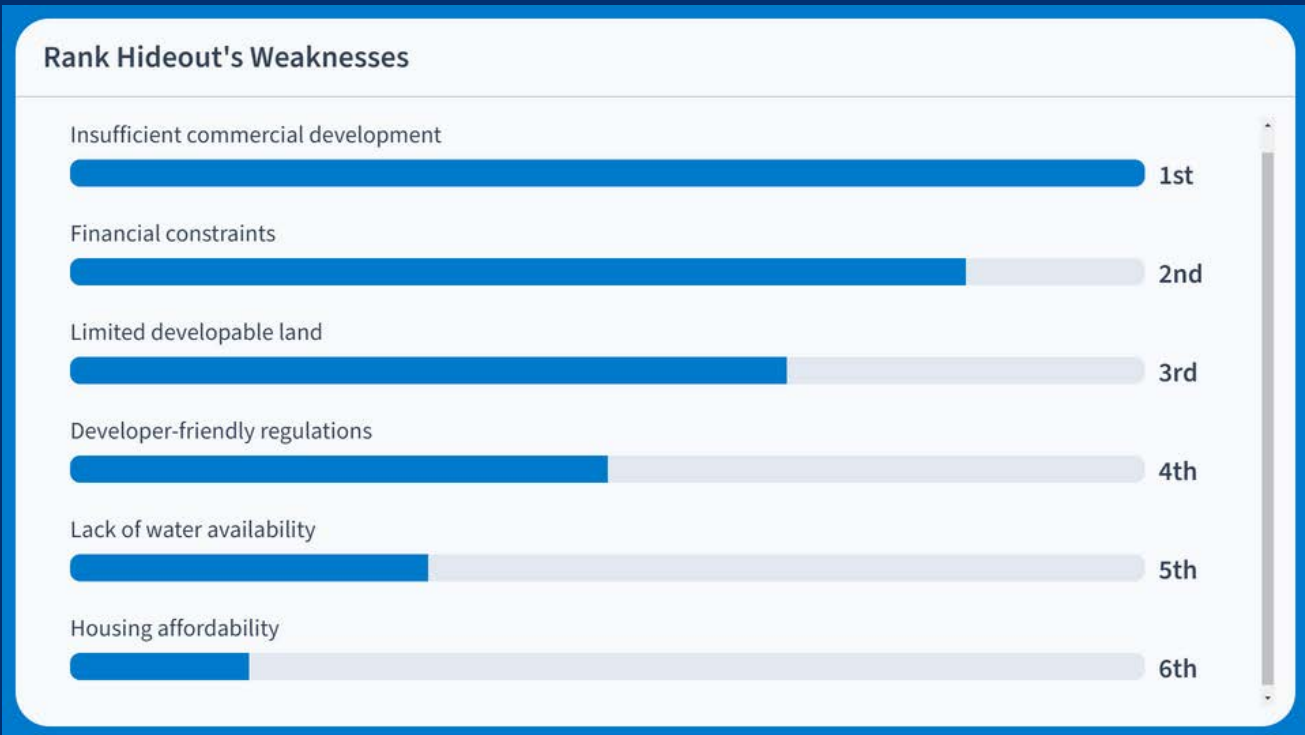
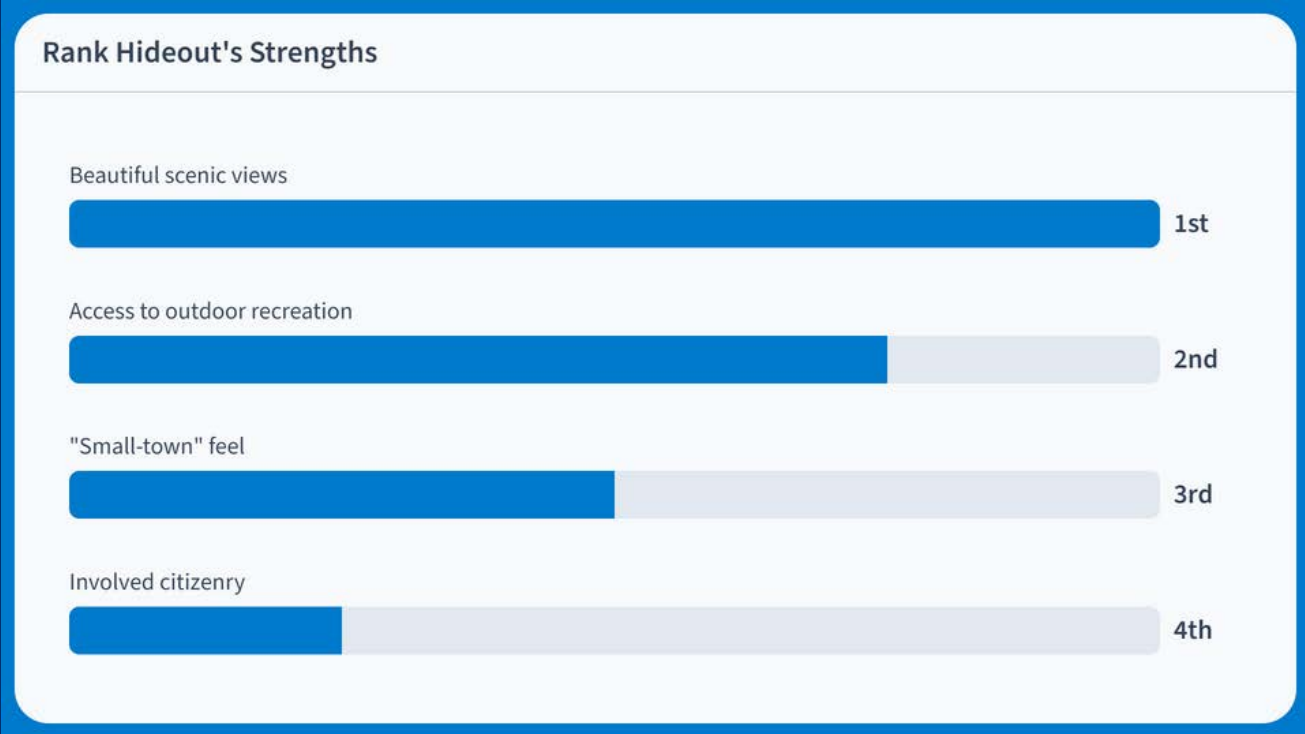
Participants ranked scenic views and access to the outdoors as Hideout's top strengths. The ability to maintain a "small-town feel" while simultaneously maintaining convenient access to more urbanized areas such as Park City and Salt Lake City were also ranked high. Many participants remarked that they originally moved to Hideout for a more tranquil lifestyle that afforded them myriad opportunities for outdoor recreation. However, they appreciated the diversity of amenities found closeby and desired more shops and restaurants locally.

W

Weaknesses

Participants identified insufficient commercial development as the top weaknesses because it financially constrained the Town's ability to provide basic infrastructure and services, as well as limited access to local retail opportunities. These weaknesses, coupled with developer-friendly regulations stemming from the Town's incorporation and a lack of available land, has created a hardship for the Town.

STRENGTHS & WEAKNESSES



SWOT ANALYSIS

O

Opportunities

Participants ranked the pursuit of commercial development as their most important opportunity. They expressed a desire to attract developers that aligned with the goals, priorities and values for their community. Given the lack of available land located within the current Town boundaries, they indicated a need to potentially annex neighboring areas of unincorporated Wasatch and Summit Counties to accommodate development.

Participants recognized that they will need to continue to engage with partners such as Wasatch and Summit Counties, the Utah League of Cities and Towns, the Utah Department of Transportation, the Mountainland Association of Governments and others.

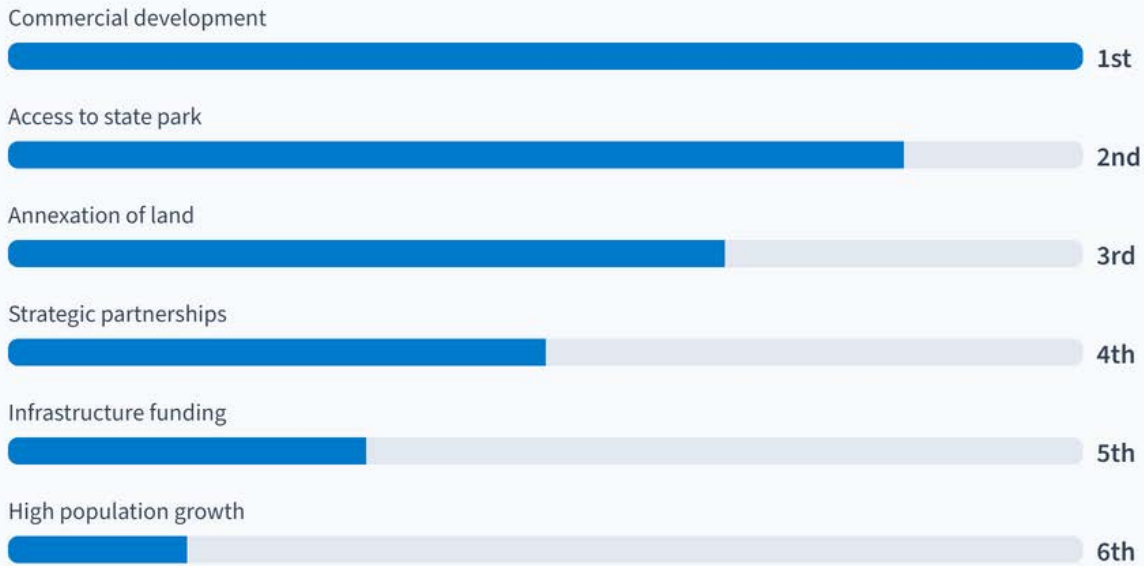
T

Threats

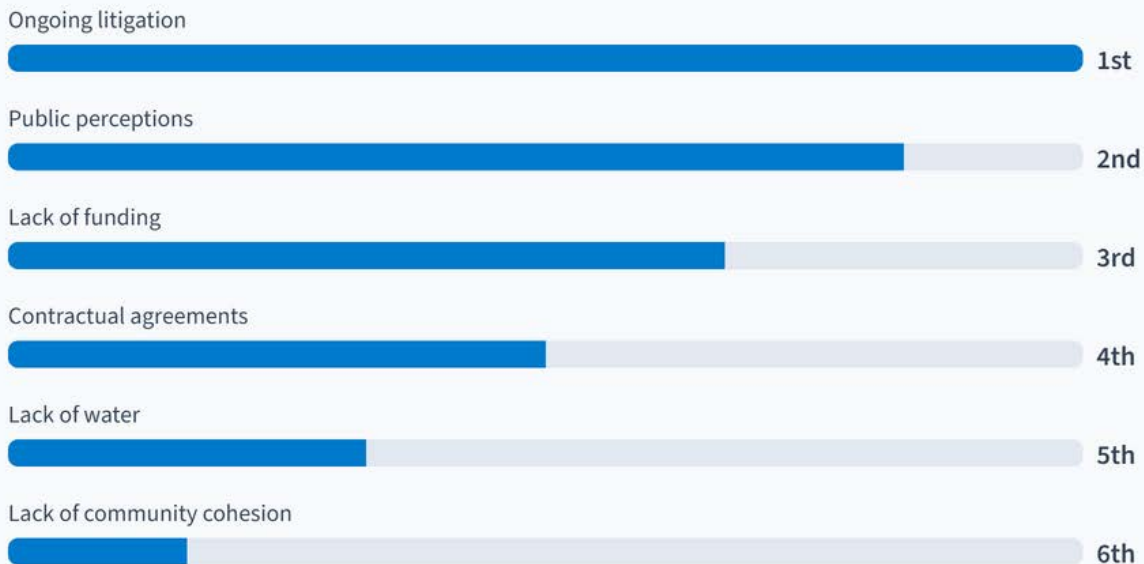
Participants recognized that the threats the Town faces may be somewhat out of their control. This includes ongoing and expensive litigation, a lack of community cohesion and negative public perceptions, potential funding deficits, water shortages and more.

OPPORTUNITIES & THREATS

Rank Hideout's Opportunities



What are Hideout's Challenges?



KEY TOPICS

For several hours through a series of table-top exercises, workshop participants collaborated on dozens of issues centered on five key topics affecting the future of their community. Participants were asked a series of questions centered around each of the topics and worked with the individuals at their table to answer them.



SIX RECOMMENDED STRATEGIES

After analyzing hundreds of comments, real-time poll results and group reports, X-Factor has identified six main strategies and their associated tactics. The strategies and tactics are intended to provide a framework for a future strategic plan. While ambitious, they are realistic and achievable.

1

Establish guiding principles to align priorities with agreed-upon fundamentals

2

Streamline internal processes and procedures to improve efficiency and reduce miscommunication

3

Proactively engage the community to improve public perception and build trust

4

Leverage strategic partnerships to facilitate favorable regulatory policies and outcomes

5

Cultivate relationships of trust to attract thoughtful, responsible commercial development

6

Explore funding and financing opportunities for critical infrastructure and services

1

Establish guiding principles to align priorities with agreed-upon fundamentals

Workshop participants expressed a strong desire to establish principles that would help to guide their work and align the Town’s priorities with agreed-upon fundamentals. These principles would provide high-level direction for both long and short-term work.

RECOMMENDATION: Appoint a council member to lead this effort, working closely with local and regional stakeholders to ensure the principles align with the Town’s established mission and vision.



2

Streamline internal processes and procedures to improve efficiency and reduce miscommunication

Participants relayed that a lack of internal processes and procedures have resulted in miscommunication between local officials and staff, and with prospective developers. This has eroded trust and reinforced the perception that the Town takes a hostile approach to new development.

Development Review Committee

Many cities and towns have a Development Review Committee (DRC) to review development proposals. The DRC could be composed of subject-matter experts such as representatives from the Town's engineering, planning, and public works departments, and county fire, police and emergency services.

RECOMMENDATION: Establish a Development Review Committee to thoroughly review all development proposals and provide recommendations to the planning commission and city council.



3

Proactively engage the community to improve public perception and build trust

Community Engagement Committee

Participants were asked about the purpose and objectives of the Community Engagement Committee and what input specifically they were seeking from residents. In addition, they were asked to identify residents' main concerns and opportunities to address those concerns. Proactive, strategic and consistent communication with residents, businesses and visitors is critical for Hideout's success.

Neighborhood Chairs

RECOMMENDATION: Institute a neighborhood chair program in which one to two representatives from each neighborhood serves as a chair and vice chair respectively.

Residents would be appointed by their neighbors to represent their questions, concerns and feedback to the Town. The Community Engagement Committee could manage the program and convene the Chairs monthly or bi-monthly. The expectation would need to be set that if a Chair raises a complaint that they also bring a proposed solution to the issue.

Public Surveys

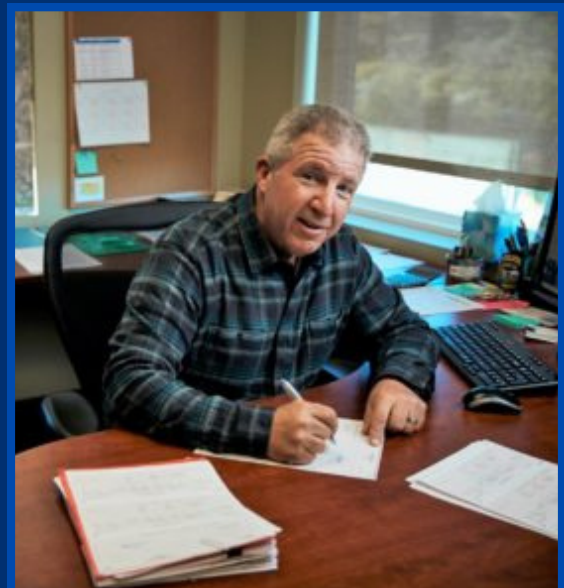
If fielded correctly, surveys can inform key decision making by providing representative feedback.

RECOMMENDATION: Survey Town residents biannually to gauge resident sentiment and identify concerns. One of the biannual surveys should include questions for a skills inventory that matches the Town's needs with the extensive expertise of residents willing to serve.

Town Halls

Town Halls are a great opportunity to hear directly from residents in a more informal setting. Holding regular Town Halls can build trust and rapport with constituents, establish a two-way dialogue with residents, and reduce the intensity and frequency of complaints raised during Town council meetings.

RECOMMENDATION: Hold Town Halls quarterly at the Town Hall. The Town Halls could be hosted by the Mayor, with Town Council members, planning commissioners and staff attending to support.





Public Relations

Given previous disputes regarding annexation and ongoing litigation with developers, the Town has caught the attention of local news reporters, resulting in negative news coverage that has damaged its reputation.

RECOMMENDATION : Develop a public relations strategy that identifies opportunities to pitch positive stories that “tells the Town’s story” and builds rapport with reporters and news outlets.



Digital Communications

The modern era of digital communications necessitates the consistent use of online platforms to disseminate information.

RECOMMENDATION: Continue to use the website to post information, its mobile app to send updates to residents, and its YouTube Channel to live stream its public meetings. Consider an email marketing services for monthly e-newsletters.

4

Leverage strategic partnerships to facilitate favorable regulatory policies and outcomes

On the topic of strategic partnerships, workshop participants listed potential partners with which they should collaborate. They explained why they felt the partnership was important and outlined specific steps to establish or strengthen each proposed partnership. X-Factor recommends leveraging strategic partnerships to facilitate favorable government regulations and public policies. Proposed partners include:

- Neighborhood Homeowners Associations
- Park City
- Summit CountyWasatch County
- Mountainland Association of Governments
- Wasatch Fire District
- Jordanelle Special Service District
- Jordanelle State Park
- High Valley Transit
- Utah Department of Transportatio
- Utah League of Cities and Towns
- Utah State Legislature
- Utah Congressional Delegation
- United State Forest Services.



Local Government Partnerships

The Town of Hideout must prioritize its relationships with neighboring municipalities. As the Wasatch Back continues to experience rapid growth, Hideout will need to collaborate with Park City, Heber City and neighboring towns regarding the regional issues of traffic congestion, water availability, air quality and overcrowding at recreational areas. In addition, the Town’s desires for annexation necessitate a working relationship with Summit and Wasatch Counties.

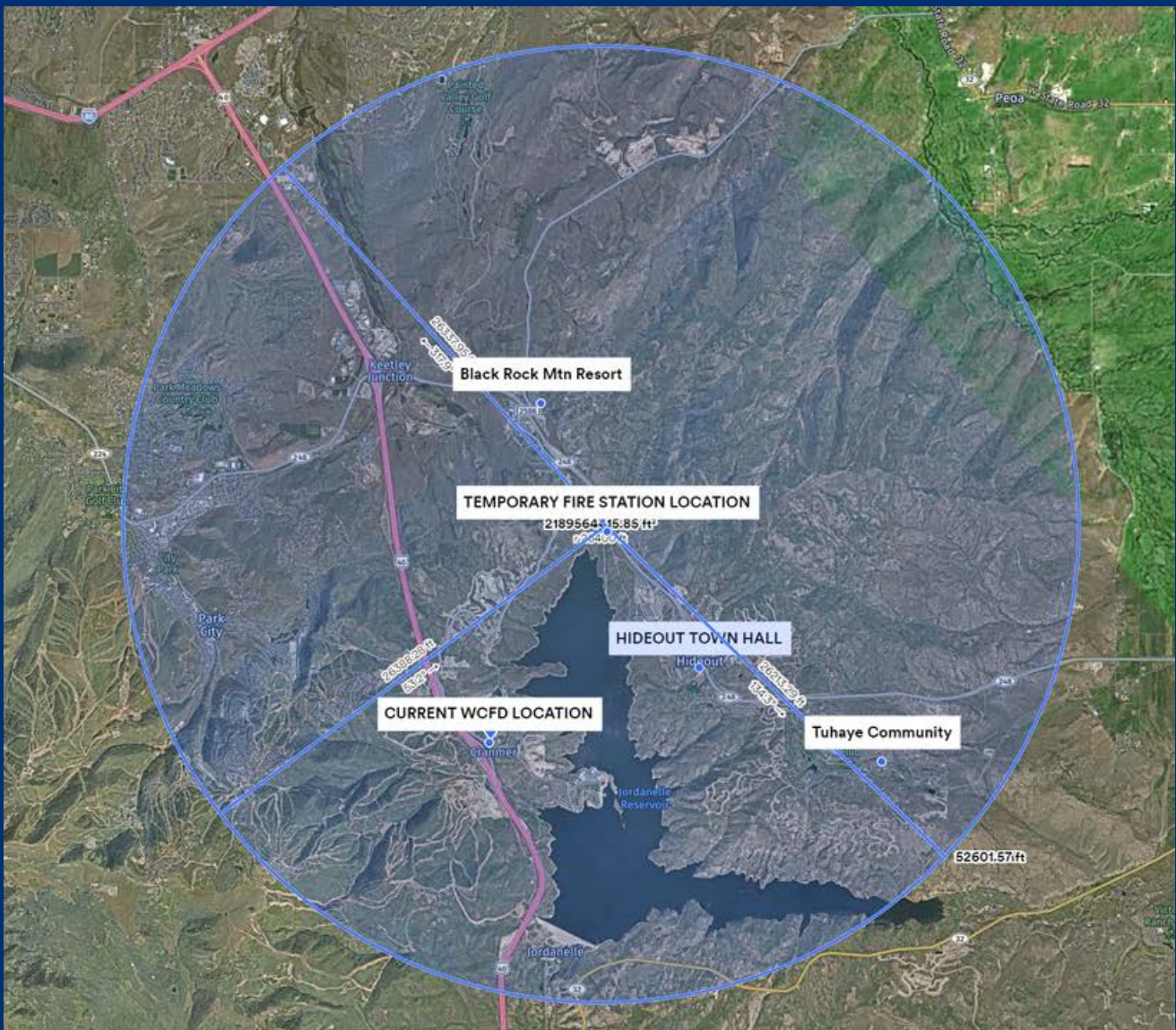
RECOMMENDATION: Identify a Town intergovernmental liaison who can attend regular county and city council meetings and represent the Town in annexation negotiations.



Wasatch Fire District

The Town of Hideout is located in a high-risk fire zone with limited access to fire and emergency services personnel. The Town has partnered with the Wasatch Fire District to cite a location for a temporary fire station. This will significantly improve response times for critical emergency services and reduce homeowner insurance premiums.

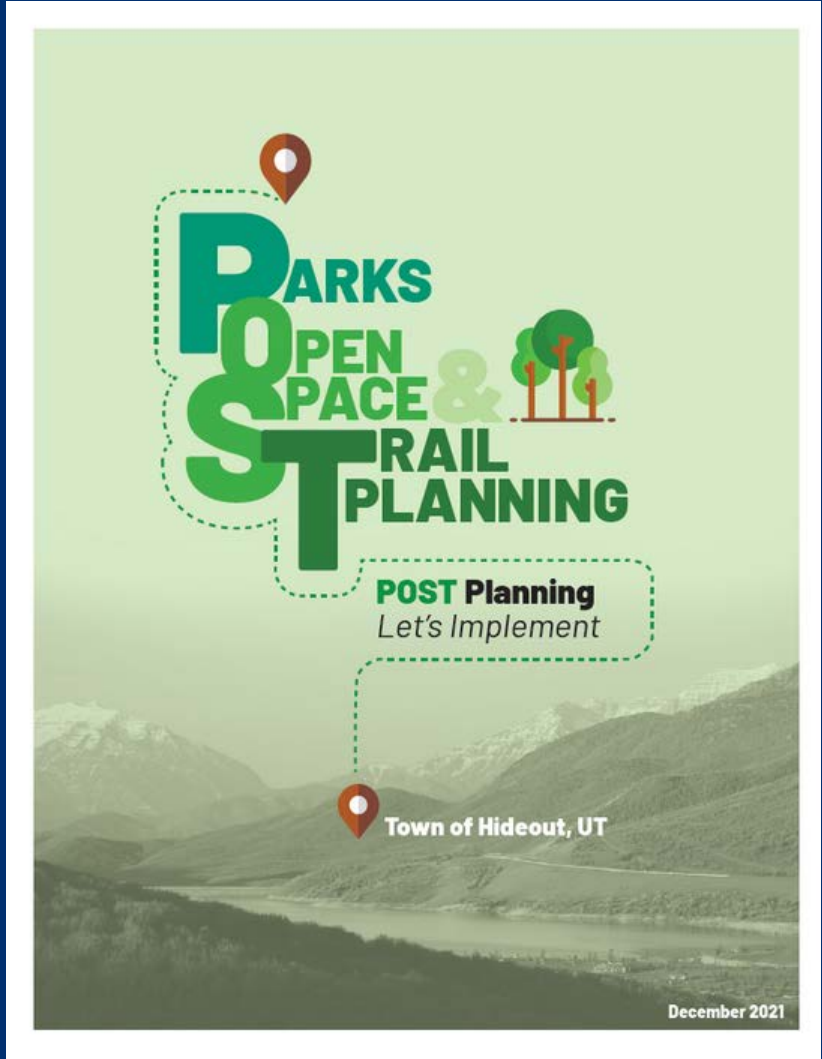
RECOMMENDATION: Construct the station, soliciting donations from the community to help fund it.



Jordanelle State Park

The Jordanelle State Park is a stunning recreational area that offers a diverse range of outdoor activities amidst breathtaking natural beauty. The park surrounds the Jordanelle Reservoir, providing visitors with a scenic backdrop of the Wasatch Mountains and easy access to a wide array of recreational opportunities.

RECOMMENDATION: Implement the recommendation in the Parks, Open Space and Trails plan to purchase land for a public park near the Town Center roundabout that connects to the Jordanelle State Park.



High Valley Transit

High Valley Transit is a free-fare service operating in various areas throughout the Wasatch Back, including Hideout. It operates fixed-route bus services and the region's first micro transit service, relying on an app to schedule bookings.

RECOMMENDATION: Collaborate with High Valley Transit representatives to identify potential opportunities and the financial feasibility of additional transit service in the Town.



Utah League of Cities and Towns

The Utah League of Cities and Towns (ULCT) represents municipal government interests with a strong, unified voice at the state and federal levels and provides training and technical assistance to local officials.

RECOMMENDATION: Town elected officials and staff should attend the annual ULCT Local Officials Day on Capitol Hill, appoint a Town representative to serve on the ULCT [Legislative Policy Committee](#), and use ULCT [resources to train staff and elected officials](#).

Mountainland Association of Governments | Rural Planning Organization

The Mountainland Association of Governments (MAG) is the Association of Governments for the Town of Hideout. As a regional entity, MAG oversees the Regional Transportation Plan (RTP) for Wasatch County through the [Wasatch Back Rural Planning Organization](#) (RPO). Currently, the Town of Hideout falls just outside of the RPO’s jurisdictional area.

RECOMMENDATION: Seek to join the RPO to be better represented in regional transportation planning and decision making.

Mountainland Association of Governments | Regional Transportation Plan

MAG has started a four-year process to update their Regional Transportation Plan (RTP) entitled [TransPlan50](#).

RECOMMENDATION: Reestablish the Infrastructure Committee and appoint a representative to engage in MAG RTP planning meetings.



Mountainland Association of Governments | Economic Development District

MAG also oversees the development and implementation of the [Comprehensive Economic Development Strategy](#) (CEDs) through the Mountainland Economic Development District (MEDD). Hideout’s Town Manager has been serving on the strategy committee for the CEDs.



RECOMMENDATION: Advocate for at least one project that can be placed on the CEDs, making it eligible for federal funding from the United States Economic Development Administration.

5

Cultivate relationships of trust to attract thoughtful, responsible commercial development

Workshop participants were asked about the specific types of development they want to attract in their community, where that development should be located and what tools may be needed to attract it. Participants expressed a strong desire for more coffee shops, local restaurants, public open spaces, and gathering places in the Town that could foster a sense of community.

RECOMMENDATION: Use the Economic Development Committee to help attract responsible developers with like-minded values and priorities.

This necessarily entails meeting regularly with developers and pursuing revenue-generating opportunities such as development near the Ross Creek entrance, the Benloch Rance, Project X, nightly rentals for Deer Springs, and the Jordanelle Parkway grocery store project. Development projects should be consistent with the land use identified in the Town’s General Plan, aligned with the Town’s guiding principles, and publicly supported.



6

Explore funding and financing opportunities for critical infrastructure and services

A fiscally sustainable budget is the foundation for Hideout’s long-term viability and prosperity, ensuring that it can effectively meet the needs of its residents both now and in the future. During the retreat, the Chair of the Town’s Finance Committee reported on the Town’s current budgetary needs and provided a robust financial forecast outlining various scenarios for growth.

Five-Year Spending Projection

Participants understood that funding would be needed for construction and maintenance of infrastructure such as roads and utilities, as well as for community facilities, parks and basic municipal services. These investments are critical for the Town's growth and quality of life for its residents.

RECOMMENDATION: Develop a five-year spending projection that covers needed infrastructure and maintenance projects and growth in the Town’s staffing levels.

 **INFRASTRUCTURE BOND**

 **IMPACT FEES**

 **NIGHTLY RENTALS**

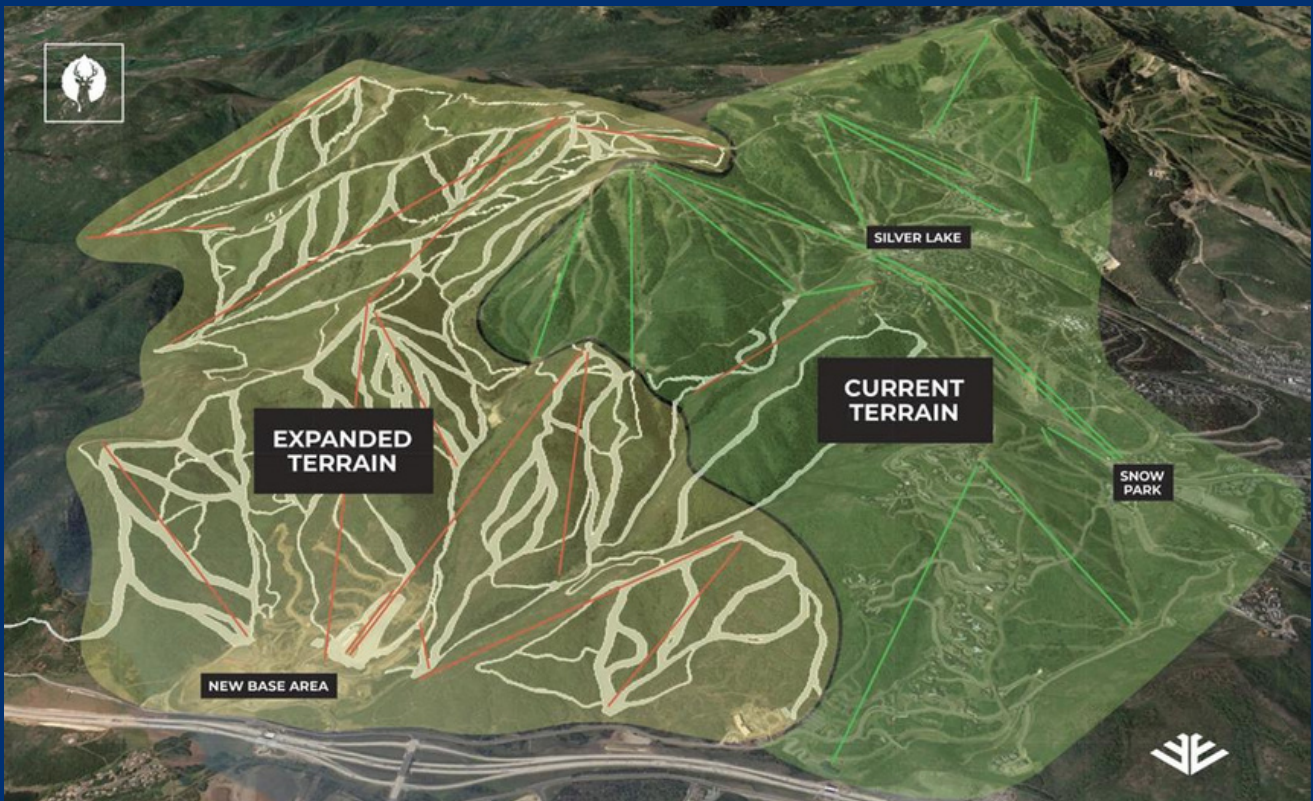
 **PROPERTY TAXES**

 **PUBLIC INFRASTRUCTURE DISTRICT**

Military Installation Development Authority

The Military Installation Development Authority (MIDA) was created by the State of Utah to optimize underutilized federal property and incentivize economic development that enhances the military installations within the state, and specific to Wasatch County, to support the county’s economic revenue goals, and infrastructure and housing needs.

RECOMMENDATION: Continue to work closely with MIDA officials to identify additional opportunities for financial investments that will benefit the community and provide premier quality-of-life amenities for residents and visitors.



Grant Funding

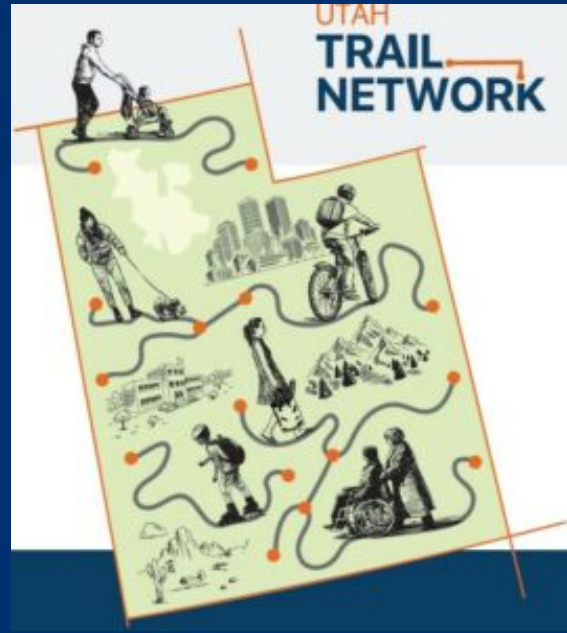
Grants can support economic development efforts in small towns by funding projects that create jobs, stimulate business growth, attract investment, and enhance the overall quality of life for residents. While each opportunity comes with its own requirements, grants generally do not need to be repaid. Grants provide financial assistance to support a wide range of projects and programs, including infrastructure improvements, community development initiatives, education programs, and more.

RECOMMENDATION: Pursue federal, state and local grant funding opportunities through the Utah Department of Transportation, the Utah Office of Outdoor Recreation and the Governor’s Office of Planning and Budget.



Utah Trail Network

The Utah Trails Network would be a potential funding source to build the Spine on S.R. 248. During the 2023 Utah legislative session the legislature passed a bill that allocates \$45 million in ongoing funding and \$45 million one-time funding to UDOT to build, operate and maintain a paved regional trail network.



The vision is for UDOT to build and maintain a network of paved trails throughout the state that connect Utahns of all ages and abilities to their destinations and communities. UDOT created a new Division, the Trails Division, to oversee this funding and implement the UTN program.

Utah Office of Outdoor Recreation

The Division of Outdoor Recreation offers unique grant opportunities to governments and nonprofits, including the Utah Outdoor Recreation Grant, the Recreation Restoration Infrastructure Grant, the Utah Children's Outdoor Recreation and Education Grant, the OHV Recreation Grant, the Recreation Trails Program and the Land and Water Conservation Fund. Applications for many of these programs are open and staff are currently offering workshops across the state to educate cities and towns about the opportunities.

Utah Governor's Office of Planning and Budget

The Utah Governor's Office of Planning and Budget (GOPB) tracks federal and state grants, providing real-time information regarding the deadlines and requirements for various funding opportunities.

Local Technical Assistance Programs

Local technical assistance programs offer training and resources that will help Town officials and staff develop the skills and knowledge needed to effectively manage various aspects of governance, administration and municipal service delivery.

UDOT's Technical Planning Assistance program provides funding to local governments (cities, towns, counties) in Utah to carry out planning projects in their communities and regions. These funds can be used for a variety of plans and studies related to land use and transportation. More information can be found [HERE](#).

The Utah LTAP Center (Local Technical Assistance Program) serves local agencies, UDOT, FHWA, and the transportation industry through technology transfer, technical assistance, workforce development, information services, and other transportation-related needs. More information can be found [HERE](#).

Mountainland Association of Governments (MAG)

MAG provides technical assistance to local governments for plans and studies that proactively address growth-related challenges. Competitive projects integrate transportation and land use in a meaningful way and align with the region's long-range plans. Recipients can receive up to \$1 million annually and MAG procures and manages the consultant services on behalf of the local government.

MAG TAG Program Letter of Intent Form

Please use this form to submit a project concept for consideration under MAG's Technical Assistance to Governments (TAG) Program and potentially other regional funding and technical assistance programs.

Letters are due September 28, 2023 for the current TAG Program funding cycle. Letters of intent will be evaluated and applicants notified by October 19, 2023. Applicants with eligible projects will be invited to complete a full application and submit by December 8, 2023.

Note: applicants are encouraged to consult with MAG to discuss project ideas and receive feedback prior to submitting a letter of intent and application.

Establish “Friends of Hideout” Nonprofit

Retreat participants noted that existing nonprofit organizations such as the [Community Preservation Association](#) and [Wasatch Community Foundation](#) have been successful in securing grant funding for their priorities.

RECOMMENDATION: Encourage a group of citizens to create a “Friends of Hideout” nonprofit organization. This organization could accept tax-deductible donations for needed projects, pursue grant funding and facilitate a sense of community.





File Attachments for Item:

4. Consideration of approving Ordinance 2024-O-XX to repeal sections of the Hideout Municipal Code to match state requirements and to incorporate fees in the Hideout Fee Schedule

TOWN OF HIDEOUT
ORDINANCE #2024 – O-_____

AN ORDINANCE AMENDING SECTIONS OF THE HIDEOUT CODE TO MATCH STATE
REQUIREMENTS AND TO PUT FEES IN THE FEE SCHEDULE

WHEREAS, Staff has kept an ongoing log of necessary revisions to the Hideout Code;

WHEREAS, Utah Code Title 10, Chapter 3, Part 7 (Municipal Ordinances Resolutions and Procedures) states all requirements for Ordinances and Resolutions and the Town of Hideout Council will follow the Utah State Code requirements;

WHEREAS, noticing requirements have changed in the State Code and no longer require newspaper notice;

WHEREAS, certain updates will add clarity on the fees for business licenses;

WHEREAS, Town Council only wishes to have staff issue Request For Proposals and only approve contracts once they have been reviewed by Staff;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF HIDEOUT,
UTAH, THAT:

SECTION I: The following Sections are repealed:

i)

1.10.060 ORDINANCES AND RESOLUTIONS; PROCEDURES

- ~~1.—Power Exercised By Ordinance: The town council may pass any ordinance to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by statute or any other provision of law. An officer of the town shall not be convicted of a criminal offense where he relied on or enforced an ordinance he reasonably believed to be a valid ordinance. It shall be a defense to any action for punitive damages that the official acted in good faith in enforcing an ordinance or that he enforced an ordinance on advice of legal counsel.~~
- ~~2.—Form of Ordinance: Any ordinance passed by the town council shall contain and be in substantially the following order and form:

 - ~~1.—A number;~~
 - ~~2.—A title which indicates the nature of the subject matter of the ordinance;~~
 - ~~3.—A preamble which states the need or reason for the ordinance;~~
 - ~~4.—An ordaining clause which states: "Be it ordained by the Town of Hideout:";~~
 - ~~5.—The body or subject of the ordinance;~~
 - ~~6.—When applicable, a statement indicating the penalty for violation of the ordinance or a reference that the punishment is covered by an ordinance which prescribes the fines and terms of imprisonment for the violation of the~~~~

~~town ordinance; or, the penalty may establish a classification of penalties and refer to such ordinance in which the penalty for such violation is established;~~

- ~~7.—A statement indicating the effective date of the ordinance or the date when the ordinance shall become effective after publication or posting as required by this section;~~
 - ~~8.—A line for the signature of the mayor or acting mayor to sign the ordinance;~~
 - ~~9.—A place for the town clerk to attest the ordinance and affix the seal of the town;~~
 - ~~10.—Where the mayor may disapprove an ordinance passed by the town council, the ordinance must show that it was passed with the mayor's approval or that if the mayor disapproved the ordinance that it was passed over his disapproval. If the mayor neither approves or disapproves an ordinance, the ordinance should show that it became effective without the approval or disapproval of the mayor.~~
- ~~3.—Requirements as to Form; Effective Date:~~
- ~~1.—Ordinances passed or enacted by the town council shall be signed by the mayor, or if he absent, by the mayor pro tempore, or by a quorum of the town council, and shall be recorded before taking effect. No ordinance shall be void or unlawful by reason of its failure to conform to the provisions of Utah Code § 10-3-704(1), (2), (3) or (4).~~
 - ~~2.—Ordinances shall become effective twenty (20) days after publication or posting or thirty (30) days after final passage by the town council, whichever is closer to the date of final passage, but ordinances may become effective at an earlier or later date after publication or posting if so provided in the ordinances.~~
 - ~~3.—Ordinances which do not have an effective date shall become effective twenty (20) days after publication or posting, or thirty (30) days after final passage by the town council, whichever is sooner.~~
- ~~4.—Publication and Posting Of Ordinances:~~
- ~~1.—Before an ordinance may take effect, the legislative body of the town adopting an ordinance, except an ordinance enacted under Utah Code §§ 10.03.706 through 10.03.711, shall:

 - ~~1.—Deposit a copy of the ordinance in the office of the town clerk; and~~
 - ~~1.—Publish a short summary of the ordinances at least once:

 - ~~1.—In a newspaper published within the town; or~~
 - ~~2.—If there is no newspaper published within the town, In a newspaper of general circulation within the town; or~~~~
 - ~~2.—Post a complete copy of the ordinance in three (3) public places within the town.~~~~
 - ~~2.—Any ordinance, code or book, other than the state code, relating to building or safety standards, municipal functions, administration, control or regulations, may be adopted and shall take effect without further publication or posting, if reference is made to the code or book and at least one copy has been filed~~

~~for use and examination by the public in the office of the town clerk prior to the adoption of the ordinance by the governing body.~~

- ~~1.—Any state law relating to building or safety standards, municipal functions, administration, control or regulations, may be adopted and shall take effect without further publication or posting if reference is made to the state code.~~
- ~~2.—The ordinance adopting the code or book shall be published in the manner provided in this subsection.~~

~~5.—Recording, Numbering And Certification of Passage: The town clerk shall record, in a book used exclusively for the purpose, all ordinances passed by the town council. The town clerk shall give each ordinance a number, if the town council has not already so done. Immediately following each ordinance, or codification of ordinances, the town clerk shall make or cause to be made a certificate stating the date of passage and of the date of publication or posting, as required. The record and memorandum, or a certified copy thereof, shall be prima facie evidence of the content, passage and publication or posting of the ordinances or codification.~~

~~6.—Resolutions:~~

- ~~1.—Purpose: Unless otherwise required by law, the town council may exercise all administrative powers by resolution, including, but not limited to:

 - ~~1.—establishing water and sewer rates;~~
 - ~~2.—charges for garbage collection and fees charged for town services;~~
 - ~~3.—establishing personnel policies and guidelines; and~~
 - ~~4.—regulating the use and operation of the town property. Punishment, fines or forfeitures may not be imposed by resolution.~~~~
- ~~2.—Form: Any resolution passed by the town council shall be in a form and contain sections substantially similar to that prescribed for ordinances.~~

~~Publication; Effective Date: Resolutions may become effective without publication or posting and may take effect upon passage or at a later date as the town council may determine, but resolutions may not become effective more than three (3) months from the date of passage.~~

ii) 4.04.140 ANNUAL FEE LEVIED; SCHEDULE

~~There is imposed and levied a fee of fifty dollars (\$50.00) on the business, location, trade, calling or profession of every person engaged in a business within this municipality.~~

~~3.—~~

SECTION II: Effective Date. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED by the Town Council of Hideout, Utah, this ____ day of _____ in the year 2024.

TOWN OF HIDEOUT

Phil Rubin, Mayor

ATTEST:

Alicia Fairbourne, Recorder for the Town of Hideout

File Attachments for Item:

5. Consideration of approving Ordinance 2024-O-XX amending Chapter 1.16 Purchasing so that Requests for Proposals are not approved by the Hideout Town Council

TOWN OF HIDEOUT
ORDINANCE #2024 – O-_____

AN ORDINANCE AMENDING SECTIONS OF THE HIDEOUT CODE TO MATCH STATE
REQUIREMENTS AND TO PUT FEES IN THE FEE SCHEDULE

WHEREAS, Staff has kept an ongoing log of necessary revisions to the Hideout Code;

WHEREAS, Town Council only wishes to have staff issue Request For Proposals and only approve contracts once they have been reviewed by Staff;

WHEREAS, Hideout Code Section 1.16.040 (D) requires the Council to approve of purchases over \$15,000;

WHEREAS, the fee schedule will control for special event fees;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF HIDEOUT,
UTAH, THAT:

SECTION I: The following are amended:

1.16 PURCHASING

1.16.060 EXEMPTIONS TO COMPETITIVE BIDDING REQUIREMENTS

- A. Generally: Contracts which by their nature are not adapted to award by competitive bidding, such as contracts for additions to and repairs and maintenance of equipment owned by the town, which may be more efficiently added to, repaired or maintained by a certain person or firm, contract for equipment which, by reason or training of the personnel or an inventory of replacement parts maintained by the town, is compatible with the existing equipment parts maintained by the town, shall not be subject to the competitive bidding requirements of this chapter.
- B. Auction, Closeout, Bankruptcy Sales: If the department head determines that supplies, materials or equipment can be purchased at any public auction, closeout sale, bankruptcy sale or similar sale, and if a majority of the town council at a regular or special meeting concurs in such determination and makes the finding that a purchase at any such auction or sale will be made at a cost below the market cost in the community, a contract or contracts may be let, or the purchase made, without complying with the competitive bidding requirements of this chapter.
- C. Emergency Purchases:
 1. In the case of actual emergency, the head of any department may purchase directly any supplies whose immediate procurement is essential to prevent delays in the work of the department which may virtually affect the life, health or convenience of any employee or citizen of the town.

- 2. The head of the department shall send to the mayor a full written report of the circumstances of the emergency. The report shall be filed with the town council as provided above.
- D. Procurement of Professional Services: The procurement of professional services shall be based upon qualifications and shall be secured on a competitive basis to the maximum practical extent except as noted below:

Amount Of Contract	Request For Proposals
Up to \$10,000.00 per fiscal year	No RFP required; competitive quotes recommended
Over \$10,000.00 in one fiscal year	Formal request for proposals

The town council shall ~~approve all requests for proposals and~~ approve the award of contracts for professional services exceeding fifteen thousand dollars (~~\$15,000 10,000.00~~) in any single fiscal year. Awards shall be made to the individual or firm whose proposal is determined to be the most advantageous to the town, taking into consideration price and the evaluation factors set forth in the request for proposals.

SECTION II: Effective Date. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED by the Town Council of Hideout, Utah, this ____ day of _____ in the year 2024.

TOWN OF HIDEOUT

Phil Rubin, Mayor

ATTEST:

Alicia Fairbourne, Recorder for the Town of Hideout

File Attachments for Item:

3. Consideration of an amendment of the Master Development Agreement (MDA) for Deer Springs allowing short-term rentals in Phases 2B, 4, and 8

Staff Report for Deer Springs – Third Amendment to Deer Springs MDA

To: Mayor Philip Rubin
Town of Hideout Council

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

Re: Deer Springs Subdivision – MDA Amendment

Date: March 6, 2024, Town Council Meeting

Submittals: Third Amendment to Master Development Agreement (MDA) for Deer Springs

The Planning Commission and the Town Council reviewed and approved the initial Master Development Agreement (MDA) with the developer (Nate Brockbank and Holmes Homes) on August 6, 2018. The MDA outlines the agreements between the Town and the developer and address issues such as density allowed, infrastructure requirements, park and trail commitments, design review, etc.

The Town of Hideout approved a First Amendment to the MDA on August 21, 2020 that generally addressed revisions to phasing, park and trail improvements (due prior to recordation of Phase 3; no COs issued for Phase 3 until completion), and improvements to the maintenance building that was donated to the Town.

The Town of Hideout approved a Second Amendment to the MDA on January 12, 2022 that generally addressed the sequencing and phasing of the project as well as the timing of a \$600,000 commitment to the Town.

This proposed Third Amendment to the MDA is a request by the Applicant (Nate Brockbank and Holmes Homes) to allow short-term (nightly) rentals in Phases 2A, 2B, 4, and 8 (see the attached Exhibit A – Draft MDA Language – for details). Note, the Applicants verbally indicated that they would remove the request for Phase 2A to allow short-term rentals in light of public input at the Planning Commission meeting that revealed that buyers were not aware that short-term rentals were being considered as a possible use.

Short-Term (Nightly) Rentals - Background

Subdivisions/Developments that Currently Allow Short-term (Nightly) Rental in Hideout

Short-term rentals are not currently allowed per the Hideout Town Code except for two subdivisions which have been allowed to have short term, or nightly rentals, within Hideout:

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

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

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

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

The Current Hideout Ordinance Regarding Short-term Rentals

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

4.02.010 (Definitions)

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

4.07 REGULATION OF SHORT TERM (NIGHTLY) RENTALS

4.07.01 LICENSE REQUIRED

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

4.07.02 REGULATIONS FOR SHORT TERM RENTAL

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

4.07.15 SEPARATE VIOLATIONS

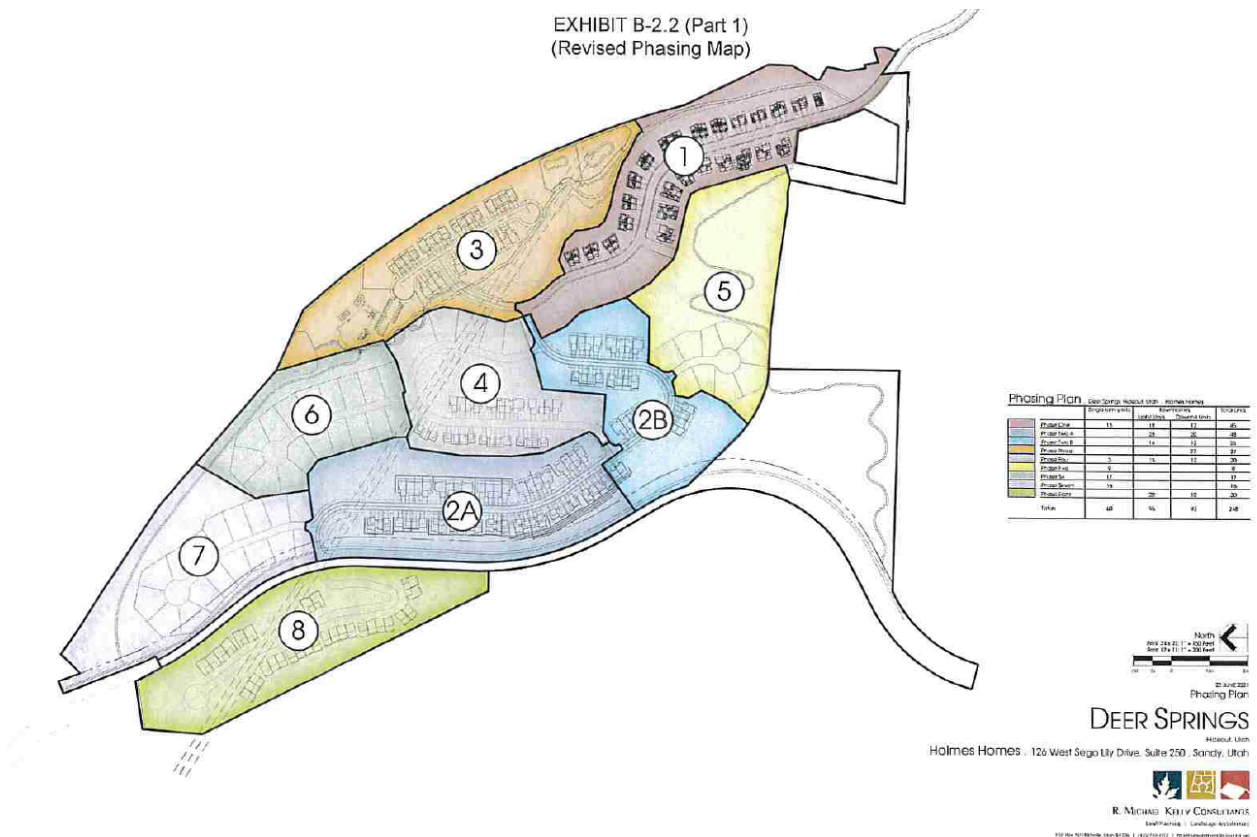
For purposes of prosecution of violations of this chapter, each day that any violation occurs, or that applicable taxes and fees are unpaid, is deemed to constitute a separate violation.

The Applicants' Proposed Third Amendment to the MDA

The Applicants would like to have short term rentals in Phases 2A, 2B, 4, and 8. This requires an amendment to the MDA since there is currently no allowance for nightly rentals in the Deer Springs neighborhood. A few things to consider:

- Phases 2A and 2B are already platted and no changes are proposed to the lots, sizes, or configuration.
 1. *Note: The Applicants verbally removed Phase 2A from consideration at the Planning Commission meeting on February 26, 2024.*
- Phase 4 and Phase 8 have not received final subdivision approval.
- Belaview Way and Ascent Drive are the primary throughway roads to connect Shoreline Drive to the Jordanelle Parkway and are included in Phases 1, 2B, and 2A.
- Phase 8 is located across the Jordanelle Parkway and was initially presented to the Planning Commission as the only phase requesting short-term rentals. The proposal for this phase remains similar to the original submittal and is proposed to include:
 1. A change from the originally proposed duplex/townhouse units to cottage units
 2. A commercial pad with vertical buildout for tenant(s)
 3. A clubhouse/community center with a swimming pool
 4. Two (2) affordable/workforce housing units

Current Phasing Map for Deer Springs



Estimated Transient Room Tax Revenue to the Town

The Applicants had an economic analysis completed by Lewis Young Robertson and Burningham Inc. to determine the financial benefits to the Town if the Town Council were to consider allowing short-term rentals (nightly rentals) in Deer Springs. The Town's financial consultant, Rob Sant, reviewed this analysis and prepared the following assessment. Please note that each of the totals is based on a 40-year period; the annual gain is highlighted in light yellow below. According to Rabbu.com, the average occupancy rate for a Park City AirBnB is 66%.

All Revenue Streams include 10% Reduction for MIDA Administration

Hideout 40-Year Revenue (Sales and Resort Tax)			
50% Occupancy			
	Current Revenue (35%)	Revenue with Property Owner Portion (65%)	Amended MIDA ILA (100%)
Phase 2	\$1,785,324	\$3,315,601	\$5,100,925
Phase 4	\$831,099	\$1,543,470	\$2,374,569
Phase 8	\$954,225	\$1,772,132	\$2,726,357
Total	\$3,570,648	\$6,631,203	\$10,201,850
Difference from Current		\$3,060,555	\$6,631,203
Annual Gain		\$76,514	\$165,780

Hideout 40-Year Revenue (Sales and Resort Tax)			
70% Occupancy ¹			
	Current Revenue (35%)	Revenue with Property Owner Portion (65%)	Amended MIDA ILA (100%)
Phase 2	\$2,499,453	\$4,641,842	\$7,141,295
Phase 4	\$1,163,539	\$2,160,857	\$3,324,396
Phase 8	\$1,335,915	\$2,480,984	\$3,816,899
Total	\$4,998,907	\$9,283,684	\$14,282,591
Difference from Current		\$4,284,777	\$9,283,684
Annual Gain		\$107,119	\$232,092

Hideout 40-Year Revenue (Sales and Resort Tax)			
80% Occupancy			
	Current Revenue (35%)	Revenue with Property Owner Portion (65%)	Amended MIDA ILA (100%)
Phase 2	\$2,856,518	\$5,304,962	\$8,161,480
Phase 4	\$1,163,539	\$2,469,551	\$3,799,310
Phase 8	\$1,526,760	\$2,835,411	\$4,362,171
Total	\$5,546,816	\$10,609,924	\$16,322,961
Difference from Current		\$5,063,108	\$10,776,144
Annual Gain		\$126,578	\$269,404

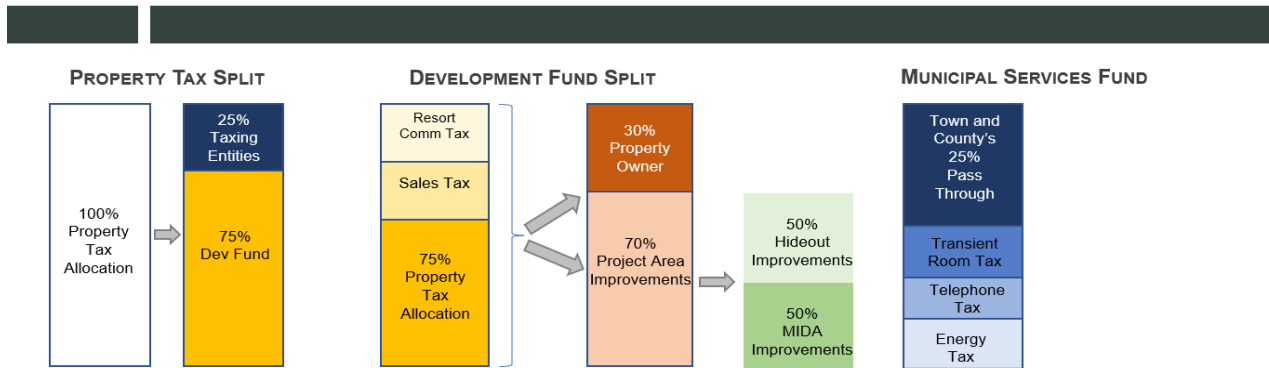
1. Kem C. Gardner Policy Institute listed 70% as average short term rental occupancy rate in 2022.

The Applicants' Offer to the Town of Hideout

In exchange for the impacts related to the STRs, the Applicants propose to:

- Dedicate some water rights (10-acre feet) to the Town. The average value of one acre-foot of water is approximately \$40,000. This dedication of water has an approximate value of +/- \$400,000.
- In addition, the offer includes an option for the Town to purchase an additional 10-acre feet for \$200k (or \$20,000 per acre foot). This is a discounted cost for the water rights – approximately half of the average value on the market right now.
- Finally, the offer includes the dedication of some additional MIDA funds to the Town. The Applicants shall explain the details of this offer to the Town. As staff understands it, the 30% Property Owner portion of the Development Fund Split would be dedicated to the Town. This will require an amendment to the MIDA / Town of Hideout's existing inter-local agreement (something that would need to be finalized before the Town can execute an MDA amendment with the Applicants). The Applicants shall confirm if this simplified understanding/explanation is correct. The following graphic has been excerpted from the Applicants' submitted economic analysis that was completed by Lewis Young Robertson and Burningham, Inc.

HIDEOUT PROJECT AREA CASH FLOW (25 YEARS)



Planning Commission Recommendation from February 26, 2024

The Planning Commission heard this request for a proposed Third Amendment to the MDA to allow short-term rentals at a public hearing held on February 26, 2024. Approximately ten emails or letters were received from residents of Deer Springs and the community at large requesting the Planning Commission deny the proposal for short-term rentals in Deer Springs Phases 2A, 2B, 4 and 8. In addition, several residents attended the meeting to voice their opposition to short-term rentals in the Town of Hideout.

After a lengthy hearing, and a failed motion to approve the proposed Third Amendment (Phases 2A, 2B, 4 and 8), a second motion to approve a revised amendment to the MDA to allow short-term rentals only in Phase 8 (the phase with the proposed cottages that is located across the Jordanelle Parkway) passed unanimously.

Phase 8 had been discussed at prior meetings in 2023 with the Planning Commission. At that time, the Planning Commission recommended the following conditions if approval of short-term rentals was considered:

1. A change from the originally proposed duplex/townhouse units to cottage units
2. A commercial pad with vertical buildout for tenant(s)
3. A clubhouse/community center with a swimming pool
4. Two (2) affordable/workforce housing units

As a reminder, the Applicants, at the Planning Commission meeting agreed to remove Phase 2A from their original application. The Town Council may wish to discuss this revised application with the Applicants.

Given that there is a recommendation from Planning Commission, staff recommends the Town Council review and consider the adoption of the Planning Commission's recommendation to only allow short-term rentals in Phase 8 of Deer Springs with the conditions outlined above. If approved, this would require the Town and the Applicant to revise the draft language attached as Exhibit A for the Third Amendment.

Exhibit A

The following pages include the proposed draft language for the proposed Third Amendment to the MDA.

Note:

- *This language references Phases 2, 2A, 4, and 8 as defined (and mapped) areas where short-term rentals would be allowed.*
- *The recommendation of the Planning Commission was to only allow short-term rentals in Phase 8. If their recommendation is adopted by the Town Council, this language shall be updated to reflect the Planning Commission's recommendation and Town Council's adoption. In addition, language allowing cottage type housing must be included in the housing typology table associated with the phasing map.*

WHEN RECORDED, RETURN TO:

**Town of Hideout
Attn: Town Clerk
10860 N. Hideout
Trail Hideout, Utah
84036**

**THIRD AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT
FOR DEER SPRINGS COMMUNITY**

THIS THIRD AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT FOR DEER SPRINGS COMMUNITY (“**Third Amendment**”) is made and entered as of the date set forth below, by and between the Town of Hideout, a Utah municipal corporation (“**Town**”), Holmes Western Deer Springs, LLC, a Utah limited liability company (“**Developer**”), Western States Ventures LLC, a Utah limited liability company (“**Original Developer**” and/or “**Western**”) and Miller Family Real Estate, L.L.C., a Utah limited liability company (“**Miller**”).

RECITALS

A. Original Developer Western and the Town entered into that certain *Master Development Agreement for Deer Springs Community*, which was recorded on August 6, 2018 as Entry No. 454483 in the official books and records of the Wasatch County Recorder; and the Original Developer Western States Ventures, L.L.C., the current Developer Holmes Western Deer Springs, LLC (as “**Owner**”) and the Town entered that certain *First Amendment to the Master Development Agreement for Deer Springs Community*, which was recorded on September 15, 2020 as Entry No. 484657 in the official books and records of the Wasatch County Recorder; and the Original Developer Western States Ventures, L.L.C., the Owner and current Developer Holmes Western Deer Springs, LLC and the Town entered that certain *Second Amendment to the Master Development Agreement for Deer Springs Community*, which was recorded on [REDACTED], 2021 as Entry No. [REDACTED] in the official

books and records of the Wasatch County Recorder, (collectively, as amended, the “MDA”). The MDA governs and encumbers the real property shown on **Exhibit A** attached hereto (“**Property**”).

B. The Original Developer has conveyed the Property to the current Developer. The Original Developer has also assigned its rights, titles, interests, duties, obligations and liabilities to and under the MDA to the current Developer, and the current developer has accepted the assignment and assumed the Original Developer’s duties, obligations and liabilities under the MDA, which assignment has been and/or is consented to by the Town.

C. The Town and Developer desire to amend the MDA by making certain modifications to the terms and conditions thereof. Owner acknowledges and accepts this Amendment as a modification to the terms of the MDA which are binding on the Property.

D. Pursuant to Section 25 of the MDA, the parties can amend the terms of the MDA by means of a written document signed by the Town and Developer.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Town and Developer hereby agree to the following:

AMENDMENT

1. **Recitals Incorporated.** The foregoing recitals are incorporated into, and made part of, this Second Amendment.
2. **Definitions.** Capitalized terms used in this Third Amendment but not otherwise defined shall have the meaning set forth in the MDA, if a meaning is provided. The following Section is hereby added to, and made a part of, the MDA: “**1.2.23.** The words or phrase “Short-Term Rental”, as used in the MDA, shall have the following meaning: “**Short-Term Rental**’ means any dwelling, home, townhome or condominium or portion thereof that is available for use or is actually used for accommodations of

lodging of guests for a period of less than thirty consecutive days, wherein guests pay a fee or other compensation for said use, and is also known as a nightly rental.”

3. **Short-Term Rentals (also known as Nightly Rentals)**. The following Section is hereby added to and made a part of the MDA: “**4.1.1 Short-Term Rentals (also known as Nightly Rentals)**. (Notwithstanding anything to the contrary in the MDA, the Zoning Ordinance, the Town of Hideout’s Code, the Town’s Vested Laws, and the Town’s Future Laws), the Short-Term Rental land use type, (also known as Nightly Rentals), is, and will be, permitted in Phase 2A, Phase 2B, Phase 4 and Phase 8 of the Project on the Property.”

 4. **Further Compensation – Water Rights**. Subject to Jordanelle Special Service District’s (“JSSD”) acknowledgement of such and issuing a will serve commitment (and/or any and all other required approval, consent, agreement or other requirement of JSSD to effectuate such), Western shall grant, convey, assign and transfer to the Town by a quit-claim deed and an assignment Western’s right, title and interest in and to, and delegate to the Town all of Western’s duties, obligations and liabilities in connection with, the right to supply the demand (of the applicable number of Equivalent Residential Units (“ERUs”)) equivalent to ten (10) acre feet of water (“Water Right Assignment”), which right title and interest is set forth in and based upon the following document(s): **[insert applicable water reservation agreement and/or other applicable documents]** (“Reservation Agreement”). The Town shall accept Western’s grant, conveyance, assignment and transfer (and sign the applicable Water Rights Assignment and any other applicable document(s)), and the Town shall assume and promise to perform all of Western’s duties, obligations, and liabilities under the Reservation Agreement as to the Water Right Assignment.
- At the Town’s option, (which option must be exercised within _____ (___))

calendar days from the full execution of this Third Amendment), and subject to Jordanelle Special Service District's ("JSSD") acknowledgement of such and issuing a will serve commitment (and/or any and all other required approval, consent, agreement or other requirement of JSSD to effectuate such), for and in consideration of the payment of Two Hundred Thousand Dollars (\$200,000) to Western by the Town, Western shall grant, convey, assign and transfer to the Town by a quit-claim deed and an assignment Western's right, title and interest in and to, and delegate to the Town all of Western's duties, obligations and liabilities in connection with, the right to supply the demand (of the applicable number of Equivalent Residential Units ("ERUs")) equivalent to ten (10) acre feet of water ("Optional Water Right Assignment"), which right title and interest is set forth in and based upon the following document(s): [insert applicable water reservation agreement and/or other applicable documents] ("Option Reservation Agreement"). The Town shall accept Western's grant, conveyance, assignment and transfer (and sign the Optional Water Right Assignment and any other applicable document(s)), and the Town shall assume and promise to perform all of Western's duties, obligations, and liabilities under the Option Reservation Agreement as to the Optional Water Right Assignment.

The parties hereby agree to execute such further documents and instruments as may be necessary to effectuate the above referenced (in this section) transfer(s)/assignment(s) of water rights.

5. **MIDA.** Subject to any required approval, consent, justification, recognition, agreement or other requirement of the Military Installation Development Authority ("MIDA") and Master Developer (as defined in the MIDA Agreement) (and/or any other governmental or other person or entity) to effectuate such, Western (and Miller, if applicable) shall grant, convey, assign and transfer to the Town by an assignment

Western's (and Miller's, if any) rights, interest, responsibilities, duties, obligations, covenants and liabilities only to (1) resort community tax collected and (2) sales tax collected pursuant to Chapter 1, Title 63H Utah Code Annotated 1953 ("MIDA Act") and in that certain "Tax Sharing and Reimbursement Agreement" ("MIDA Agreement") between Western States Ventures, LLC and the Military Installation Development Authority, with an Effective Date of July, 7, 2022, including any rights to receive reimbursement funds from only (1) resort community tax collected and (2) sales tax collected pursuant to the MIDA Act and in the MIDA Agreement, (including (1) resort community tax collected and (2) sales tax collected funds from MIDA and/or the Hideout Development Fund and/or the Reimbursement Fund and/or the Western States Ventures Reimbursement Fund as referenced and defined in the MIDA Agreement), pertaining to the Project and Property, including all rights to payments and/or reimbursements for Eligible Expenses (as defined in the MIDA Agreement) pertaining to the (1) resort community tax collected and/or (2) sales tax collected pursuant to the MIDA Act and in the MIDA Agreement ("MIDA Assignment"). To be clear, this MIDA Assignment does not include the assignment of any other rights, interest, responsibilities, duties, obligations, covenants and liabilities other than to (1) resort community tax collected and/or (2) sales tax collected pursuant to the MIDA Act and the MIDA Agreement pertaining to the Project and Property; and, among other thing, this MIDA Assignment does not include the assignment of any rights, interest, responsibilities, duties, obligations, covenants and liabilities to (1) property tax generated or collected and/or (2) use tax collected in accordance with the MIDA Act and in the MIDA Agreement pertaining to the Project and Property. The Town shall: accept the MIDA Assignment and assume all of Western's (and Miller's, if any) rights, interests, responsibilities, duties, obligations, covenants and liabilities only to (1) resort

community tax collected and (2) sales tax collected pursuant to the MIDA Act and in the MIDA Agreement pertaining to the Project and Property; agree to be bound by the terms and conditions of the MIDA Agreement; and covenant to duly keep, observe and perform all of the terms, conditions and provisions of the MIDA Agreement that are to be kept, observed and performed by Western (and Miller, if any) thereunder. The MIDA Assignment shall also include a provision stating that Western (and Miller, if applicable), shall be released from all obligations under the MIDA Agreement as to (1) resort community tax collected and (2) sales tax collected pertaining to the Project and Property.

To the extent necessary, Western (and Miller, if applicable), shall also consent and agree that MIDA may amend the Hideout Interlocal Agreement (as defined in the MIDA Agreement) to provide that (1) resort community tax collected and (2) sales tax collected from the Western States Ventures Hideout Property (as defined in the MIDA Agreement) pursuant to the MIDA Act may be placed in the Municipal Services Fund (as defined in the MIDA Agreement) instead of the Development Fund (as defined in the MIDA Agreement) as set forth in that Hideout Interlocal Agreement.

The parties hereby agree to execute such further documents and instruments as may be necessary to effectuate the above referenced (in this section) MIDA Assignment.

6. **Term of Agreement.** The first sentence of Section 5 of the MDA is hereby deleted and replaced with the following sentence: “The term of this MDA shall be until December 31, 2033.”
7. **Approval by Town Council.** This Third Amendment was approved by the Town Council on [REDACTED], 2023.
8. **Scope of this Third Amendment.** Other than as specifically amended herein by this Second Amendment, the terms and conditions of the MDA shall remain in full force and

effect.

[End of Amendment. Signatures Follow.]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of this _____ day of _____, 202__.

ORIGINAL DEVELOPER
Western States Ventures, LLC

Town of Hideout TOWN

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

OWNER AND CURRENT DEVELOPER
Holmes Western Deer Springs, LLC

Miller Family Real Estate, L.L.C.

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

Approved as to
form:

Attest:

Town
Attorney

Town Clerk

TOWN ACKNOWLEDGMENT

STATE OF UTAH)
 :ss.
COUNTY OF WASATCH)

On the _____day of _____, 202__, personally appeared before me _____who being by me duly sworn, did say that he is the Mayor of the Town of Hideout, a Utah municipal corporation, and that said instrument was signed in behalf of the Town by authority of its governing body and said Mayor acknowledged to me that the Mayor executed the same.

NOTARY PUBLIC

WESTERN ACKNOWLEDGMENT

STATE OF UTAH)
 :ss.
COUNTY OF SALT LAKE)

On the _____day of _____, 202__, personally appeared before me _____who being by me duly sworn, did say that he is the manager of Western States Ventures, LLC, a Utah limited liability company, and that the foregoing instrument was duly authorized by the company at a lawful meeting held by authority of its operating agreement and signed in behalf of said company.

NOTARY PUBLIC

MILLER ACKNOWLEDGMENT

STATE OF UTAH)
 :ss.
COUNTY OF SALT LAKE)

On the _____day of _____, 202__, personally appeared before me _____who being by me duly sworn, did say that he is the manager of Miller Family Real Estate, L.L.C., a Utah limited liability company, and that the foregoing instrument was duly authorized by the company at a lawful meeting held by authority of its operating agreement and signed in behalf of said company.

NOTARY PUBLIC

DEVELOPER ACKNOWLEDGMENT

STATE OF UTAH)
 :ss.
COUNTY OF SALT LAKE)

On the _____day of _____, 202__, personally appeared before me _____who being by me duly sworn, did say that he is the manager of Holmes Western Deer Springs, LLC , a Utah limited liability company, and that the foregoing instrument was duly authorized by the company at a lawful meeting held by authority of its operating agreement and signed in behalf of said company.

NOTARY PUBLIC

My Commission Expires:

Residing at:

EXHIBIT A
(Legal Description)

File Attachments for Item:

4. Consideration of approving an Ordinance regarding updates, technical corrections, and amendments to Hideout Municipal Code Titles 3, 7, 8, 10, 11, and 12

Staff Report to Town Council for Building/Development, Subdivision, and Zoning Ordinances Updates

To: Mayor Philip Rubin
Town of Hideout Council

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

Re: Code Updates and Revisions Throughout the Building/Development, Subdivision and Zoning Sections of the Town Ordinance

Date: March 6, 2024, Town Council Meeting

The following is a series of recommendations to update the Town’s building/development, subdivision, and zoning ordinances. Staff has kept an ongoing log of necessary revisions as projects have gone through Planning Commission and Town Council review since the new land use ordinances were adopted in 2020.

The following recommendations are presented in three sections:

1. New code language (policy) to incorporate best practices in the planning field that are missing from our code.
2. Minor revisions that are essentially corrections to the code.
3. Cross reference corrections to ensure different sections of the code are aligned.

Blue text indicates new or added text. Red text, with strikethrough, indicates text recommended for deletion.

Section 1 – New Code Language

Item #1.1

Remove the requirement for the Town Planner to sign a plat before recordation. This is not necessary, nor common, in Utah. Remove Legislative Body and just keep the Mayor since only the Mayor signs plats and correct the Planning Commission signature to denote 'chair'.

11.06.30 Recording of the Plat

Final Plat Recordation. After gaining final approval, a Final Plat shall be prepared on reproducible Mylar drawn in accordance with the Town Standards at a scale not smaller than one inch equals one hundred feet (1" = 100') that meet the minimum legal standards for survey as defined in Utah Code Annotated section 17-23-20, and shall show the following:

1. Boundaries of the development and location of all required survey monuments; and
2. Location of all lot lines; and
3. Location and extent of all road and other parcels of land to be dedicated to the public and to be retained in private Ownership; and
4. Location and extent of all Easements; and
5. The certifications previously proposed and approved as part of the Final Documentation provided; and
6. The following Signature Blocks:
 1. Required
 1. Surveyors Certificate
 2. Owner's Dedication, Lien Holder, and Acknowledgement
 3. ~~Legislative Body,~~
 4. [Administrative Approval: Mayor and Attestation](#)
 5. Planning Commission [Chair](#)
 6. Town Attorney
 7. Town Engineer
 8. ~~Town Planner~~
 9. Wasatch County Surveyor
 10. ~~Wasatch County GIS (required for addressing & 911)~~
 11. Wasatch County Recorder
 2. Optional (to be included based on the circumstances indicated):
 1. Jordanelle Special Services District (when services are directly provided to the subdivision by JSSD)
 2. Wasatch County Housing Authority (when the subdivision contains an Affordable Housing component)

Item #1.2

Issues have arisen as a result of retaining walls being built along property lines: the property owner building the walls has to get approval to encroach on the neighbor's property for construction, maintenance, etc., safety concerns for the downhill property given these structures are right on the property line, increased stormwater runoff impacting the downhill properties, etc.

Add the following to section **10.08.18 Retaining Walls:**

B. All retaining walls must be set back a minimum of 5'-0" from all property lines.

C. All retaining walls shall be constructed of natural stacked rock unless deemed unsafe by the Town Planner and Town Engineer. All retaining walls must be reviewed and approved for structural integrity and safety by the Town Engineer. A detailed geotechnical report, prepared by a licensed engineer, may be required dependent upon the Town Engineer's review.

Item #1.3

The current code language for applications for planning and development don't give staff sufficient time to coordinate a project with the applicant(s), their professional team, complete site visits, prepare staff reports and ensure proper noticing. The recommendation is to update the language to align with regional requirements and ultimately allow staff to get planning packets to the Planning Commissioners a week prior to the meetings.

3.02.090 **Application and General Submittal** ~~Notice~~ **Requirements**

- ~~A. If any citizen or applicant desires to have an item placed on the agenda for the regular meeting of the Planning Commission, a description of the agenda item must be delivered to the Town Clerk no later than 10:00 a.m. fifteen (15) calendar days prior to the Planning Commission's regularly scheduled meeting. All supporting content (electronic or otherwise), if any, must be submitted to the Town Clerk no later than 10:00 a.m. seven (7) calendar days prior to the date of the regularly scheduled Planning Commission meeting. If agenda items or materials supporting such agenda items are delivered after the time set forth in this section, such agenda items will be placed on the agenda for the following regular meeting of the Planning Commission.~~
- A. If any applicant desires to have an item placed on the agenda for the regular meeting of the Planning Commission, a complete application (inclusive of all supporting content and required documents such as site plans, building elevations, etc.) and all associated fees and escrow funds must be submitted to the Records Office no later than 10:00am forty-five (45) calendar days prior to the Planning Commission's regularly scheduled meeting. If any required application items are delivered after the time set forth in this section, such application items will be placed on the agenda for the following regular meeting of the Planning Commission.
- B. No changes to existing letter B.
- C. All applications for property development and/or use permits shall be actively pursued to a final decision by the town. If no activity such as plan submittals, reviews, meetings, or communication by the applicant has occurred on an application for one hundred eighty (180) days, the application will be deemed as inactive, and the file closed. The applicant may submit a written request to maintain the application as active, wherein upon finding that there is good cause and reasonable belief that the application will be pursued to completion, the Town Planner, or their designee may grant a one-time ninety (90) day extension. Once a file is closed, an applicant will be required to pay all applicable fees and reapply for permits or development.

Item #1.4

There have been some single properties that have wanted to have two curb cuts. This creates an unnecessary increase in pavement and the resulting stormwater runoff and significantly reduces the

amount of native vegetation that remains in the front yard. In addition, additional curb cuts can create safety hazards and can negatively impact snow plowing along the rights-of-way.

Add the following to section **10.08.10 Lot Design:**

K. No lot shall have more than one driveway entrance unless the topography and/or lot layout requires a second entrance to ensure safe movements as determined by the Town Planner and Town Engineer.

Item #1.5

The following requirements meet the State of Utah's Landscape Conversion Incentive Program (LCIP). This allows municipalities to be designated as an Eligible Location for possible Utah Water Rebates.

10.06.02 Landscaping and Maintenance Requirements

New "E" (and then move existing E thru Q down to F thru R)

E. The following water-efficient landscape standards for new construction are required:

- No lawn is permitted on parking strips or areas less than eight (8) feet in width in new development.
- No more than 35% of front and side yard landscaped areas in new residential developments may be lawn/turf/mowed grass. This lawn limitation does not apply to small residential lots with less than 250 square feet of landscaped area.
- In new commercial, industrial, institutional and multi-family development common area landscapes, lawn/turf/mowed grass areas shall not exceed 20% of the total landscaped area, outside of active recreation areas.

Item #1.5

There is currently no language in the HMC addressing pools, hot tubs, etc. The following is recommended language regarding locating hot tubs and swim spas.

New section:

10.08.08.15 Hot Tub, Swim Spas, and Swimming Pools

1. All hot tubs, swim spas, and swimming pools, inground and above-ground, must meet the following setback and screening requirements:
 - a. No hot tubs, swim spas, and swimming pools are allowed in the front yard or side yards of any structure. They must be located in the rear yard only.
 - b. All hot tubs, swim spas, and swimming pools must meet building setbacks as required in the applicable zoning district.
 - c. All swimming pools must have a fence of at least six (6') feet high surrounding the complete perimeter of the pool. Utah law (Utah Office of Administrative Rules (R392-302-14) specifies that this fence "may not permit a sphere greater than 4 inches" through any part of the fence. The door for the gate must be self-closing, self-latching, and require a key, electronic sensor, or combination to be opened. Chain link fencing is not a permitted fence type; any fencing must be

decorative in terms of material and design. The fence must be approved by the Town Planner and meet the Town's Development Standards and Design Guidelines.

Item #1.6

Water and JSSD code language should be updated in the Building and Development Standards section (Title 10) to ensure that JSSD water (a 'will serve letter') is required at time of subdivision recordation.

10.14 Impact Fees and Confirmation of Water for Development

New section at the beginning of 10.14:

10.14.020 Confirmation of JSSD Water

At the time an applicant submits an application for a plat for any phase of a development, the applicant shall provide satisfactory evidence confirming that they have sufficient dedicated or reserved water with Jordanelle Special Service District ("JSSD") to service the proposed development phase as reflected on the plat to be recorded. As a condition of approval of the plat, the applicant shall, at the time of the recordation of the plat, provide a will serve letter from JSSD and execute all necessary documents to transfer any water reservation agreement to the Town.

The following section remains the same for payments except that it moves from 10.14.020 down to 10.14.021:

10.14.021 Time of Payment

Building permits shall not be issued until the applicant has paid all impact fees imposed by the Town of Hideout, the Jordanelle Special Service District ("JSSD"), and the Wasatch County Fire Protection Special Service District ("Wasatch County Fire"). Payments to JSSD and Wasatch County Fire shall be made directly to those districts, and the Town of Hideout shall not issue a building permit until it receives evidence that such payments have been made.

Necessary change to another referenced section to ensure similar language:

10.08.26 Utility Connections

G. 2. A. As a condition of Subdivision ~~approval~~ recordation under this Chapter, the Applicant shall convey to the Town of Hideout water rights that entitle the Owner to an annual quantity and rate of flow which is sufficient in amount to meet the water use requirements of the occupants of the Subdivision.

Item #1.7

We should revise the code to allow Hotels as a permitted use in the Commercial District (to match the Neighborhood Mixed Use [NMU] District) and to make gasoline stations a conditional use rather than a permitted use. There are impacts associated with gasoline stations such as lighting, sound, extent of pavement, environmental concerns, screening, etc. that require a CUP to address:

12.18 Commercial (C) Zone

12.18.04 Land Uses

1. The Commercial Zone use table lists where the use type is permitted (P), allowed through the provision of a Conditional Use permit (C). If not indicated with either a (P) or (C), the land use is prohibited.

Hotel	€ P
Gasoline Stations	P C

Item #1.8

We should revise the code to allow fitness centers as a permitted use in the Neighborhood Mixed Use (NMU) District. Fitness or yoga facilities are low impact and desirable in neighborhood centers:

12.16 Neighborhood Mixed Use (NMU) Zone

12.16.04 Land Uses

1. The Neighborhood Mixed Use Zone use table lists where the use type is permitted (P), allowed through the provision of a Conditional Use permit (C). If not indicated with either a (P) or (C), the land use is prohibited.

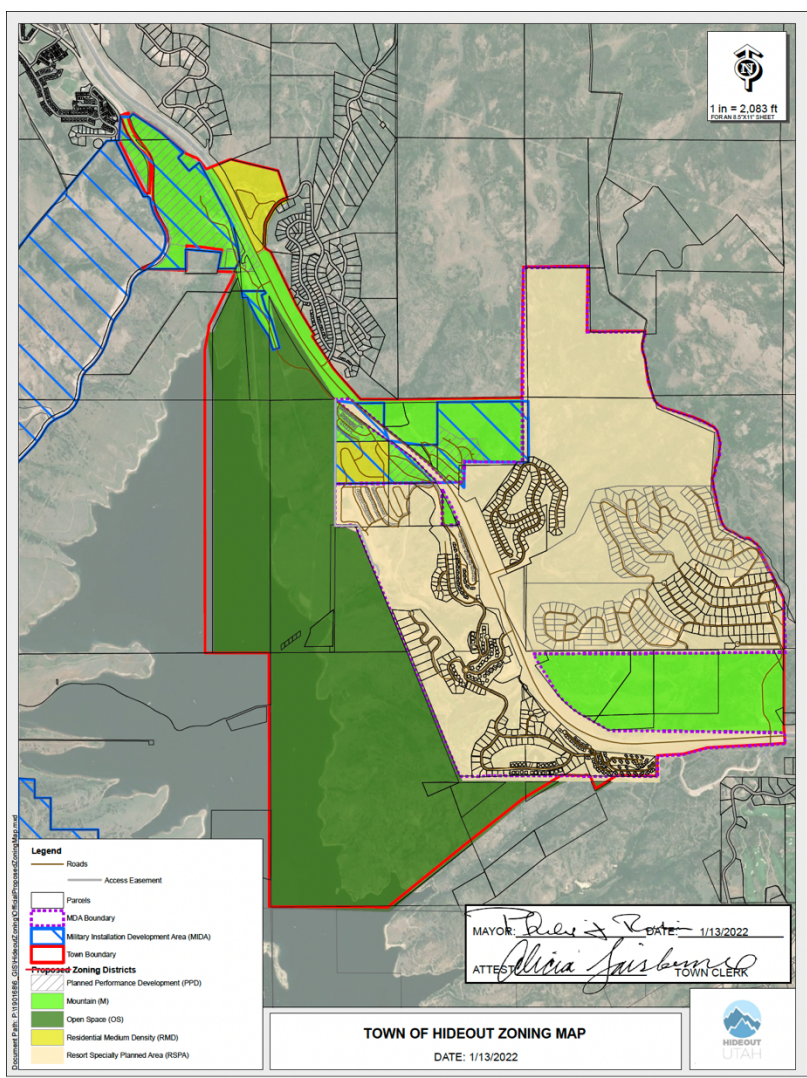
Fitness / Wellness Center	€ P
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Section 2 – Minor Code Revisions

Item #2.1

A change is required to update the Zoning Map:

The legend lists “Proposed Zoning” and should just read “Zoning Districts”.



Item #2.2

Correction of the code section referencing performance bonds to include the current fee schedule.

Proposed language:

10.10.06 Required Improvements

The following improvements shall be constructed at the expense of the Applicant, in accordance with the provisions of this Title and the Zoning Ordinance. A performance bond as described in Section ~~10.10.08~~ [11.06.14 Fees \(and specifically detailed in the Town's Fee Schedule adopted by resolution\)](#) shall be secured to ensure installation of required improvements.

Item #2.3

Recommended correction regarding what constitutes landscaping and/or groundcover.

10.08.36 Landscaping and Irrigation

1. Natural Topping of Landscape Areas. All landscaped areas shall be finished with a natural topping material which may include, but not limited to, the following: groundcover, planting, ~~pavers~~, or wood mulch. Decorative rock (commonly known as rice gravel, pea gravel or decomposed granite [DG]) may be used as a ground cover for up to 25% of a property's landscape area (exclusive of building footprint and driveway/parking area).

Item #2.4

Include a requirement for platting subdivisions to identify on the subdivision map where postal service gang boxes will be located.

11.06.22.01 Preliminary Plan Application Package

- I. Maps. As a part of the Preliminary Plan application package, the Applicant shall prepare the following maps according to the following criteria:
 1. General Location Map. The map shall show the following information and conform to the following standards.
 1. All drawings shall be 22" x 34' in size.
 2. Map shall provide sufficient detail to identify drainage flows entering and leaving the development and general drainage patterns.
 3. Scale of 1" = 500' to 1" = 4000' and show the path of all drainage from the upper end of any offsite basins to the defined major drainage ways.
 4. Identify all major facilities (i.e., irrigation ditches, existing detention facilities, storm water quality facilities, culverts, storm sewers) downstream of the Property along the flow path to the nearest major drainage way.
 5. Basins, basin identification numbers, drainage divides, and topographic contours are to be included.
 6. [Location of postal service gang boxes and pull-out area or parking delineated.](#)

11.06.26.01 Final Plat Application Package

- I. Maps. As a part of the Final Plat application package, the Applicant shall prepare the following maps according to the following criteria:

Add a new #4 under 'maps':

4. [Location of postal service gang boxes and pull-out area or parking delineated.](#)

Item #2.5

For each zoning district designation in Title 12, there are references to the Building and Development Standards (Title 10) that include some incorrectly referenced sections. The following language is recommended to clean up this confusion and replace this language for each zoning district with the more succinct text in blue.

12.08 MOUNTAIN RESIDENTIAL (MR) ZONE

~~**12.08.08 Landscaping and Maintenance Requirements**~~

~~Unless otherwise specified, the Landscaping requirements within the Mountain Zone shall adhere to the requirements outlined in Section 10.08.32 in Title 10 of the Town Code.~~

~~**12.08.10 Open Space and Public Space Requirements**~~

~~Unless otherwise specified, the Open Space and Public Space requirements within the Mountain Zone shall adhere to the requirements outlined in Sections 10.08.28 and 10.08.30 in Title 10 of the Town Code.~~

~~**12.08.12 Design Requirements**~~

~~Unless otherwise specified, the Building Design requirements within the Commercial Zone shall adhere to the requirements outlined in Section 10.08.08 in Title 10 of the Town Code.~~

12.08.08 Building, Development, Design, and Landscaping Requirements

Unless otherwise specified, all building, development, design, and landscaping requirements within the Mountain Residential Zone shall adhere to the requirements outlined in Title 10, Building and Development Standards.

Similar revisions are proposed for the following zoning districts:

12.10 RESIDENTIAL 3 (R3) ZONE

Remove 12.10.08, 12.10.10, and 12.10.12 and replace with:

12.10.08 Building, Development, Design, and Landscaping Requirements

Unless otherwise specified, all building, development, design, and landscaping requirements within the Residential 3 Zone shall adhere to the requirements outlined in Title 10, Building and Development Standards.

12.12 RESIDENTIAL 6 (R6) ZONE

Remove 12.12.08, 12.12.10, and 12.12.12 and replace with:

12.12.08 Building, Development, Design, and Landscaping Requirements

Unless otherwise specified, all building, development, design, and landscaping requirements within the Residential 6 Zone shall adhere to the requirements outlined in Title 10, Building and Development Standards.

12.14 RESIDENTIAL 20 (R20) ZONE

Remove 12.14.08, 12.14.10, and 12.14.12 and replace with:

12.14.08 Building, Development, Design, and Landscaping Requirements

Unless otherwise specified, all building, development, design, and landscaping requirements within the Residential 20 Zone shall adhere to the requirements outlined in Title 10, Building and Development Standards.

12.16 NEIGHBORHOOD MIXED USE (NMU) ZONE

Remove 12.16.08, 12.16.10, and 12.16.12 and replace with:

12.16.08 Building, Development, Design, and Landscaping Requirements

Unless otherwise specified, all building, development, design, and landscaping requirements within the Neighborhood Mixed Use Zone shall adhere to the requirements outlined in Title 10, Building and Development Standards.

A. Additional Landscaping requirements within the Neighborhood Commercial Zone are as follows:

1. Landscaped areas shall be provided on the site in an amount equal to or greater than twenty percent (20%) of the net site area.
2. Manicured grasses can be used in landscape areas but may not exceed 25% of the total landscape area.

12.18 COMMERCIAL (C) ZONE

Remove 12.18.08, 12.18.10, and 12.18.12 and replace with:

12.18.08 Building, Development, Design, and Landscaping Requirements

Unless otherwise specified, all building, development, design, and landscaping requirements within the Commercial Zone shall adhere to the requirements outlined in Title 10, Building and Development Standards.

A. Additional Landscaping requirements within the Commercial Zone are as follows:

1. Landscaped areas shall be provided on the site in an amount equal to or greater than twenty percent (20%) of the net site area.
2. Manicured grasses can be used in landscape areas but may not exceed 25% of the total landscape area.

12.20 LIGHT INDUSTRIAL (LI) ZONE

Remove 12.20.08, 12.20.10, and 12.20.12 and replace with:

12.20.08 Building, Development, Design, and Landscaping Requirements

Unless otherwise specified, all building, development, design, and landscaping requirements within the Light Industrial Zone shall adhere to the requirements outlined in Title 10, Building and Development Standards.

A. Additional Landscaping requirements within the Light Industrial Zone are as follows:

1. Landscaped areas shall be provided on the site in an amount equal to or greater than twenty percent (20%) of the net site area.
2. Manicured grasses can be used in landscape areas but may not exceed 25% of the total landscape area.
3. Installation of a berm or vegetative hedge to obscure visibility into the area. Such installation should obscure a minimum of 70% of the area.

12.22 COMMUNITY RECREATION (CR) ZONE

Remove 12.22.08, 12.22.10, and 12.22.12 and replace with:

12.22.08 Building, Development, Design, and Landscaping Requirements

Unless otherwise specified, all building, development, design, and landscaping requirements within the Community Recreation Zone shall adhere to the requirements outlined in Title 10, Building and Development Standards.

A. Additional Landscaping requirements within the Community Recreation Zone are as follows:

1. Landscaped areas shall be provided on the site in an amount equal to or greater than twenty percent (20%) of the net site area.

12.24 NATURAL PRESERVATION (NP) ZONE

Remove 12.24.08, 12.24.10, and 12.24.12 and replace with:

12.24.08 Building, Development, Design, and Landscaping Requirements

Unless otherwise specified, all building, development, design, and landscaping requirements within the Natural Preservation Zone shall adhere to the requirements outlined in Title 10, Building and Development Standards.

A. Additional Landscaping requirements within the Natural Preservation Zone are as follows:

1. If any structure is placed on the land, the landscaping requirements listed in Section 10 apply within the boundaries of the disturbed soil.
2. The natural state of the soil satisfies the landscaping requirements; except as noted in Section A.1 above.
3. Public Space is not required in the Natural Preservation zone.
4. Open Space requirements may include public trails.
5. The property owner(s) shall maintain all Natural Preservation, Open Space, and Public Space areas.

Item #2.6

Correct the Mountain zone to read: ‘Mountain Residential’ zone:

12.08.06 Dimensional Standards

Development in the Mountain [Residential](#) Zone shall comply with the following standards table.

Item #2.7

Clean up and clarification of the ERU table and [add this table to a newly created section in 12.02.30](#):

10.12 General Terms and Definitions

Equivalent Residential Units (ERU). The number of residential equivalents to determine density - based on sewer, water and square footage of a Structure.

ERU calculations shall be based upon the Unit Equivalent Chart:

Configuration	Notes	ERU's
Motel/Hotel Room, Apartment or Condo	Up to 500 gross sf square feet including bathroom areas	.25
Motel/Hotel Room, Apartment or Condo	Between 501 and 1,000 gross-sf square feet including bathroom areas	.50
Motel/Hotel Room, Apartment or Condo	Between 1,001 and 1,500 gross-sf square feet including bathroom areas	.75
Motel/Hotel Room, Apartment or Condo	Over 1,500 gross-sf square feet ; add this total ERU value for each part of an additional 1,500 gross square feet-sf interval (rounded up)	1.00
Single Family Residences (attached or detached)	Up to 5000 gross-sf square feet	1.00
Single Family Residences (attached or detached)	For residences over 5,000 gross-sf square feet , add this total ERU value for each part of each additional 2,000 gross-sf square feet interval (rounded up)	.50
Commercial	For each 2,000 gross-sf square feet of gross floor area, or for each part of an additional 2,000 gross-sf square feet interval, add this total ERU value (rounded up)	.75

Section 3 – Cross Reference Corrections

Item #3.1

Correction to code reference for section 12.30.06.19. This section should reference the uses in the RSPA that were carried over from the Former Town Code – the code that includes the original language for the RSPA which is the zoning designation for all land included within the area governed by the Master Development Agreement (MDA) with Mustang Development. The code sections were incorrectly referenced.

Recommended revisions to the existing code language:

12.30.06.19 Permitted Use Categories

Specific permitted uses within each category are indicated in ~~HMC 12.14.420 through HMC 12.14.500~~ the HMC 12.30.06.09 through HMC 12.30.06.17.

Item #3.2

Correct a reference for the RSPA Equivalent Residential Unit (ERU) calculations to reference the Former Town Code Section 11.07.140. The following clarification is proposed:

12.30.06.07 ERU CALCULATIONS

Calculations of ERUs will be made pursuant to the procedures described and the ERU/Equivalent Residential Units found in Appendix 6 in the Former Town Code, section 11.07.140.

Item #3.3

The code section addressing all private and commercial sign requirements is currently under Title 8, Public Ways and Property, as section 8.14. This entire section should be moved to a newly created Chapter 14 that is easier for residents to find and review the language.

The section of code pertaining to signs includes many pages of code language. The text is not included here since no changes are proposed to the text – only to move it to a different location in the HMC.

The following shall be moved from 10.04.24 to 8.14 (this language relative to signage belongs in the Public Ways and Property section):

~~10.04.34~~ 8.14 Signage

1. Any signs erected on the lot shall be in accordance with HMC ~~12.22~~ 10.04.34 outlining sign regulations.
2. A permit board shall be erected on the lot upon which the building permit shall be posted. The permit shall include permit number, name of General Contractor with contact information and street address of property being built on. The Contractor shall keep the posted lot number sign in place until work is complete. The sign size shall be two feet by three feet (2'x3') and shall not exceed a letter type of four inches (4").

Item #3.4

Correct code reference sections as follows:

12.30.06.14 Neighborhood Commercial (NC)

1. Permitted Uses. Permitted uses include convenience stores, restaurants, neighborhood services, offices, parks and Resort Features (as defined in HMC ~~12.14.500~~ [12.30.06.17](#)).

12.30.06.19 Permitted Use Categories

Specific permitted uses within each category are indicated in HMC ~~12.14.420~~ [12.30.06.09](#) through HMC ~~12.14.500~~ [12.30.06.17](#):

- RSF - Residential Single Family
- MD - Residential Medium Density
- HC - Hospitality Casita
- RVMD- Resort Village Medium Density
- RVHD - Resort Village High Density
- NC - Neighborhood Commercial
- CS - Community Site
- OS - Open Space
- RF - Resort Feature

TOWN OF HIDEOUT
ORDINANCE #2024 – O-_____

AN ORDINANCE AMENDING SECTIONS TO UPDATE ITEMS WITHIN THE LAND USE CODE IN
TITLES 3, 7, 8, 10, 11 AND 12

WHEREAS, Staff has kept an ongoing log of necessary revisions as projects have gone through Planning Commission and Town Council review since the new land use ordinances were adopted in 2020;

WHEREAS, these updates will correct typos and minor errors to the 2020 version of the Code;

WHEREAS, certain updates to application and submittal requirements will help with the application and review process:

WHEREAS, noticing requirements have changed in the State Code;

WHEREAS, clarification is needed that any water provided must be from JSSD who may provide the water in the Jordanelle Basin and the timing of providing the water rights;

WHEREAS, the location of gang boxes and parking are important within a subdivision;

WHEREAS, there was a need to include requirements related to hot tubs and pools:

WHEREAS, certain sections of the code were omitted when the 2020 code replaced the former code and should be now be included;

WHEREAS, a public hearing was duly held before the Planning Commission on February 26, 2024 and before the Town Council on March 6, 2024;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF HIDEOUT, UTAH, THAT:

SECTION I: The following Sections are amended:

i) **3.02.090 Application and General Submittal ~~Notice~~ Requirements**

~~A. If any citizen or applicant desires to have an item placed on the agenda for the regular meeting of the Planning Commission, a description of the agenda item must be delivered to the Town Clerk no later than 10:00 a.m. fifteen (15) calendar days prior to the Planning Commission's regularly scheduled meeting. All supporting content (electronic or otherwise), if any, must be submitted to the Town Clerk no later than 10:00 a.m. seven (7) calendar days prior to the date of the regularly scheduled Planning Commission meeting. If agenda items or materials supporting such agenda items are delivered after the time set forth in this section, such agenda items will be placed on the agenda for the following regular meeting of the Planning Commission.~~

A. If any applicant desires to have an item placed on the agenda for the regular meeting of the Planning Commission, a complete application (inclusive of all supporting content and required documents such as site plans, building elevations, etc.) and all associated fees and escrow funds must be submitted to the Recorder's Office no later than 10:00 am mountain time forty-five (45) calendar days prior to the Planning Commission's regularly scheduled meeting. If any required application items are delivered after the time set forth in this section, such application items will be placed on the agenda for the following regular meeting of the Planning Commission.

- B. This section makes no changes to any Land Use application schedule or deadlines outlined within existing Town Code or within any duly adopted Master Development Agreement. Those schedules and/or deadlines must be completed prior to any affected item being placed upon the agenda as outlined above.
- C. All applications for property development and/or use permits shall be actively pursued to a final decision by the town. If no activity such as plan submittals, reviews, meetings, or communication by the applicant has occurred on an application for one hundred eighty (180) days, the application will be deemed as inactive, and the file closed. The applicant may submit a written request to maintain the application as active, wherein upon finding that there is good cause and reasonable belief that the application will be pursued to completion, the Town Planner, or their designee may grant a one-time ninety (90) day extension. Once a file is closed, an applicant will be required to pay all applicable fees and reapply for permits or development.

ii) **10.04.34 8.14.160 Signage**

- 1. Any signs erected on the lot shall be in accordance with HMC ~~12.22~~ Chapter 8.14 outlining sign regulations.
- 2. A permit board shall be erected on the lot upon which the building permit shall be posted. The permit shall include permit number, name of General Contractor with contact information and street address of property being built on. The Contractor shall keep the posted lot number sign in place until work is complete. The sign size shall be two feet by three feet (2'x3') and shall not exceed a letter type of four inches (4").

iii) 10.06.02 Landscaping and Maintenance Requirements

New "E" (and then move existing E thru Q down to F thru R)

10.06.02 LANDSCAPING AND MAINTENANCE REQUIREMENTS

Landscaping requirements within each zone shall adhere to the following standards:

- A. Landscaping shall follow criteria established in Section 10.08.36 in this Title.
- B. New plant materials should be ~~located~~ planted in a way that respects existing planting patterns. Trees, shrubs, and ground cover are usually found in groups of similar species. New planting should follow the patterns characteristic to the Site and should, as much as possible, harmonize with them.
- C. The existing landscape, vegetation and topography are to be considered when siting structures and designing outdoor spaces.
- D. The preservation of natural vegetation or planting of new native vegetation is strongly encouraged for all residential and commercial properties and shall make up no less than 50% of a property's total landscape area (exclusive of building footprint and paved areas).

E. The following water-efficient landscape standards for new construction are required:

- 1. No lawn is permitted on parking strips or areas less than eight (8) feet in width in new development.
- 2. No more than 35% of front and side yard landscaped areas in new residential developments may be lawn/turf/mowed grass. This lawn limitation does not apply to small residential lots with less than 250 square feet of landscaped area.

3. In new commercial, industrial, institutional and multi-family development common area landscaped lawn/turf/mowed grass areas shall not exceed 20% of the total landscaped area, outside of active recreation areas.

- F.F. These plants must achieve 75% coverage within two (2) years as determined by an aerial analysis and in accordance with an inspection by the Town Planner.
- F.G. Gravel/rock/rock mulch/decorative rock/sand is not permitted as a primary groundcover and is only permitted for small walking paths, small sitting areas/patios, borders, and/or as an accent feature in a garden. In no case shall gravel/rock/rock mulch/decorative rock/sand exceed twenty-five percent (25%) coverage of the total yard area (not including building footprint and driveway) of any property.
- G.H. Naturally colored bark mulch may be used as a base ground cover in which to plant shrubs, trees, perennials, annuals, etc. These plantings must achieve at least sixty percent (60%) coverage of the barked area within two (2) years, and plant size and spacing shall not be less than twenty-five percent (25%) coverage at time of planting.
- H.I. The Landscaping of all Street rights-of-way contiguous with the proposed Development site not used for Street pavement, curbs, gutters, sidewalks, or Driveways shall be required in addition to the On-Site landscaped areas required herein.
- I.J. Pavement such as asphalt with a concrete or paver border, concrete, or other materials may not cover greater than twenty-five percent (25%) of any Lot's total landscape area (exclusive of the building footprint). This includes driveways, parking pads, walkways, porches and patios.
- J.K. Community Gardens may count toward a Landscaping and/or Open Space requirement for Multiple Family Residential Developments.
- K.L. A minimum fifteen-foot-wide landscape buffer shall be required along those property lines of a site developed for Multiple Family Dwellings, commercial, or industrial uses when such property lines are contiguous with any residential Development or residential zoning district; except that no such landscape buffers shall be required for Multiple Family Dwellings contiguous with other Multiple Family Dwellings or a Multiple Family zoning district. The area of this landscape buffer shall not be used to satisfy the landscape area requirements of this Section.
- L.M. The landscape buffer areas shall be improved with a minimum of one (1) screening tree spaced at each ten-foot interval (staggered configuration) of the property boundary being screened.
- M.N. Parking Lot Landscaping. Five percent (5%) of the gross parking surface area shall be of dispersed interior Landscaping, designed so as to reduce the "heat island" effect and to enhance the aesthetics of a parking area. A Development with single drive aisle between a building and property boundary may include the required Landscaping on the perimeter of the drive aisle toward this requirement.
- N.O. Natural vegetation is permitted for passive Open Space areas. Active Open Space areas may use introduced vegetation for park areas, walking areas, play fields, etc.
- O.P. All landscape improvements (landscape materials, irrigation system, landscape buffers, etc.) shall be installed and paid for by the Developer on the site in accordance with the approved Final Landscape Plan prior to the issuance of a certificate of occupancy for the building or use.
- P.Q. Automated irrigation systems are required.
- Q.R. The Homeowners Association shall maintain all Common Areas and facilities.

iv) 10.08.10 Lot Design:

- A. The minimum area and dimensions of all lots shall conform to the requirements of the zone classification in which the lot is located.
- B. The layout of lots should make use of natural contours, maintaining views, affording privacy, and enhancing protection from wind, noise and vehicular traffic.
- C. All lots should have reasonable access or proximity to Open Space, trails, and Public Space that are set aside for either development use or use by the general public.
- D. All lots or parcels created by a Subdivision shall have direct access with frontage on a road improved to standards required.
- E. Land dedicated as public right-of-way shall be separate and distinct from lots adjoining such right-of-way and shall not be included in the area of such lots.
- F. The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing Building Permits to build on all lots in compliance with the International Building Code and in providing reasonable driveway access to buildings on such lots from an approved road.
- G. Corner lots for residential use shall be planned wider than interior lots in order to permit conformance with the required front setback requirements for both roads.
- H. No single lot shall be divided by the Town or County boundary line. Each such boundary line shall be made on a lot line.
- I. Fencing is not permitted on any lot in the Town unless specifically approved by the Town Planner. If approved for health and safety reasons, no fence shall be located within the front yard or the side yards unless located behind the front façade of the house back toward the rear lot line. No fencing shall be approved that is higher than 6'-0" and all fencing must be constructed of metal or wood materials. Fencing will be required in areas where there is a Health and Safety concern (such as a steep embankment or other hazard).
- J. All Subdivisions shall result in the creation of lots that are developable and capable of being built upon. A Subdivision shall not create lots which would be unbuildable under the Town Standards due to size, shape, steepness of terrain, location of watercourses, problems of sewage or driveway grades, or other physical conditions, except where such lots are suitable and dedicated for Open Space, Public Space, private utility or public purpose as determined by the Planning Commission and Town Council.
- K. No lot shall have more than one driveway entrance unless the topography and/or lot layout requires a second entrance to ensure safe movements as determined by the Town Planner and Town Engineer.

v) 10.08.18 Retaining Walls:

- A. No retaining wall shall be greater than six feet (6'-0") tall and no more than two retaining walls may be terraced. If two (2) retaining walls are terraced, each wall shall have a maximum height of five feet (5'-0") and a minimum of five feet (5'-0") horizontal distance between each wall, with such intervening space being planted with native vegetation (or other materials as approved by the Town Planner). A third terraced wall is not permitted on the same parcel and shall not be

located closer than 25' to any other wall (or set of two terraced walls) , measured horizontally from a topographic survey (plan view).

B. All retaining walls must be set back a minimum of 5'-0" from all property lines.

C. All retaining walls shall be constructed of natural stacked rock unless deemed unsafe by the Town Planner and Town Engineer. All retaining walls must be reviewed and approved for structural integrity and safety by the Town Engineer. A detailed geotechnical report, prepared by a licensed engineer, may be required dependent upon the Town Engineer's review.

vi) 10.08.26 Utility Connections

1. All utilities, public or privately owned, shall be installed underground wherever underground location does not violate safety standards of the particular utility and where such underground location does not impose any potential additional maintenance burden on the Town of Hideout personnel.
2. Utilities include, but are not limited to, electricity, natural gas, telephone service, high speed internet service, water service, sewer service, storm drains, etc.
3. For utilities and utility sleeves within the proposed road surface improvements; installation shall be completed prior to road surfacing. For utilities outside of proposed road surface improvements; placement of curb and gutter prior to the installation of some utilities may be required to serve as a physical reference but in no case shall placement of sidewalk be initiated prior to the completion of all utilities.
4. It is the Developer's responsibility to coordinate the installation schedule with the utility companies. The standards and specifications for the installation of these utilities shall conform to rules and regulations adopted by the respective companies.
5. Underground service connections for water and sewer shall be installed to the road Property line of each platted lot at the expense of the Applicant, as shall casings or conduits for all other underground utilities as determined by the Town Engineer.
6. All public utilities shall be constructed in the ten (10) foot public utility Easements. Multiple use on given Easements is encouraged. The final recorded plat will note all Easements.
7. Water: As a condition for single home or Subdivision approval, the builder or Applicant shall install or cause to be installed the following improvements:
 1. A water main in front of each parcel in size, location and with appropriate valves as outlined in this Title.
 2. Fire hydrants at intervals of not greater than 500 feet with each parcel not more than 250 feet from the nearest hydrant. In the event it is necessary to extend a water main so that the same fronts each parcel or to access fire hydrants within 250 feet of each parcel, then the cost of the water mains and hydrants shall be borne by the Owner who effectuates the Subdivision of his/her Property.
 1. As a condition of Subdivision ~~approval~~ recording under this Chapter, the Applicant shall convey to the Town of Hideout water rights that entitle the Owner to an annual quantity and rate of flow which is sufficient in amount to meet the water use requirements of the occupants of the Subdivision.
 2. The volume of water required shall be calculated from the latest JSSD water use study.
8. Sewer: As a condition for single home or Subdivision approval, the builder or Applicant shall install or cause to be installed a sewer main in front of each parcel in size, location and with appropriate manholes, as outlined in this Title.

vii) 10.08.36 Landscaping and Irrigation

- A. **Landscape Improvements and Guarantees.** All landscape improvements (landscape materials, irrigation system, landscape buffers, etc.) shall be installed and paid for by the Developer or homeowner on the site in accordance with the approved Final Landscape Plan prior to the issuance of a certificate of occupancy for the building or use. When weather conditions do not permit installation of the landscape improvements prior to the issuance of the certificate of occupancy, and , upon presentation of a cash bond, cash deposit, or assured letter of credit in an amount sufficient to guarantee installation of the landscaping and irrigation system, the Town Engineer may approve a delay in the immediate installation of the required landscape improvements for a period of time not to exceed six (6) months. In those instances where the Town Engineer approves a delay in the installation of the required landscape improvements, a temporary certificate of occupancy shall be issued for the building or use conditioned upon the satisfactory installation of the required landscape improvements within the time period approved by the Town Engineer.
- B. **Minimum Size of Plantings.** Unless otherwise specified herein, all required deciduous trees shall be a minimum of two-inch caliper in size. All evergreen trees shall be a minimum of six feet in height. All shrubs shall be a minimum of five gallon in size.
- C. **Plant Materials.** Plant shall be well-suited to the soil and climate conditions at the project site. Native plant materials are encouraged. The Applicant shall provide the water requirements for all plant material.
- D. **Natural Topping of Landscape Areas.** All landscaped areas shall be finished with a natural topping material which may include, but not limited to, the following: groundcover, planting, ~~pavers~~, or wood mulch. Decorative rock (commonly known as rice gravel, pea gravel or decomposed granite [DG]) may be used as a ground cover for up to 25% of a property's landscape area (exclusive of building footprint and driveway/parking area).
- E. **Irrigation Standards**
1. All landscaped areas shall be supported by an automatic irrigation system which may be a spray, soaker, or drip type system. The irrigation system shall meet all State and Town requirements for potential cross-connections that must be protect against backflow to the culinary water system. All irrigation systems and landscaped areas shall be designed, constructed, and maintained so as to promote water conservation and prevent water overflow or seepage into the road, sidewalk, or parking areas.
 2. Each valve shall irrigate a landscape with similar site, slope and soil conditions and plant materials with similar watering needs. Sod and non-sod areas shall be irrigated on separate valves. Drip Emitters and sprinklers shall be placed on separate valves.
 3. Separate Connection. Any landscaping that will be owned and maintained by the Town shall have separate irrigation line connection prior to the master meter. A backflow prevention device shall be installed by the Developer or Property Owner as required by the Town Planner or Town Engineer.
- F. **Soil Preparation.** Soil preparation will be suitable to provide healthy growing conditions for the plants and to encourage water infiltration and penetration. Soil preparation shall include ripping, tilling, and/or scarifying the soil to a minimum depth of six (6) inches and amending the soil with organic material.
- G. **Landscape Buffer.** A minimum fifteen-foot-wide landscape buffer with a minimum of one (1) screening tree spaced at each ten-foot interval (staggered configuration) shall be required along those Property lines of a site developed for multiple-family residential, commercial, or industrial uses when such Property lines are contiguous with any residential development or residential

zoning district; except that no such landscape buffers shall be required for multiple residential contiguous with other multiple-family development.

viii) 10.10.06 Required Improvements

The following improvements shall be constructed at the expense of the Applicant, in accordance with the provisions of this Title and the Zoning Ordinance. A performance bond as described in Section ~~10.10.08~~ [11.06.14 Fees \(and specifically detailed in the Town's Fee Schedule adopted by resolution\)](#) shall be secured to ensure installation of required improvements. The improvements shall include:

1. Roads and road requirements:
 1. The grading and graveling of all roads and the installation of all required culverts in accordance with this Title;
 2. The hard surfacing of all roads in accordance with Town Standards;
 3. Sidewalks, curbs, planter strips and gutters in accordance with Section 10.08.16.
2. Drainage and onsite stormwater management infrastructure in accordance with Section 10.08.20.
3. Water, Sewer, Solid Waste:
 1. A potable water supply in amounts and manner as required under Section 10.06.22 of this Ordinance in accordance with the State Board of Health Standards;
 2. The installation of water and sewer mains and water and sewer laterals to each lot Property line shall be required in accordance with Town Standards;
 3. The installation of fire hydrants in accordance with Town Standards;
 4. Solid waste disposal facilities shall be provided in accordance with Town Standards.
4. Electricity, natural gas, telephone service, high speed internet service (50/50 Mbps or greater), and storm drains, shall be installed in accordance with Section 10.08.26 and other Town Standards. These utilities shall be located underground except when the Applicant demonstrates that underground lines are not feasible.
5. Open Space, Public Trails, and Public Space in accordance with Section 10.08.32 and Section 10.08.34.
6. Landscaping and irrigation systems in accordance with Section 10.08.36.
7. Survey Monuments. The installation of survey monuments in accordance with Town standards and shall be installed on road right-of-way lines, at road intersections, angle points of curve and block corners. They shall be spaced so as to be within sight of each other, the sight lines being contained wholly within the road limits. All monuments shall be properly set in the ground and approved by a Registered Land Surveyor.
8. Road lighting shall be installed as per Town Standards.

ix) 10.12 GENERAL TERMS AND DEFINITIONS

The following definitions are adopted; additionally, the definitions set forth in Utah Code Section 10-9a-103, as amended, are hereby incorporated as additional definitions pertaining to this Title.

. . . (note - this updated definition is being duplicated in a new section: 12.02.30)

10.12 General Terms and Definitions

Equivalent Residential Units (ERU). The number of residential equivalents to determine density - based on sewer, water and square footage of a Structure.

ERU calculations shall be based upon the Unit Equivalent Chart:

Configuration	Notes	ERU's
Motel/Hotel Room, Apartment or Condo	Up to 500 gross sf square feet including bathroom areas	.25
Motel/Hotel Room, Apartment or Condo	Between 501 and 1,000 gross-sf square feet including bathroom areas	.50
Motel/Hotel Room, Apartment or Condo	Between 1,001 and 1,500 gross-sf square feet including bathroom areas	.75
Motel/Hotel Room, Apartment or Condo	Over 1,500 gross-sf square feet; add this total ERU value for each part of an additional 1,500 gross square feet-sf interval (rounded up)	1.00
Single Family Residences (attached or detached)	Up to 5000 gross-sf square feet	1.00
Single Family Residences (attached or detached)	For residences over 5,000 gross-sf square feet, add this total ERU value for each part of each additional 2,000 gross-sf square feet interval (rounded up)	.50
Commercial	For each 2,000 gross-sf square feet of gross floor area, or for each part of an additional 2,000 gross-sf square feet interval, add this total ERU value (rounded up)	.75

...

x) 10.14 Impact Fees Timing of Payment and Confirmation of Water for Development

10.14.010 Confirmation of JSSD Water

At the time an applicant submits an application for a plat for any phase of a development, the applicant shall provide satisfactory evidence confirming that they have sufficient dedicated or reserved water with Jordanelle Special Service District ("JSSD") to service the proposed development phase as reflected on the plat to be recorded. As a condition of approval of the plat, the applicant shall, at the time of the recordation of the plat, provide a will serve letter from JSSD and execute all necessary documents to transfer any water reservation agreement to the Town.

xi) 11.06.22.01 Preliminary Plan Application Package

- A. **Preliminary Plan.** The Preliminary Plan consists of engineering drawing(s) prepared using spatial data that shall be drawn to a scale not smaller than one-inch equals one hundred feet (1" = 100')

and that meet the minimum legal standards for survey as defined in Utah Code Section 17

The Preliminary Plan shall show the following:

1. Project name and address;
2. North point, scale, date;
3. A copy of the closure sheet which shall show the following:
 1. The courses and distance of the proposed development/Subdivision boundary and the error of closure;
 2. The area of each lot in square feet and acres.
4. All trails, Open Space, Public Space, and roadways
5. Names, addresses, and telephone numbers of Developer, engineer, and current and prospective Owners;
6. Nearest section corner tie, Township(s) and range(s);
7. Acreage, Property dimensions, project perimeter;
8. All proposed phases of the development, numbered and defined, with approximate timetable for development;
9. Location of entire development in relation to surrounding neighborhoods and developments (include names of adjacent Subdivisions and developments, adjacent Property Owners' names and addresses, and adjacent land uses and buildings);
10. Existing topography with a contour interval of two (2) feet;
11. Landscape plan illustrating cut and fill limits and limits of disturbance and landscaping plans including topographic lines (in conformance with the Hideout Water Quality Plan) and proposed landscape plant materials with botanical name, planting size, and numbers of each included;
12. Existing and proposed lot lines, Easements, walkways, roads and rights-of-way (public and private), including widths, names, and numbers, on subject and surrounding areas; proposed dedications of public use areas; existing and proposed curb, gutter, and sidewalk.
13. Existing waterways (including irrigation), significant vegetation, and natural features of the land;
14. Sensitive lands in the proposed development shall be identified on a plan prepared and stamped by a licensed geotechnical engineer or licensed geologist;
15. Soils testing and geotechnical analysis as required by the Town of Hideout;
16. Existing and proposed infrastructure including all fire hydrants, water and sewer lines, storm sewer system, and all utilities, including but not limited to electricity, natural gas, telephone service, and infrastructure to support high speed internet service;
17. Proposed layout of all public and private roads, if any, including profiles (same scale as site plan) and cross-sections (same as Town standards, at an interval of one hundred (100) feet (or as determined by the Town Engineer));
18. Location and conceptual elevation drawings of existing and proposed buildings, signs, dumpster and utility enclosures, fences and other structures;
19. Location of onsite drainage and stormwater management features;
20. Unit configuration footprints and typical architectural elevations;
21. Tabulation of projected ERUs, as established in accordance with the Town Standards;
22. Any additional information which the Town Council may reasonably require in a specific instance. Where a Developer owns or controls more land than he or she wishes to develop immediately, the Town of Hideout may require that a Preliminary Plan of the whole area be submitted, in which case the Developer shall indicate the portion to be developed immediately and the portion to be held for future development.
23. For multi-unit structures, the Preliminary Plan shall show the following additional information:

1. Firewall construction, as required by the International Fire Code, the a Building Code;
 2. Additional parking, if required;
 3. Additional Open Space, if required;
 4. Location of individual utility lines and meters, if required; and
 5. Additional exits.
- B. **Cluster Development Plan.** If a Cluster Development is being requested, additional requirements for Cluster Developments required under the Town Standards should be included.
- C. **Preliminary Road Plan.** As a part of the Preliminary Plan application package, the Applicant shall prepare a Preliminary Road Plan, using the criteria approved from the Concept Plan submittal, that includes the following additional information:
1. A Preliminary Plan and/or design of the Public Improvement
 2. References to all criteria, master plans, and technical information used in support of the Preliminary Road Plan.
 3. Proposed street names within the Subdivision.
- D. **Preliminary Traffic Impact Study.** As part of the Preliminary Plan application package, the Applicant shall prepare a preliminary Traffic Impact Study (TIS) to estimate site-generated traffic volumes and assess its impact on the public street system. The TIS shall also identifies on-site and off-site improvements that might be needed as a result of the development including but not limited to, analysis of the traffic impacts of the development, the adequacy of the access drives and the suitability of the on-site circulation and parking.
- E. **Preliminary Evacuation Plan.** As part of the Preliminary Plan application package, the Applicant shall prepare a preliminary Evacuation Plan that includes: procedures for the orderly and coordinated evacuation operations for the proposed development in the event of an earthquake, wildfire, flooding, or other natural or manmade disasters. The Plan shall outline warning procedures: to be used for evacuations, to identify primary evacuation routes and shelter resources, to identify procedures for the security of the perimeter during and after the evacuation; and to identify procedures for allowing evacuees to return to their homes.
- F. **Preliminary Landscape Plan.** As part of the Preliminary Plan application package, the Applicant shall prepare a Preliminary Landscape Plan that shall include the following:
1. Proposed locations for all landscaping material, organic and inorganic, used on the site.
 2. Proposed plant materials, including size, species, and condition, and plans for retention of existing vegetation and materials.
 3. Location and design of all screening elements, berms, landforms, and stormwater management facilities.
- G. **Preliminary Drainage Control Plan.** As a part of the Preliminary Plan application package, the Applicant shall prepare a Preliminary Drainage Control Plan, using the approved Concept Plan submittal, that includes the following additional information:
1. Location
 1. Information as required from Concept Plans.
 2. City, County, State Highway and local roads within and adjacent to the site, or the area to be served by the drainage improvements.
 3. Names of surrounding developments.
 4. Name of receiving water(s).
 2. Description of Property
 1. Information as required from Concept Plans.
 2. Existing ground cover (type and vegetation).
 3. Existing major irrigation facilities such as ditches and canals.
 3. Major Basin Description

1. Information as required from Concept Plans.
 2. Major basin drainage characteristics, and existing and planned land uses within the basin, as defined by the Town Engineer.
 3. Identification of all nearby irrigation facilities that will influence or be influenced by the local drainage.
 4. Sub-Basin Description
 1. Describe historic drainage patterns of the Property.
 2. Describe offsite drainage flow patterns and impact on development under existing and fully developed basin conditions.
 5. Drainage Facility Design Criteria
 1. Information as required from Concept Plans.
 2. How offsite runoff will be considered and how expected impacts will be addressed.
 3. Anticipated and proposed drainage patterns.
 4. Storm water quantity and quality management concept, including onsite stormwater management infrastructure, and how it will be employed. The use of computer-based models for the evaluation of storm water quality and quantity will not be universally required of new developments, although their use is recommended. Under site specific conditions where it is believed by the Town that impacts from the development may unacceptably impact downstream water quality or quantity however, their use may be required. The recommendation to use computer modeling during the evaluation process is made since it is likely that the review process will check the validity of the Developer's conclusions utilizing SEDIMOT or other appropriate computer technology.
 5. Maintenance and maintenance access.
 6. Describe the content of tables, charts, figures, plates, drawings and design calculations presented in the report.
 6. Specific Details (Optional Information)
 1. Discussions of drainage problems, including storm water quality, and solutions at specific design points
 2. Discussion of detention storage and outlet design.
 3. Discussion of impacts of concentrating flow on downstream properties.
 7. Public Drainage Improvements
 1. If the project requires that drainage improvements be constructed that will be turned over and owned and maintained by the Town, the following must also be provided, obtained, or completed: a Preliminary Plan and/or design of the Public Improvement.
 8. References
 1. Reference all criteria, master plans, and technical information used in support of concept.
- H. **Preliminary Snow Management Plan.** As a part of the Preliminary Plan application package, the Applicant shall prepare a Preliminary Drainage Snow Management Plan, using the approved Concept Plan submittal, that includes the following additional information:
1. Location and size of proposed snow storage areas.
 2. Discussion of snow removal methods (with a list of required equipment) and annual management.
- I. **Maps.** As a part of the Preliminary Plan application package, the Applicant shall prepare the following maps according to the following criteria:
1. General Location Map. The map shall show the following information and conform to the following standards.

- A. All drawings shall be 22" x 34' in size.
 - B. Map shall provide sufficient detail to identify drainage flows entering and leaving the development and general drainage patterns.
 - C. Scale of 1" = 500' to 1" = 4000' and show the path of all drainage from the upper end of any offsite basins to the defined major drainage ways.
 - D. Identify all major facilities (i.e., irrigation ditches, existing detention facilities, storm water quality facilities, culverts, storm sewers) downstream of the Property along the flow path to the nearest major drainage way.
 - E. Basins, basin identification numbers, drainage divides, and topographic contours are to be included.
 - F. Location of postal service gang boxes and pull-out area or parking delineated.
2. Floodplain Mapping:
1. A copy of any published floodplain maps (i.e., flood hazard area delineation, flood insurance rate maps)
 2. All major drainage ways shall have the defined floodplain shown on the report drawings.
 3. Flood hazards from either shallow overland flow, side channels, or concentrated flows.
 4. The location of the Property in relation to the floodplain(s) and/or flood hazards.
3. Drainage Plan Mapping:
1. Prepare at a scale of 1" = 20' to 1" = 200' on a 22" x 34" size drawing sheet.
 2. Existing topographic contours at 2-foot (or less) intervals, in mountainous areas, the maximum interval may be extended to 5 feet. Final plan approval 1-foot contour intervals shall be shown for areas of little relief. The contours shall extend a minimum of 100-feet beyond the Property lines.
 3. All existing drainage facilities within map limits including basin boundaries and sub-boundaries.
 4. Conceptual major drainage facilities including proposed storm water quality BMPs, snow storage areas, detention basins, storm sewers, swales, bioretention areas, porous pavement, wetland basins, or outlet structures.
 5. Any offsite feature including drainage that influences the development.
 6. Proposed drainage patterns and, if available, proposed contours.
 7. Legend to define map symbols.
 8. Project name, address, engineering firm and seal, and date the title block in lower right corner.
 9. North arrow, scale and available benchmark information and location for each benchmark.
- J. **Supporting Documents.** The following documents which shall be prepared in accordance with applicable standards and shall be submitted in accordance with the requirements of this Code, or any amendment thereto, with the required application fees. These documents shall be a draft copy of each document, which shall be reviewed, and the final copies will be submitted with the final documentation when application is made for Final Approval.
1. Draft copy of Articles of Incorporation and Bylaws of the Homeowners' Association;
 2. Draft copy of Declaration of covenants, conditions, restrictions and management policies;
 3. A copy of the Record of Survey filed with the County Surveyor's office of the proposed boundary of the overall development and/or phase. In the event that the development has multiple phases, the proposed plat shall show the recorded file number of the Record of Survey and/or paper copy of the survey;

4. A will-serve letter from any Special Service District and/or other appropriate agency indicating the availability of water, water service, sewer service, electricity, natural gas, telephone service, high speed internet service, extended fire, extended police, schools, garbage collection and disposal, roads maintenance, trails maintenance, Open Space management, storm water detention, and other municipal type services;
5. A form of certification for each of the following (these are proposed certifications of what is intended to be placed on the plat:
 1. Owner's dedications;
 2. Surveyor's certificate of accuracy of survey;
 3. Surveyor's approval

xii)

11.06.26.01 Final Plat Application Package

- A. **Final Plat.** The Final Plat consists of engineering drawing(s) prepared using spatial data that are drawn to a scale not smaller than one-inch equals one hundred feet (1" = 100') and that meet the minimum legal standards for survey as defined in Utah Code Annotated Section 17-23-20. The Final Plat must first evidence how the Final Plat conform to the Preliminary Plan and any conditions for preliminary approval. Using the criteria approved from the Preliminary Plan submittal, the Final Plat shall include the following additional information:
1. Information as required from Preliminary Plan.
 2. Development phase number, if a phased project;
 3. Lot lines, dimensions and area; adjacent lots and phases;
 4. Topography (contours at 2-foot intervals) and site drainage plan which illustrate existing and proposed conditions;
 5. Existing vegetation to remain on development and natural features of the land;
 6. Soils testing and analysis. A letter of purpose will be prepared and submitted by a licensed geotechnical engineer that shall consider the findings of the sensitive lands study along with the project engineering, that will determine the type, frequency and nature of the geotechnical investigation and subsequent report. The purpose letter will also state what minimum requirements, with respect to geotechnical studies, will be imposed on the subdivided land prior to the issuing of building permits.
 7. Utah Department of Transportation approval for access off state roads if applicable; approval as required of other state and federal agencies;
 8. Final grading plans illustrating cut and fill limits and limits of disturbance;
 9. Temporary construction erosion control plan and Dust Control Plan;
 10. Final drainage plan illustrating methods of controlling runoff, directing water flow, and detention / retention areas;
 11. Existing and proposed utilities including, fire hydrants, water and sewer lines, and storm sewer system; including plan and profile.
 12. Location and elevation drawings of existing and proposed buildings, signs, dumpster and utility enclosures, fences and other structures;
 13. A complete landscape plan including all plant proposed (number of each, size at time of planting, botanical/scientific name) and all additional landscape features such as retaining walls, stormwater basins, etc. Including all materials and scale noted;
 14. Parking, access, and loading plan when applicable;
 15. Lighting plan, including dark sky initiative;
 16. Architectural concept plans;

17. Tabulation of ERUs, as established in accordance with the Town Standards.
 18. For Condominiums, the Final Plat shall show the following additional information:
 1. All buildings;
 2. Private drives and parking areas;
- B. **Cluster Development Plan.** If a Cluster Development is being requested, additional requirements for Cluster Developments required under the Town Standards should be included.
- C. **Final Road Plan.** As a part of the Final Plat application package, the Applicant shall prepare a Final Road Plan, using the criteria approved from the Preliminary Plan submittal, that includes:
1. Street names within Subdivision as proposed by the developer shall be approved by the Planning Commission and must also be approved by Wasatch County.
 2. Final design of the Public Improvement that includes the location of all roads, curb, gutter, sidewalks, walkways, driveways, off-site parking or other impervious surfaces.
 3. The conclusions and findings that shall support the Criteria used for the design and the final design.
 4. A soils report that supports all specified section profiles and specified soil/aggregate materials.
 5. Information required for the plans shall be in accordance with sound engineering principles, the technical provisions of any Town manuals (where appropriate), these criteria and other applicable Town ordinances, regulations, criteria or design guidelines.
 6. The plans shall be signed and sealed by a Professional Engineer registered in the state of Utah.
 7. The plans shall reference all criteria and technical information used.
 8. Appendices should include all backup and supporting materials.
 9. The plans may be subject to review by outside agencies.
- D. **Final Traffic Impact Study.** A final traffic study and or report prepared and signed by a licensed engineer that practices in the field of transportation.
- E. **Final Evacuation Plan.** As part of the Final Plan application package, the Applicant shall prepare a final Evacuation Plan that includes: procedures for the orderly and coordinated evacuation operations for the proposed development in the event of an earthquake, wildfire, flooding, or other natural or manmade disasters. The Plan shall outline in detail warning procedures: to be used for evacuations, to identify primary evacuation routes and shelter resources, to identify procedures for the security of the perimeter during and after the evacuation; and to identify procedures for allowing evacuees to return to their homes.
- F. **Final Landscape Plan.** As part of the Final Plat application package, the Applicant shall prepare a Final Landscape Plan, including ongoing maintenance plan. Landscaping shall follow guidelines and setback requirements set forth the Town Standards for the designated zone. Using the approved Preliminary Plan submittal, the Final Landscape Plan shall include the following additional information:
1. Revised locations, if any, for all landscaping material, organic and inorganic, used on the site.
 2. Planting plan, including location of all materials, size, and scientific and common name of each material. The planting plan includes the location and type of all ground covers, including non-living materials, and all other landscape features and structures.
 3. Grading plan showing berms, landforms, and stormwater management facilities.
 4. An irrigation plan, irrigation detail plan and corresponding sheet of irrigation construction notes shall be provided indicating the layout and details of the irrigation system including the type and location of all materials utilized.
 5. A development obligation statement that establishes the responsibility of the Developer to install landscaping and irrigation according to these regulations.

6. A maintenance obligation statement, signed by the Applicant, defining responsibility for ongoing maintenance of specific areas, including public rights-of-way, private on-site improvements, and stormwater management facilities.

G. **Final Drainage Control Plan.** As a part of the Final Plat application package, the Applicant shall prepare a Final Drainage Control Plan. The Town Engineer may require use of computer-based models for the evaluation of storm water quality and quantity for new developments. Under site specific conditions where it is believed by the Town that impacts from the development may unacceptably impact downstream water quality or quantity however, their use may be required. The recommendation to use computer modeling during the evaluation process is made since it is likely that the review process will check the validity of the Developer’s conclusions utilizing SEDIMOT or other appropriate computer technology. The information required for the plan shall be in accordance with sound engineering principles, the technical provisions of any Town manuals (where appropriate), these criteria, and other applicable Town ordinances, regulations, criteria or design guidelines. The plan may also be subject to review by outside agencies such as JTAC, Federal Emergency Management Agency, U.S. Army Corps of Engineers, Environmental Protection Agency, Utah Water, or other agencies as required. Using the Preliminary Control Plan approval, the Final Drainage Control Plan shall include the following additional information:

1. Cover letter presenting the design for review prepared or supervised by a Professional Engineer licensed in the State of Utah with certification that reads as follows:
 1. "This report for the drainage design of (name of development) was prepared by me (or under my direct supervision) in accordance with the J provisions of the storm drainage design and technical criteria and was designed to comply with the provisions thereof. I understand that the Town of Hideout does not and will not assume liability for drainage facilities design." Registered Professional Engineer State of Utah No. _____ (Affix Seal)
2. General Location and Description.
 1. Information as required from Preliminary Plans.
 2. Local roads within the adjacent to the Subdivision.
 3. Easements within and adjacent to the site.
3. Description of Property
 1. Information as required from Preliminary Plans.
 2. General project description.
 3. General soil conditions, topography, and slope.
4. Major Basin Description
 1. Information as required from Preliminary Plans.
 2. Identification of all irrigation facilities within the basin that will influence or be influenced by proposed site drainage.
5. Previous Studies and Specific Site Constraints
 1. Previous drainage studies (i.e., project master plans) for the site that influence or are influenced by the drainage design and how implementation of the plan will affect drainage and storm water quality for the site.
 2. Potential impacts identified from adjacent drainage studies.
 3. Drainage impacts of site constraints such as roads, utilities, transit ways, existing structures, and development or site plan.
6. Hydrologic Criteria
 1. Design storm rainfall and its return period(s).
 2. Runoff calculation method(s).
 3. Detention discharge and storage calculation method(s).

4. Discussion and justification of other criteria or calculation methods used that are not presented in or referenced by the CRITERIA.
7. Hydraulic Criteria
 1. Identify various capacity references.
 2. Discussion of other drainage facility design criteria used that are not presented in these criteria.
8. Storm water Quality Criteria
 1. BMPs to be used for storm water quality control.
 2. Identify, as appropriate, water-quality capture volume and drain time for extended-detention basins, retention ponds and constructed wetland basins.
 3. Identify, as appropriate, runoff volume and flow rates for design of water-quality swales, bioretention areas, porous pavement, wetland basins, etc.
 4. Discussion of other drainage facility design criteria used that are not presented in these CRITERIA or other manuals referenced by the Town of Hideout.
9. Waivers from Criteria
 1. Identify provisions by section number for which a waiver is requested.
 2. Provide justification for each waiver requested.
10. Drainage Facility Design Discuss the following:
 1. Proposed concept, onsite stormwater management infrastructure, and typical drainage patterns
 2. Compliance with offsite runoff considerations.
 3. Anticipated and proposed drainage patterns.
 4. Proposed storm water quality management strategy.
 5. The content of tables, charts, figures, plates, or drawings presented in the report.
 6. Drainage problems encountered and solutions at specific design points.
 7. Detention storage and outlet design.
 8. Storm water quality BMPs to be used.
 9. Maintenance access and aspects of the design.
 10. Easements and tracts for drainage purposes, including the conditions and limitations for use.
11. Stormwater Maintenance Agreement
12. Conclusions
13. References
 1. Reference all criteria and technical information used.
14. Appendices
 1. Hydrologic Computations (Including computer model input and output listings.)
 2. Land use assumptions regarding adjacent properties.
 3. Initial and major storm runoff at specific design points.
 4. Historic and fully developed runoff computations at specific design points.
 5. Hydrographs at critical design points.
 6. Time of concentration and runoff coefficients for each basin.
 7. Storm water quality BMP sizing calculations including runoff adjustments for minimizing directly connected impervious areas.
 8. Hydraulic Computations (Including computer model input and output listings.)
 9. Culvert capacities.
 10. Storm sewer capacity, including energy grade line (EGL) and hydraulic grade line (HGL) elevations.
 11. Gutter capacity as compared to allowable capacity.
 12. Storm inlet capacity including inlet control rating at connection to storm sewer.

13. Open channel design.
14. Check and/or channel drop design.
15. Detention area/volume capacity and outlet capacity calculations for flood detention and water quality basins; depths of detention basins.
16. Wetland area and area/depth distribution for constructed wetland basins.
17. Infiltration rates and volumes for porous pavement or release rates where under drains or infiltration is not possible.
18. Flow rates, velocities, longitudinal slopes and cross-sections for wetland basins and water quality swales.
19. Downstream/outfall system capacity to the Major Drainage way System.

H. **Final Snow Management Plan.** As a part of the Final Plat application package, the Applicant shall prepare a Snow Management Plan, using the criteria approved from the Preliminary Plan submittal, that includes:

1. Location and capacity of snow storage areas based on 5-year snow average
2. Detailed discussion of snow removal methods and annual management.

I. **Maps.** As a part of the Final Plat application package, the Applicant shall prepare the following maps according to the following criteria:

1. General Location Map – Shall include all items as identified for the Preliminary Plan.
2. Floodplain Mapping – Shall include all items as identified for the Preliminary Plan.
3. Drainage Plan Mapping – In addition to those items identified for the development of the Preliminary Plan, Drainage mapping shall include the following:

- A. Property lines, existing Easements, and Easements proposed for dedication, with purposes noted.
- B. Roads, indicating ROW width, flow line width, curb or roadside swale type, sidewalk, and approximate slopes.
- C. Existing drainage facilities and structures, including irrigation ditches, roadside ditches, cross pans, drainage ways, gutter flow directions, and culverts. Also show pertinent information such as material, size, shape, slope and locations.
- D. Proposed type of road drainage (i.e., vertical or combination curb and gutter), roadside ditch or swale, gutter, slope and flow directions, and cross pans.
- E. Proposed storm sewers and open drainage ways, including inlets, manholes, culverts, and other appurtenances, including riprap or other erosion protection.
- F. Proposed structural water-quality BMPs, their location, sizing, and design information.
- G. Proposed outfall point(s) for runoff from the developed area and, if required, facilities to convey flows to the final outfall point without damage to downstream properties.
- H. Routing and accumulation of flows at various critical points for the initial and water-quality storm runoff events, and major storm runoff events.
- I. Volumes and release rates for detention storage and water-quality capture volume for facilities and information on outlet works.
- J. Location and water surface profiles or elevations of all previously defined floodplains affecting the Property. If floodplains have not been previously published, they shall be defined and shown on the drainage plan.
- K. Location, and measured or estimated elevations, of all existing and proposed utilities affected by or affecting the drainage design.
- L. Routing of upstream offsite drainage flow through or around the development.
- M. Location of any improvements included in the appropriate or accepted outfall system plan, major drainage plan, and/or storm drainage plan.

N. Definition of flow path leaving the development through the downstream process ending at a major drainage way or receiving water.

O. Location of postal service gang boxes and pull-out area or parking delineated.

J. **Final Documentation.** The following official documents prepared in a manner that will fully present information:

1. Articles of Incorporation and Bylaws of the Association;
2. Declaration of covenants, conditions, restrictions, and management policies;
3. An information brochure (prepared in accordance with applicable standards) for use in the sales program to inform all home buyers in simple terms about the Homeowners Association and the rights and obligations of lot Owners;
4. A final form of certification for each of the following (these are the certifications intended to be placed on the plat):
 1. Owner's dedications;
 2. Surveyor's certificate of accuracy of survey;
 3. Surveyor's approval;
 4. Notary Public's acknowledgement
5. The Design Review Guidelines governing building design within the development
6. Geotechnical Studies required prior to the issuing of a building permit within the development
7. For Condominiums to following documentation is required:
 1. Required assessments;
 2. Designation of commonly owned Property;
 3. Necessary dedication statement;
 4. Statement concerning the formation of a Homeowners Association for the maintenance of the commonly owned Property; and
 5. Necessary certifications and approvals.
 6. A registered architect or engineer shall certify the Final Plat.
8. Proof of Completion Bond and Warranty Bond required under the Town Standards.
9. Trails location approval letter by the POST Committee.

xiii) 11.06.30 Recording of the Plat

Final Plat Recordation. After gaining final approval, a Final Plat shall be prepared on reproducible Mylar drawn in accordance with the Town Standards at a scale not smaller than one inch equals one hundred feet (1" = 100') that meet the minimum legal standards for survey as defined in Utah Code Annotated section 17-23-20, and shall show the following:

1. Boundaries of the development and location of all required survey monuments; and
2. Location of all lot lines; and
3. Location and extent of all road and other parcels of land to be dedicated to the public and to be retained in private Ownership; and
4. Location and extent of all Easements; and
5. The certifications previously proposed and approved as part of the Final Documentation provided; and
6. The following Signature Blocks:
 1. Required
 1. Surveyors Certificate
 2. Owner's Dedication, Lien Holder, and Acknowledgement
 3. **Legislative Body;**

4. [Administrative Approval: Mayor and Attestation](#)
 5. Planning Commission [Chair](#)
 6. Town Attorney
 7. Town Engineer
 - ~~8. Town Planner~~
 9. Wasatch County Surveyor
 - ~~10. Wasatch County GIS (required for addressing & 911)~~
 11. Wasatch County Recorder
2. Optional (to be included based on the circumstances indicated):
1. Jordanelle Special Services District (when services are directly provided to the subdivision by JSSD)
 2. Wasatch County Housing Authority (when the subdivision contains an Affordable Housing component)

xiv) 12.30.06.16 OPEN SPACE (OSP)

The OS Classification has as objectives to preserve visual corridors, to provide recreational opportunities, and enhance the "open" feeling of the RSPA.

1. Permitted Uses. Permitted uses include ski areas, golf courses and ancillary uses, trails including equestrian/pedestrian/bicycle/cross-country uses, parks, overlooks, amphitheaters, developed and natural parks, ancillary park facilities, and natural terrain.
2. Density. Not applicable.
3. Height. Not applicable.
4. Setbacks. Not applicable.
5. Roof Slopes. Not applicable

xv) ~~10.12-12.02.30~~ Equivalent Residential Units (ERU) (note moved from 10.12 General Terms and Definitions)

Equivalent Residential Units (ERU). The number of residential equivalents to determine density - based on sewer, water and square footage of a Structure.

ERU calculations shall be based upon the Unit Equivalent Chart:

Configuration	Notes	ERU's
Motel/Hotel Room, Apartment or Condo	Up to 500 gross sf square feet including bathroom areas	.25
Motel/Hotel Room, Apartment or Condo	Between 501 and 1,000 gross-sf square feet including bathroom areas	.50
Motel/Hotel Room, Apartment or Condo	Between 1,001 and 1,500 gross-sf square feet including bathroom areas	.75
Motel/Hotel Room, Apartment or Condo	Over 1,500 gross-sf square feet; add this total ERU value for each part of an	1.00

	<u>additional</u> 1,500 <u>gross square feet-sf</u> interval (rounded up)	
Single Family Residences (attached or detached)	Up to 5000 <u>gross-sf square feet</u>	1.00
Single Family Residences (attached or detached)	For residences over 5,000 <u>gross-sf square feet</u> , add this <u>total ERU</u> value for each part of <u>each additional</u> 2,000 <u>gross-sf square feet</u> interval (rounded up)	.50
Commercial	For each 2,000 <u>gross-sf square feet</u> of gross floor area, or for each part of <u>an additional</u> 2,000 <u>gross-sf square feet</u> interval, <u>add this total ERU value (rounded up)</u>	.75

xvi) Amendments within Chapter 12.08 MOUNTAIN RESIDENTIAL (MR) ZONE

12.08.06 Dimensional Standards

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

Density	
Maximum Density (ERU)	1
Minimum Open Space	70%
Frontage / Lot Size	
Minimum Lot Size	1 Acre
Minimum Lot Frontage	200'
Minimum Lot Width	200'
Minimum Lot Depth	100'

Maximum Lot Coverage (in sq. ft.)	12,000
Setbacks	
Minimum Front Setback from road edge	50'
Minimum Front Setback from road edge (Major Road)	60'
Minimum Setback from Highway	150'
Minimum Rear Setback	30'
Minimum Side Setback	25'
Minimum Offsets (relative to roadway or neighboring Bldgs.)	n/a
Building	
Maximum Building Height	35'
Maximum Units per Building	1
Driveway / Garage	
Minimum Parking (non-residential: per 1000 sqft)	2
Minimum Garage Parking (residential: per unit)	2
Minimum Driveway Length	30'
Minimum Driveway Width	20'
Maximum Driveway Width	26'
Shared Driveway Allowed	Conditional
Conjoined Driveway Allowed (with adjacent property)	No
Maximum Driveways (per Frontage)	1
Permitted Driveway Materials	Concrete, Asphalt

[12.08.07 Building, Development, Design, and Landscaping Requirements](#)

Unless otherwise specified, all building, development, design, and landscaping requirements within the Mountain Residential Zone shall adhere to the requirements outlined in Title 10, Building and Development Standards.

~~12.08.08 Landscaping and Maintenance Requirements~~

~~Unless otherwise specified, the Landscaping requirements within the Mountain Zone shall adhere to the requirements outlined in Section 10.08.32 in Title 10 of the Town Code.~~

~~12.08.10 Open Space and Public Space Requirements~~

~~Unless otherwise specified, the Open Space and Public Space requirements within the Mountain Zone shall adhere to the requirements outlined in Sections 10.08.28 and 10.08.30 in Title 10 of the Town Code.~~

~~12.08.12 Design Requirements~~

~~Unless otherwise specified, the Building Design requirements within the Commercial Zone shall adhere to the requirements outlined in Section 10.08.08 in Title 10 of the Town Code.~~

xvii) Amendments within Chapter 12.10 RESIDENTIAL 3 (R3) ZONE

12.10.06 DIMENSIONAL STANDARDS

1. Unless otherwise specified, Development in the Residential ~~Single Family~~**3 (R3)** Zone shall comply with the standards set forth in the following table.
2. Maximum Density (ERU) is not guaranteed. It is dependent upon geographic, geological, topographical, community character and other limitations as outlined with Town Code.
3. All Primary Building and Accessory Structures are subject to the dimensional standards set forth in the following table. These general standards may be further limited or modified by other applicable sections of this Code.

Density	
Maximum Density (ERU)	3
Minimum Open Space	25%
Frontage / Lot Size	
Minimum Lot Size	.33 Acre
Minimum Lot Frontage	85'
Minimum Lot Width	75'

Minimum Lot Depth	80'
Maximum Lot Coverage (in sq. ft.)	8,712
Setbacks	
Minimum Front Setback from road edge	25'
Minimum Front Setback from road edge (Major Road)	30'
Minimum Setback from Highway	50'
Minimum Rear Setback	20'
Minimum Side Setback	20'
Minimum Offsets (relative to roadway or neighboring Bldgs.)	15° or 5'
Building	
Maximum Building Height	35'
Maximum Units per Building	1
Driveway / Garage	
Minimum Parking (non-residential: per 1000 sqft)	Conditionally
Minimum Garage Parking (residential: per unit)	2
Minimum Driveway Length	25'
Minimum Driveway Width	20'
Maximum Driveway Width	26'
Shared Driveway Allowed	Conditionally
Conjoined Driveway Allowed (with adjacent property)	No
Maximum Driveways (per Frontage)	1
Permitted Driveway Materials	Concrete

12.10.07 Building, Development, Design, and Landscaping Requirements

Unless otherwise specified, all building, development, design, and landscaping requirements within the Residential 3 (R3) shall adhere to the requirements outlined in Title 10, Building and Development Standards.

12.10.08 LANDSCAPING AND MAINTENANCE REQUIREMENTS

~~Unless otherwise specified, the Landscaping requirements within the Residential Single Family Zone shall adhere to the requirements outlined in Section 10.08.32 in Title 10 of the Town Code.~~

12.10.10 OPEN SPACE AND PUBLIC SPACE REQUIREMENTS

~~Unless otherwise specified, the Open Space and Public Space requirements within the Residential Single Family Zone shall adhere to the requirements outlined in Sections 10.08.28 and 10.08.30 in Title 10 of the Town Code.~~

12.10.12 DESIGN REQUIREMENTS

~~Unless otherwise specified, the Building Design requirements within the Commercial Zone shall adhere to the requirements outlined in Section 10.08.08 in Title 10 of the Town Code.~~

xviii) Amendments within Chapter 12.12 RESIDENTIAL 6 (R6) ZONE

12.12.06 DIMENSIONAL STANDARDS

1. Unless otherwise specified, Development in the Residential ~~Medium Density 6 (R6)~~-Zone shall comply with the standards set forth in the following table.
2. Maximum Density (ERU) is not guaranteed. It is dependent upon geographic, geological, topographical, community character and other limitations as outlined with Town Code.
3. All Primary Building and Accessory Structures are subject to the dimensional standards set forth in the following table. These general standards may be further limited or modified by other applicable sections of this Code.

Density	
Maximum Density (ERU)	16 per acre
Minimum Open Space	30%
Frontage / Lot Size	
Minimum Lot Size (single family)	6000 sqft
Minimum Lot Frontage (single family)	55'

Minimum Lot Width (single family)	200'
Maximum Lot Coverage (single family) (percentage)	60%
Minimum Lot Size (attached single family)	4000 sqft
Minimum Lot Frontage (attached single family)	30'
Minimum Lot Width (attached single family)	30'
Maximum Lot Coverage (attached single family percentage)	75%
Building Setbacks	
Minimum Front Setback from road edge	25'
Minimum Front Setback from road edge (Major Road)	30'
Minimum Setback from Highway	50'
Minimum Rear Setback	20'
Minimum Side Setback (for single-family units)	10'
Minimum Side Setback (for buildings with attached units)	Conditionally
Minimum Offsets (relative to roadway or neighboring Bldgs.)	15° or 5'
Building	
Maximum Building Height	35'
Maximum Units per Building	4
Driveway / Garage	
Minimum Parking (non-residential: per 1000 sq ft)	2
Minimum Garage Parking (residential: per unit)	2
Minimum Driveway Length	25'
Minimum Driveway Width	20'

Maximum Driveway Width	26'
Shared Driveway Allowed	No
Conjoined Driveway Allowed (with adjacent property)	No
Maximum Driveways (per Frontage)	4
Permitted Driveway Materials	Concrete

12.12.07 Building, Development, Design, and Landscaping Requirements

Unless otherwise specified, all building, development, design, and landscaping requirements within the Residential 6 (R6) shall adhere to the requirements outlined in Title 10, Building and Development Standards.

12.12.08 LANDSCAPING AND MAINTENANCE REQUIREMENTS

~~Unless otherwise specified, the Landscaping requirements within the Residential Medium Density Zone shall adhere to the requirements outlined in Section 10.08.32 in Title 10 of the Town Code.~~

12.12.10 OPEN SPACE AND PUBLIC SPACE REQUIREMENTS

~~Unless otherwise specified, the Open Space and Public Space requirements within the Residential Medium Density Zone shall adhere to the requirements outlined in Sections 10.08.28 and 10.08.30 in Title 10 of the Town Code.~~

12.12.12 DESIGN REQUIREMENTS

~~Unless otherwise specified, the Building Design requirements within the Commercial Zone shall adhere to the requirements outlined in Section 10.08.08 in Title 10 of the Town Code.~~

xix) Amendments within Chapter 12.14 RESIDENTIAL 20 (R20) ZONE

12.14.06 DIMENSIONAL STANDARDS

1. Unless otherwise specified, Development in the Residential ~~20 High-Density(R20)~~-Zone shall comply with the standards set forth in the following table.
2. Maximum Density (ERU) is not guaranteed. It is dependent upon geographic, geological, topographical, community character and other limitations as outlined with Town Code.
3. All Primary Building and Accessory Structures are subject to the dimensional standards set forth in the following table. These general standards may be further limited or modified by other applicable sections of this Code.

Density	
Maximum Unit Density (ERU)	20 per acre
Minimum Open Space	30%

Frontage / Lot Size	
Minimum Lot Size	2 acres
Minimum Lot Frontage	300'
Minimum Lot Width	250'
Maximum Lot Coverage (percentage)	70%
Setbacks	
Minimum Front Setback from road edge	25'
Minimum Front Setback from road edge (Major Road)	30'
Minimum Setback from Highway	50'
Minimum Rear Setback	50'
Minimum Side Setback	50'
Minimum Offsets (relative to roadway or neighboring Bldgs.)	15° or 5'
Building	
Maximum Building Height	50'
Maximum Units per Building	20
Driveway / Garage	
Minimum Parking (non-residential: per 1000 sq. ft)	2
Minimum Garage Parking (residential: per unit)	1.5
Minimum Driveway Length	n/a
Minimum Driveway Width	20'
Maximum Driveway Width	26'
Shared Driveway Allowed	Yes

Conjoined Driveway Allowed (with adjacent property)	Yes
Maximum Driveways (per Frontage)	2
Permitted Driveway/Parking Materials	Asphalt or Concrete

12.14.07 Building, Development, Design, and Landscaping Requirements

Unless otherwise specified, all building, development, design, and landscaping requirements within the Residential 20 (R20) shall adhere to the requirements outlined in Title 10, Building and Development Standards.

12.14.08 LANDSCAPING AND MAINTENANCE REQUIREMENTS

~~Unless otherwise specified, the Landscaping requirements within the Residential High Density Zone shall adhere to the requirements outlined in Section 10.08.32 in Title 10 of the Town Code.~~

12.14.10 OPEN SPACE AND PUBLIC SPACE REQUIREMENTS

~~Unless otherwise specified, the Open Space and Public Space requirements within the Residential Medium Density Zone shall adhere to the requirements outlined in Sections 10.08.28 and 10.08.30 in Title 10 of the Town Code.~~

12.14.12 DESIGN REQUIREMENTS

~~Unless otherwise specified, the Building Design requirements within the Commercial Zone shall adhere to the requirements outlined in Section 10.08.08 in Title 10 of the Town Code.~~

xx) Amendments within Chapter 12.16 NEIGHBORHOOD MIXED USE (NMU) ZONE

12.16.04 LAND USES

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

Land Uses	
Residential	
Accessory Structure	
Affordable Housing Development	C
Cluster Development	

Condominiums	P
Condominium Hotel	C
Multiple Family Unit	P
Short-Term Rental (< 30 days)	C
Single Family Attached (Townhome)	
Single Family Detached	
Timeshare (Shared Ownership Facility)	
Community	
Amphitheatre	C
Church or Worship Center	C
Community Center	P
Private Residence Clubs	P
Public Building	C
Public Services Facility	C
School	C
Swimming Pool / Bath House	
Commercial	
Big Box Retail	C
Convenience Store (no drive-through support)	P
Day Care Centers	P
Equestrian Facilities	C

Fitness / Wellness Center	<u>PE</u>
Gasoline, Retail	C
Golf Course and Related Services	
Grocery	P
Health Care Facility	
Hotel	P
Kiosks and Street Vendors	
Maintenance Facility	P
Meeting Facilities	P
Office	C
Personal Services	C
Recreational Facilities	C
Restaurant (with Drive through support)	C
Restaurant	P
Retail	C
Service Station	
Storage Facility	
Theater	C

12.16.06 DIMENSIONAL STANDARDS

1. Unless otherwise specified, Development in the Neighborhood Mixed Use (NMU) Commercial-Zone shall comply with the standards set forth in the following table.
2. Maximum Density (ERU) is not guaranteed. It is dependent upon geographic, geological, topographical, community character and other limitations as outlined with Town Code.

3. All Primary Building and Accessory Structures are subject to the dimensional standards set forth in the following table. These general standards may be further limited or modified by other applicable sections of this Code.

Density	
Maximum Unit Density (ERU)	20
Minimum Open Space	20%
Frontage / Lot Size	
Minimum Lot Size	.25 Acre
Minimum Lot Frontage	100'
Minimum Lot Width	100'
Minimum Lot Depth	100'
Maximum Lot Coverage (percentage)	70%
Setbacks	
Minimum Front Setback from right of way	0'
Maximum Front Setback from right of way	10'
Minimum Front Setback from road edge (Major Road)	30'
Minimum Setback from Highway	50'
Minimum Rear Setback	30'
Minimum Side Setback	30'
Minimum Offsets (relative to roadway or neighboring Bldgs.)	n/a
Building	
Maximum Building Height (Commercial)	45'
Maximum Building Height (Residential)	40'

Maximum Building Height (Mixed Use)	52'
Maximum Units per Building	10
Driveway / Garage	
Minimum Parking (non-residential: per 1000 sq. ft)	2
Minimum Garage Parking (residential: per unit)	1.5
Minimum Driveway Length	n/a
Minimum Driveway Width	20'
Maximum Driveway Width	26'
Shared Driveway Allowed	Conditionally
Conjoined Driveway Allowed (with adjacent property)	Conditionally
Maximum Driveways (per Frontage)	2
Permitted Driveway/Parking Materials	Asphalt or Concrete

12.16.08-07 BUILDING, DEVELOPMENT, DESIGN, AND LANDSCAPING AND MAINTENANCE REQUIREMENTS

Unless otherwise specified, ~~all building, development, design, and~~the Landscaping requirements within the Neighborhood ~~Commercial-Mixed Use (NMU) Zone~~ shall adhere to the requirements outlined in ~~Section 10.08.32 in~~-Title 10 Building and Development Standards of the Town Code.

Additional Landscaping requirements within the Neighborhood ~~Mixed Use Commercial~~-Zone are as follows:

1. Landscaped areas shall be provided on the site in an amount equal to or greater than twenty percent (20%) of the net site area.
2. Manicured grasses can be used in landscape areas but may not exceed 25% of the total landscape area.

12.16.10 OPEN SPACE AND PUBLIC SPACE REQUIREMENTS

~~Unless otherwise specified, the Open Space and Public Space requirements within the Neighborhood Commercial Zone shall adhere to the requirements outlined in Sections 10.08.28 and 10.08.30 in Title 10 of the Town Code.~~

12.16.12 DESIGN REQUIREMENTS

~~Unless otherwise specified, the Building Design requirements within the Commercial Zone shall adhere to the requirements outlined in Section 10.08.08 in Title 10 of the Town Code.~~

xxi) Amendments within Chapter 12.18 COMMERCIAL (C) ZONE

12.18.04 LAND USES

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

Land Uses	
Residential	
Accessory Structure	
Affordable Housing Development	c
Cluster Development	
Condominiums (primary residential use only)	c
Condominium Hotel	P
Multiple Family Unit	
Short-Term Rental (< 30 days)	P
Single Family Attached (Townhome)	
Single Family Detached	
Timeshare (Shared Ownership Facility)	
Community	
Amphitheatre	

Church or Worship Center	
Community Center	
Private Residence Clubs	
Public Building	C
Public Services Facility	
School	
Swimming Pool / Bath House	P
Commercial	
Big Box Retail	C
Convenience Store (no drive-through support)	P
Day Care Centers	P
Equestrian Facilities	
Fitness / Wellness Center	p
Gasoline, Retail Stations	<u>CP</u>
Golf Course and Related Services	
Grocery	P
Health Care Facility	P
Hotel	<u>PG</u>
Kiosks and Street Vendors (lot size does not apply)	P
Maintenance Facility	
Meeting Facilities	P

Office	P
Personal Services	P
Recreational Facilities	C
Restaurant (with Drive through support)	C
Restaurant	P
Retail (including liquor)	P
Service Station	C
Storage Facility	
Theater	P

12.18.07 BUILDING, DEVELOPMENT, DESIGN, AND LANDSCAPING REQUIREMENTS

12.18.08 LANDSCAPING AND MAINTENANCE REQUIREMENTS

A. Unless otherwise specified, ~~all building, development, design, and the~~ Landscaping requirements within the Commercial (C) Zone shall adhere to the requirements outlined in ~~Section 10.08.32 in~~ Title 10, ~~Building and Development Standards, of the Town Code.~~

B. Additional Landscaping requirements within the Commercial Zone are as follows:

1. Landscaped areas shall be provided on the site in an amount equal to or greater than twenty percent (20%) of the net site area.
2. Manicured grasses can be used in landscape areas but may not exceed 25% of the total landscape area.

12.18.10 OPEN SPACE AND PUBLIC SPACE REQUIREMENTS

~~Unless otherwise specified, the Open Space and Public Space requirements within the Commercial Zone shall adhere to the requirements outlined in Sections 10.08.28 and 10.08.30 in Title 10 of the Town Code.~~

12.18.12 DESIGN REQUIREMENTS

~~Unless otherwise specified, the Building Design requirements within the Commercial Zone shall adhere to the requirements outlined in Section 10.08.08 in Title 10 of the Town Code.~~

C. Additional Building Design requirements within the Commercial Zone are as follows:

1. In addition to the roof styles outlined, Flat roofs will also be allowed within the Commercial (to include industry practice for roofing materials)

xxii) Amendments within Chapter 12.20 LIGHT INDUSTRIAL (LI) ZONE

12.20.07 BUILDING, DEVELOPMENT, DESIGN, AND LANDSCAPING REQUIREMENTS

12.20.08 LANDSCAPING AND MAINTENANCE REQUIREMENTS

Unless otherwise specified, all building, development, design, and Landscaping requirements within the Light Industrial (LI) Zone shall adhere to the requirements outlined ~~in Section 10.08.32~~ in Title 10, Building and Development Standards. ~~of the Town Code.~~

Additional Landscaping requirements within the Light Industrial Site Zone are as follows:

1. Installation of a berm or vegetative hedge to obscure visibility into the area. Such installation should obscure a minimum of 70% of the area.
2. Landscaped areas shall be provided on the site in an amount equal to or greater than twenty percent (20%) of the net site area.
3. Manicured grasses can be used in landscape areas but may not exceed 25% of the total landscape area.

12.20.10 OPEN SPACE AND PUBLIC SPACE REQUIREMENTS

~~Unless otherwise specified, the Open Space and Public Space requirements within the Light Industrial Zone shall adhere to the requirements outlined in Sections 10.08.28 and 10.08.30 in Title 10 of the Town Code.~~

12.20.12 DESIGN REQUIREMENTS

~~Unless otherwise specified, the Building Design requirements within the Commercial Zone shall adhere to the requirements outlined in Section 10.08.08 in Title 10 of the Town Code.~~

xxiii) Amendments within Chapter 12.22 COMMUNITY RECREATION (CR) ZONE

12.22.06 DIMENSIONAL STANDARDS

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

Density	
Maximum Density (ERU)	n/a
Minimum Open Space	40%

Frontage / Lot Size	
Minimum Lot Size	.5 acre
Minimum Lot Frontage	100'
Minimum Lot Width	100'
Maximum Lot Coverage (in percent.)	60%
Setbacks	
Minimum Front Setback from road edge	50'
Minimum Front Setback from road edge (Major Road)	60'
Minimum Setback from Highway	75'
Minimum Rear Setback	50'
Minimum Side Setback	25'
Minimum Offsets (relative to roadway or neighboring Bldgs.)	n/a
Building	
Maximum Building Height	35'
Maximum Units per Building	n/a
Driveway / Garage	
Minimum Parking (non-residential: per 1000 sq ft)	3
Maximum Parking (non-residential: per 1000 sq ft)	4
Minimum Garage Parking (residential: per unit)	n/a
Minimum Driveway Length	25'
Minimum Driveway Width	20'

Maximum Driveway Width	26'
Shared Driveway Allowed	Conditionally
Conjoined Driveway Allowed (with adjacent property)	Conditionally
Maximum Driveways (per Frontage)	2
Permitted Driveway/Parking Materials	Concrete, Asphalt, Compacted Aggregate

12.22.07 BUILDING, DEVELOPMENT, DESIGN, AND LANDSCAPING REQUIREMENTS

12.22.08 LANDSCAPING AND MAINTENANCE REQUIREMENTS

Unless otherwise specified, ~~, all building, development, design, and~~ the Landscaping requirements within the Community Site-Recreation (CR) Zone shall adhere to the requirements outlined ~~in Section 10.08.32 in Title 10 , Building and Development Standards of the Town Code.~~ Additional Landscaping requirements within the Community Site-Recreation Zone are as follows:

1. Landscaped areas shall be provided on the site in an amount equal to or greater than twenty percent (20%) of the net site area.
- ~~2. Manicured grasses can be used in landscape areas but may not exceed 25% of the total landscape area.~~

12.22.10 OPEN SPACE AND PUBLIC SPACE REQUIREMENTS

~~Unless otherwise specified, the Open Space and Public Space requirements within the Community Site Zone shall adhere to the requirements outlined in Sections 10.08.28 and 10.08.30 in Title 10 of the Town Code.~~

12.22.12 DESIGN REQUIREMENTS

~~Unless otherwise specified, the Building Design requirements within the Commercial Zone shall adhere to the requirements outlined in Section 10.08.08 in Title 10 of the Town Code.~~

xxiv) Amendments within Chapter 12.24 NATURAL PRESERVATION (NP) ZONE

12.24.06 DIMENSIONAL STANDARDS

1. Unless otherwise specified, Development in the ~~Open Space~~Natural Preservation (NP) Zone shall comply with the standards set forth in the following table.
2. All Primary Building and Accessory Structures are subject to the dimensional standards set forth in the following table. These general standards may be further limited or modified by other applicable sections of this Code.

Density	
---------	--

Maximum Density (ERU)	n/a
Minimum Open Space	80%
Frontage / Lot Size	
Minimum Lot Size	n/a
Minimum Lot Frontage	n/a
Minimum Lot Width	n/a
Maximum Lot Coverage (in percent.)	n/a
Setbacks	
Minimum Front Setback from road edge	n/a
Minimum Front Setback from road edge (Major Road)	n/a
Minimum Setback from Highway	n/a
Minimum Rear Setback	n/a
Minimum Side Setback	n/a
Minimum Offsets (relative to roadway or neighboring Bldgs.)	n/a
Building	
Maximum Building Height	25'
Maximum Units per Building	n/a
Driveway / Garage	
Minimum Parking (non-residential: per 1000 sq ft)	Conditional
Maximum Parking (non-residential: per 100 sq ft)	Conditional
Minimum Garage Parking (residential: per unit)	n/a
Minimum Driveway Length	n/a

Minimum Driveway Width	20'
Maximum Driveway Width	26'
Shared Driveway Allowed	n/a
Conjoined Driveway Allowed (with adjacent property)	n/a
Maximum Driveways (per Frontage)	2
Permitted Driveway/Parking Materials	Concrete, Asphalt, Compacted Aggregate

12.24.07 BUILDING, DEVELOPMENT, DESIGN, AND LANDSCAPING REQUIREMENTS

12.24.08 LANDSCAPING AND MAINTENANCE REQUIREMENTS

Unless otherwise specified, ~~all building, development, design, and~~the Landscaping requirements within the ~~Open Space~~Natural Preservation (NP) Zone shall adhere to the requirements outlined ~~in Section 10.08.32~~ in Title 10, ~~Building and Development Standards~~of the Town Code.

Additional Landscaping requirements within the Natural Preservation ~~Open Space~~ Zone are as follows:

1. If any structure is placed on the land, the landscaping requirements listed ~~above in Title 10, Building and Development Standards~~, apply within the boundaries of the disturbed soil.
2. The natural state of the soil satisfies the landscaping requirements; except as noted in item ~~A-1~~ above.

12.24.10 OPEN SPACE AND PUBLIC SPACE REQUIREMENTS

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

~~Additional Open Space and Public Space requirements within the Open Space Zone are as follows:~~

- ~~4.3.~~Public Space is not required in the ~~Open Space~~Natural Preservation zone.
- ~~5.4.~~Open Space requirements may include public trails.
- ~~6.5.~~The property owner(s) shall maintain all Natural Preservation, Open Space and Public Space areas.

12.24.12 DESIGN REQUIREMENTS

~~Unless otherwise specified, the Building Design requirements within the Commercial Zone shall adhere to the requirements outlined in Section 10.08.08 in Title 10 of the Town Code.~~

xxv) 12.30.06.07 ERU CALCULATIONS

Calculations of ERUs will be made pursuant to the procedures described and the ERU/Equivalent Residential Units found in Appendix 6 in the Former Town Code, section 11.07.140.

xxvi) 12.30.06.14 Neighborhood Commercial (NC)

1. Permitted Uses. Permitted uses include convenience stores, restaurants, neighborhood services, parks and Resort Features (as defined in HMC ~~12.14.500~~ [12.30.06.17](#)).

xxvii) 12.30.06.19 Permitted Use Categories

Specific permitted uses within each category are indicated in HMC ~~12.14.420~~ [12.30.06.09](#) through HMC ~~12.14.500~~ [12.30.06.17](#):

- RSF - Residential Single Family
- MD - Residential Medium Density
- HC - Hospitality Casita
- RVMD- Resort Village Medium Density
- RVHD - Resort Village High Density
- NC - Neighborhood Commercial
- CS - Community Site
- OS - Open Space
- RF - Resort Feature

SECTION II: The following Sections are adopted:

i) 10.08.08.15 Hot Tubs, Swim Spas, and Swimming Pools

1. All hot tubs, swim spas, and swimming pools, inground and above-ground, must meet the following setback and screening requirements:
 - a. No hot tubs, swim spas, and swimming pools are allowed in the front yard or side yards of any structure. They must be located in the rear yard only.
 - b. All hot tubs, swim spas, and swimming pools must meet building setbacks as required in the applicable zoning district.
 - c. All swimming pools must have a fence of at least six (6') feet high surrounding the complete perimeter of the pool. Utah law (Utah Office of Administrative Rules (R392-302-14) specifies that this fence “may not permit a sphere greater than 4 inches” through any part of the fence. The door for the gate must be self-closing, self-latching, and require a key, electronic sensor, or combination to be opened. Chain link fencing is not a permitted fence type; any fencing must be decorative in terms of material and design. The fence must be approved by the Town Planner and meet the Town’s Development Standards and Design Guidelines.

SECTION III: The Legend on the Zoning Map is amended for the following non substantive, technical change.

[Proposed Zoning Zoning Districts \(Exhibit A\).](#)

SECTION IV Effective Date. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED by the Town Council of Hideout, Utah, this ____ day of _____ in the year 2024.

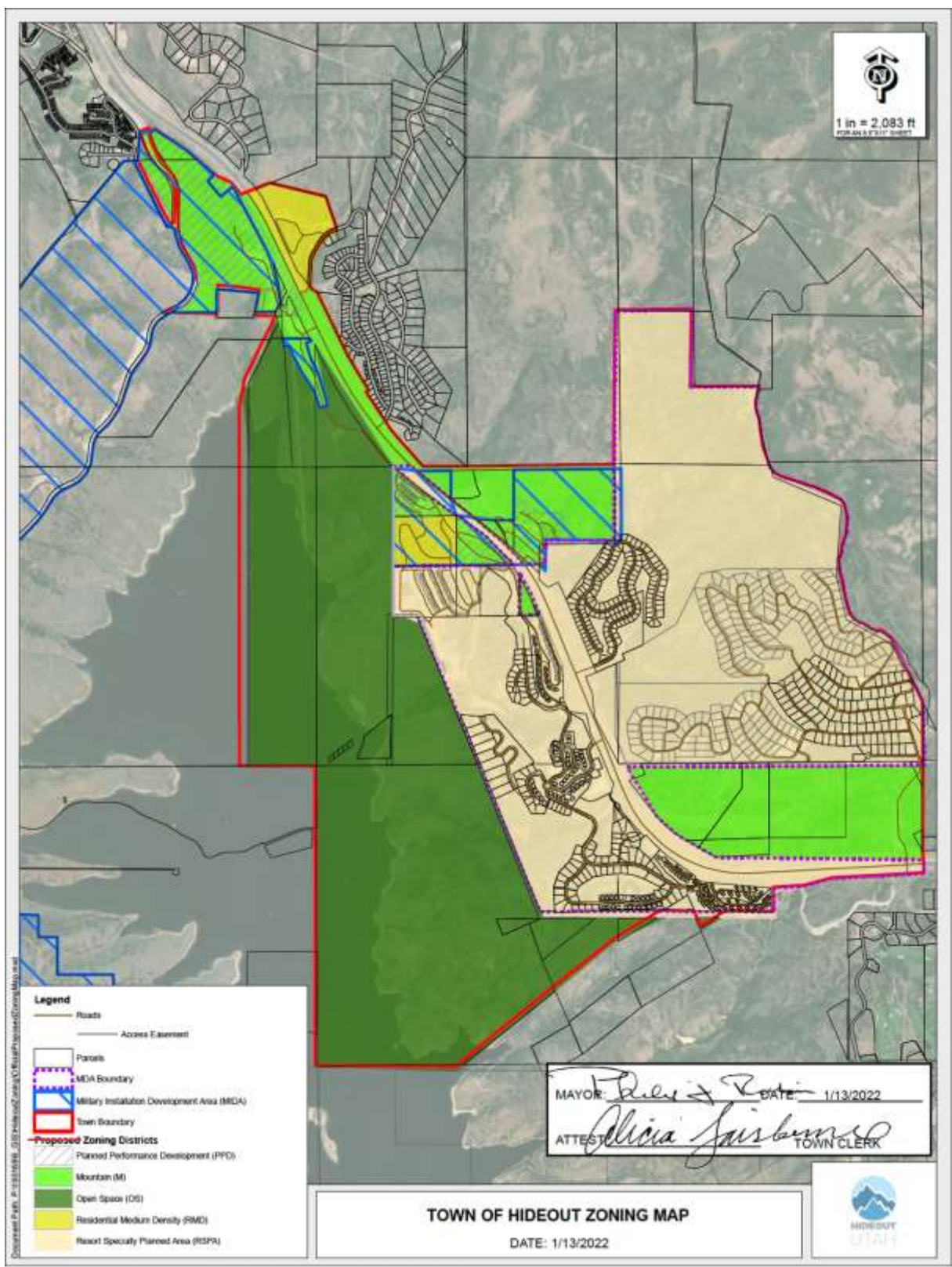
TOWN OF HIDEOUT

ATTEST:

Alicia Fairbourne, Recorder for the Town of Hideout

Exhibit A Revision to Zoning Map

Change of Text from "Proposed Zoning" to "Zoning Districts"



File Attachments for Item:

1. December 14, 2023 Meeting Minutes DRAFT

Minutes
 Town of Hideout
 Town Council Regular Meeting and Continued Public Hearing
 December 14, 2023

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting and Continued Public Hearing on December 14, 2023 at 6:00 pm in the City Council Chambers located at 10860 N. Hideout Trail, Hideout, Utah and electronically via Zoom.

Regular Meeting and Continued Public Hearings

I. Call to Order

Mayor Rubin called the meeting to order at 6:01 p.m. and reminded participants that this was a hybrid meeting held electronically and in-person.

II. Roll Call

Present: Mayor Phil Rubin
 Council Member Ralph Severini
 Council Member Sheri Jacobs (*joined at 6:12 p.m., excused at 6:36 p.m.*)

Attending Remotely: Council Member Chris Baier
 Council Member Carol Haselton (*joined at 6:07 p.m.*)
 Council Member Bob Nadelberg

Staff Present: Recorder for Hideout Alicia Fairbourne

Staff Attending Remotely: Town Administrator Jan McCosh
 Town Attorney Polly McClean
 Town Planner Thomas Eddington
 Director of Public Works Daniel Allen
 Financial Consultant Katie Shepley

Public Present: Ryan Sapp, Jenni Hogan, and Jonathan Gunn.

Public Attending Remotely: Planning Commissioner Rachel Cooper, Planning Commissioner Donna Turner, Briana Warner, Murray Gardner, Briana Warner, Lorrinda Lattimore, Damian Taitano, Mary Freeman, Kara Ann Byrne, Stephen Bronson, Katie Wilking, Brett Rutter, Sam Hartman, Greg Miner, Justin Keys, David Salzman, Valeree Roper, and others who may have logged in using a partial name or using only a phone number.

III. Agenda Items

(Clerk's note: The agenda was reordered from the original posting to allow for Council Member Jacobs to be present for her presentation.)

1 **1. Update regarding the fundraising efforts for Hideout Fire Station 56**

2 Mayor Rubin explained the Town was seeking fundraising for Hideout's Fire Station. Chief Eric
3 Hales from the Wasatch Fire District had approached the Mayor to seek support in establishing a
4 temporary fire station for 24-hour staffing and equipment by early 2024, which would be at least
5 three years earlier than when the permanent fire station could be built. Mayor Rubin emphasized
6 the urgency for the temporary station, highlighting its significant impact on health and safety,
7 especially in medical emergencies. The temporary station's proximity would enhance efficiency,
8 potentially lowering insurance rates for residents in the area. The Council expressed willingness
9 to assist and discussed potential fundraising strategies, which included finding support from
10 surrounding communities.

11 Mayor Rubin convened with Chief Hales to deliberate the potential placement of a temporary fire
12 station at the designated location for the future permanent station. Attention was drawn to the
13 topographical challenges, and Chief Hales noted the Utah Department of Transportation (UDOT)
14 right-of-way was the flattest terrain. Chief Hales articulated his intention to formally request an
15 exception from UDOT to authorize the establishment of the temporary fire station in said location.
16 The current status involved awaiting the decision from UDOT regarding this proposal.

17 At 6:07 p.m., Mayor Rubin acknowledged that Council Member Haselton joined the meeting.

18 Council Member Baier further inquired about fundraising updates and financial details. Mayor
19 Rubin mentioned potential fundraising from surrounding communities and that two subdivisions
20 outside Hideout had already expressed interest. He also noted the Fire District had some funds
21 available to support the temporary station, and discussions were ongoing to determine funding
22 sources and community support.

23 Mayor Rubin acknowledged the need for more information on costs and funding. Council
24 Member Baier suggested moving on to the next agenda item for further discussion. Mayor Rubin
25 agreed, indicating that details were still being worked out regarding funding and expressed the
26 intention to explore options, including community contributions.

27 **2. Discussion and possible approval to authorize the Mayor to execute an agreement with Steel**
28 **Master Arch Buildings LLC for a deposit amount of \$11,292 and in an amount not to exceed**
29 **\$56,460 for the temporary Fire Station at the Hideout Public Works building**

30 Mayor Rubin explained that the proposed structure, intended to house fire equipment, was a
31 temporary structure and would eventually be purchased by the Fire District. He explained once
32 the permanent fire station was built, the temporary structure would be dismantled by the Fire
33 District and moved to future fire station sites within Wasatch County, although a concrete pad
34 would be left behind. Mayor Rubin explained the necessity of a deposit to secure the building
35 promptly once funding details were finalized. Council Member Baier sought clarification on the
36 funding source and reimbursement agreement with the Fire District.

37 Mayor Rubin clarified that Hideout would front the initial deposit and the Fire District would
38 repay Hideout when the funds could be released. The source of funds from Hideout was discussed,
39 and Mayor Rubin suggested the deposit come from the General Fund account.

40 Council Member Baier expressed concerns about the lack of specific information and proposed a
41 Special Meeting once the fundraising details were compiled to keep the Council informed.

1 Council Member Haselton inquired about the location of the concrete pad and questioned why
2 fundraising efforts were necessary when Wasatch County had recently increased property taxes.
3 She felt the fire station should be funded with the property tax increase. Mayor Rubin
4 acknowledged Ballot Proposition 9 had passed, which would allow for a percentage of sales tax
5 in Wasatch County to be collected for future fire stations, including the permanent station in
6 Hideout. However, the temporary station was an accelerated build, and he expressed the urgency
7 of improving health and safety for Hideout residents and residents of surrounding communities.
8 He mentioned support from neighboring communities and expressed ongoing discussions with
9 interested subdivisions. In regard to where the concrete pad would be located, he explained it
10 would either be located near the Ross Creek entrance, or at the future permanent site for the fire
11 station between the bottom of the Klaim and Deer Mountain Subdivisions.

12 Council Member Severini emphasized the need to determine the Town's financial liability and
13 discussed an approximate cost of insurance premium savings to each homeowner if the station
14 were built.

15 Council Member Baier sought information about the parcels' zoning and potential involvement
16 of the Planning Commission. Town Attorney Polly McLean mentioned the parcels would need to
17 be rezoned. Town Planner Thomas Eddington was working with Chief Hales to bring the rezone
18 application to the Planning Commission.

19 The discussion concluded with Mayor Rubin suggesting continuing the agenda item until final
20 fundraising plans were in place. He noted the potential for a Special Meeting to keep the council
21 updated.

22 **3. Update of Hideout Blanket Drive for The Peace House of Park City**

23 Council Member Jacobs provided an update on the Hideout Blanket Drive for The Peace House
24 of Park City. The Blanket Drive successfully collected around 120 blankets and received
25 monetary donations totaling approximately five hundred to six hundred dollars (\$500-\$600).
26 Acknowledging the efforts of her Committee members, Council Member Jacobs expressed
27 gratitude for the community's generous response.

28 Mayor Rubin commended Council Member Jacobs and her team for organizing the drive. Council
29 Member Jacobs emphasized the ongoing need for support, inviting continued donations beyond
30 the Drive's conclusion.

31 Mayor Rubin thanked the community for its participation and reiterated the importance of
32 recognizing the continuous need for contributions. Council Member Jacobs concluded by
33 expressing openness to organizing similar events or supporting other worthwhile causes in the
34 future, welcoming ideas from the community.

35 **4. Approval of adopting Resolution 2023-R-XX Honoring Sheri Jacobs**

36 Mayor Rubin presented Resolution 2023-R-12 to honor Sheri Jacobs, who would no longer be
37 serving on the Council starting in early January. The Resolution acknowledged Council Member
38 Jacobs' service as a Town Council Member since November 2021 and her role as the leader of
39 the Hideout Community Engagement Committee.

1 The Resolution highlighted Council Member Jacobs' exceptional service, leadership, respect,
2 integrity, and outstanding community spirit. It also recognized her dedication, enthusiasm, and
3 substantial contributions to the betterment of Hideout and its residents.

4 Sheri Jacobs expressed her appreciation, stating that she learned a lot and enjoyed working with
5 the Council. She stated she was willing to continue contributing to the Community Engagement
6 Committee and participating in Town initiatives. The Council expressed gratitude and officially
7 thanked Council Member Jacobs for her outstanding public service.

8 Council Member Jacobs was excused at 6:36 p.m.

9 **5. Discussion and possible approval to authorize the Mayor to execute an agreement with**
10 **Western Electrical Alliance for an amount not to exceed \$19,802.35 for light poles**

11 The Council discussed the approval of authorizing the Mayor to execute an agreement with
12 Western Electrical Alliance for an amount not to exceed \$19,802.35 for the purchase of five (5)
13 light poles. The purpose was to replace two (2) insufficiently lit light poles at Town Hall and
14 acquire two (2) additional poles for potential use in the fire station or as replacements for other
15 poles in the future. Mayor Rubin mentioned a developer would cover the cost of the additional
16 light pole.

17 The bulk order of five (5) light poles was found to be more cost-effective, saving extra shipping
18 costs compared to buying individually. The Council clarified the cost breakdown and inquired
19 about the storage of the extra poles. The two (2) additional poles would be stored at the Public
20 Works building.

21 There being no further questions from Council, Mayor Rubin asked for a motion.

22 *Motion: Council Member Nadelberg moved to approve the authorization of the Mayor to*
23 *execute an agreement with Western Electrical Alliance for an amount not to exceed*
24 *\$19,802.35 for the purchase of light poles. Council Member Severini made the second. Voting*
25 *Yes: Council Member Baier, Council Member Haselton, Council Member Nadelberg, and*
26 *Council Member Severini. Absent from voting: Council Member Jacobs. The motion carried.*

27 **6. Discussion and consideration of a petition to annex from Benloch Ranch**

28 Mr. Eddington explained that Benloch Ranch had initially submitted a petition for annexation in
29 May of 2023, but they rescinded it to finalize building permits and concept planning. They
30 resubmitted in September 2023, but due to ongoing revisions and delays, the recommendation
31 was to deny the current consideration for annexation. This denial would allow them to resubmit
32 in the future without changing the substantive aspects of their application. The denial was
33 recommended to ensure compliance with Utah State statute requirements for public noticing. The
34 Mayor and legal counsel supported this recommendation.

35 There being no questions from Council, Mayor Rubin asked for a motion.

36 *Motion: Council Member Haselton moved to deny the annexation petition from Benloch*
37 *Ranch. Council Member Nadelberg made the second. Voting Yes: Council Member Baier,*
38 *Council Member Haselton, Council Member Nadelberg, and Council Member Severini.*
39 *Absent from voting: Council Member Jacobs. The motion carried.*

1 **7. Consideration of appointing Alternate Planning Commissioner Joel Pieper as a Regular**
 2 **Planning Commissioner to fill the remainder of the term from Jonathan Gunn whose term**
 3 **ends December 31, 2025**

4 *(Clerk's note: Items 7 and 8 were discussed and voted on concurrently.)*

5 **8. Discussion and consideration to re-appoint Planning Commissioners Rachel Cooper and**
 6 **Donna Turner and Planning Commission Chair Tony Matyszczyk to serve on the Hideout**
 7 **Planning Commission for an additional four-year term beginning January 1, 2024**

8 Mayor Rubin discussed the need to fill the vacant position on the Planning Commission left by
 9 Jonathan Gunn, who was recently elected to the Council. He proposed appointing Joel Pieper, an
 10 alternate Planning Commissioner, to fill the remainder of Jonathan Gunn's term ending on
 11 December 31, 2025. Additionally, he recommended the renewal of the terms for existing planning
 12 commissioners Rachel Cooper, Donna Turner, and Planning Commission Chair Tony
 13 Matyszczyk.

14 Council Member Baier expressed delight at the willingness of Planning Commissioners to
 15 continue their service and supported making Joel Pieper a regular voting member. Council
 16 Member Severini expressed similar sentiments. Council Member Haselton expressed her support
 17 and gratitude to the Planning Commissioners for their service.

18 Discussion ensued regarding the process of recruiting an Alternate Planning Commission
 19 Member. A notice would be posted on the website and newsletter with a cutoff date, and the
 20 applicants would be invited to attend a Council Meeting to discuss their background and interest
 21 before Council would make a selection.

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

25 Mayor Rubin discussed the proposed adjustments to the Hideout Fee and Rate Schedule, focusing
 26 on electrical permitting fees, remodel fees, and technical corrections. The changes were further
 27 explained by Financial Consultant Katie Shepley and Town Attorney Polly McLean, emphasizing
 28 the need for realignment with other Towns' fee structures.

29 Ms. Shepley clarified the adjustments made to plan review fees and provided a breakdown of the
 30 costs associated with electrical and mechanical permits. The analysis aimed to ensure that the fees
 31 were in line with comparable cities and towns, and the proposed changes were considered more
 32 reasonable.

33 Ms. McLean highlighted additional modifications to clarify escrow fees and ensure compliance
 34 with state code regarding commercial plan review fees, which were set at sixty-five percent
 35 (65%).

36 There being no questions from Council, Mayor Rubin asked for a motion.

37 ***Motion: Council Member Severini moved to adopt Resolution 2023-R-13 to repeal and replace***
 38 ***the Hideout Fee and Rate Schedule to include electrical permitting fees, update remodel fees,***
 39 ***and make technical corrections. Council Member Haselton made the second. Voting Yes:***
 40 ***Council Member Baier, Council Member Haselton, Council Member Nadelberg, and Council***
 41 ***Member Severini. Absent from voting: Council Member Jacobs. The motion carried.***

1 **10. Discussion regarding the upcoming Council Retreat to be held on January 11, 2024**

2 The discussion focused on the upcoming Council Retreat scheduled for January 11, 2024. Due to
3 the retreat's agenda and the need for additional time to hold a Regular Council Meeting, the Mayor
4 proposed changing the Regular Meeting and any associated public hearings to a different date in
5 January. The Council members explored alternative dates and considered their availability. The
6 consensus reached was to move the January Regular Meeting meeting to Monday, January 15,
7 2024, at 6:00 p.m. Council Members acknowledged the proposed change, and Recorder Alicia
8 Fairbourne agreed to send out a calendar reminder.

9 Town Administrator Jan McCosh provided an update on the upcoming Council Retreat. The
10 Retreat would include the Council, Planning Commission, the Economic Development
11 Committee, the Town Staff, as well as various individuals from surrounding communities who
12 had a vested interest in Hideout's future. The focus would be on working toward a strategic plan
13 that incorporated public input. The Retreat would be facilitated in a workshop format, involving
14 discussions and idea generation. Ms. McCosh stated the Retreat would kick off with a discussion
15 on the budget, and the agenda would be finalized and shared soon.

16 **11. Discussion and possible approval of Ordinance 2023-O-XX setting the 2024 Hideout Town**
17 **Council Regular Meeting Schedule**

18 Mayor Rubin presented Ordinance 2023-O-08, which showed the proposed dates in 2024 for the
19 Hideout Town Council Regular Meetings. Council Member Severini noted the December meeting
20 was proposed for the third Thursday and questioned if it was supposed to be on the second
21 Thursday (December 12). It was determined to be an error and corrected to December 12.
22 Additionally, as per the previous discussion, the January 11 meeting was moved to January 15
23 due to the Council Retreat on January 11. The Council discussed and clarified the dates before a
24 motion was made to approve the Ordinance.

25 *Motion: Council Member Baier moved to approve Ordinance 2023-O-08 with the*
26 *aforementioned changes. Council Member Haselton made the second. Voting Yes: Council*
27 *Member Baier, Council Member Haselton, Council Member Nadelberg, and Council Member*
28 *Severini. Absent from voting: Council Member Jacobs. The motion carried.*

29 Council Member Baier asked when the swearing-in ceremony would be held for the elected
30 Council Members. Mayor Rubin explained it would be the first item on the agenda at the Retreat.

31 **12. Presentation and recommendation of the traffic study regarding speeds on Shoreline Drive**

32 Mayor Rubin presented the results of a traffic study which was conducted on Shoreline Drive,
33 addressing concerns about speeding. Mayor Rubin explained that Town Engineer Timm Dixon,
34 who worked with Epic Engineering on the study, was not present during this Meeting to present
35 and discuss the outcome. Mayor Rubin explained the study suggested measures such as signage
36 and speed bumps along Shoreline Drive. He highlighted the recommendations, emphasizing a
37 combination of measures like radar speed signs, speed humps, and traffic narrowing mechanisms.
38 Drawing attention to the potential safety hazards posed by excessive speeds, Council Members
39 discussed the potential cost and effectiveness of these measures, and with some expressing the
40 need for prompt immediate action to mitigate these risks and enhance road safety for residents
41 and visitors alike.

1 Council Member Severini questioned the cost of radar speed signs, and Mayor Rubin explained
 2 the Town already owned two (2) that were to be used for this purpose. There was a discussion
 3 about the placement of three-way stops near Ross Creek Drive and adding additional speed signs.
 4 Mayor Rubin mentioned the challenges of implementing physical measures, such as speed bumps,
 5 during the winter months and explained the consideration of removable options.

6 Council Member Baier raised concerns about the traffic study's recommendations, seeking clarity
 7 on whether multi-way stops were suitable for speed control. Mayor Rubin explained their decision
 8 to use three-way stops in certain locations. Council Member Baier expressed the need for more
 9 information and metrics to prioritize actions.

10 Throughout the discussion, Council Members voiced their concerns and underscored the
 11 importance of prioritizing the implementation of speed control remedies. They emphasized the
 12 paramount importance of swiftly addressing the safety concerns raised by residents.

13 As a courtesy, Mayor Rubin allowed a brief public comment period, in which Lorrinda Lattimore
 14 expressed frustration about the prolonged discussion and emphasized the urgency of addressing
 15 the speeding issue. Council Member Baier reiterated the need for a deeper understanding of the
 16 study and metrics and offered to have a more thorough discussion regarding the challenges the
 17 Town faced in implementing the recommendations with Ms. Lattimore privately.

18 Council Member Nadelberg suggested implementing speed bumps promptly and questioned if
 19 the presence of law enforcement could be more present on Shoreline Drive. Council Member
 20 Severini advocated for a "bias for action," emphasizing the need for affordable and impactful
 21 solutions. Council Member Baier wanted further clarification on the data presented in the study
 22 to ensure that the proposed remedies would yield the desired outcomes. Mayor Rubin reaffirmed
 23 the commitment to expeditiously implement speed control measures while also acknowledging
 24 the need for a thorough review of the available data and input from the engineering experts. He
 25 acknowledged the urgency and emphasized the Council's shared goal of prioritizing public safety.
 26 acknowledged the urgency and He stated he would invite Epic Engineering to present the study
 27 and make recommendations during the January 15, 2024 Council Meeting.

28 The discussion concluded with Mayor Rubin encouraging residents to email their thoughts to
 29 hideoututah@hideoututah.gov. The commitment to swift action and thorough review exemplified
 30 the Council's dedication to prioritizing the well-being of the community and ensuring a safe
 31 environment for all road users. The Council acknowledged the need for swift action to address
 32 residents' concerns about speeding on Shoreline Drive.

33 **13. Presentation of an engineering Request for Proposal (RFP) and discussion and possible**
 34 **approval to authorize the Mayor to execute an agreement with the following firms on an as-**
 35 **needed basis in a total amount not to exceed the engineering budget in the annual budget:**

- 36 a) Ardurra Group
- 37 b) Sunrise Engineering
- 38 c) Horrocks Engineering
- 39 d) Aqua Engineering

40 *(Clerk's note: Epic Engineering was inadvertently omitted from the original agenda posting.)*

41 Mayor Rubin highlighted the importance of periodically seeking proposals from engineering
 42 companies to avoid complacency and ensure competitive pricing. The goal was to identify three
 43 partners to create a pool for project rotations, allowing for flexibility and a balanced resource

1 allocation. He noted this approach was common among municipalities to avoid relying solely on
2 one vendor.

3 Council Member Severini inquired about the contracting model, to which Mayor Rubin explained
4 that it was a time and material contract with a rate schedule. The discussion also touched on the
5 specialties of each firm, with Aqua Engineering excelling in water and sewer systems.

6 Council Member Baier raised concerns about coordination and knowledge sharing among the
7 engineering groups. She felt as though the efforts should be coordinated within one entity. Mayor
8 Rubin assured her that a detailed plan would be developed to assign specific tasks to each firm,
9 ensuring efficient project management. The idea was to rotate opportunities among the selected
10 partners for various projects.

11 Council Member Severini suggested having a summary engineering report for the Town in the
12 upcoming retreat meeting, to outline the strategy for 2024 and to address critical issues. Mayor
13 Rubin agreed.

14 There being no further questions from Council, Mayor Rubin asked for a motion of support to
15 execute agreements with the listed engineering firms, and to include Epic Engineering in the list.

16 *Motion: Council Member Nadelberg moved to authorize Mayor Rubin to execute agreements*
17 *with Ardurra Group, Sunrise Engineering, Horrocks Engineering, Aqua Engineering, and*
18 *Epic Engineering on an as-needed basis in a total amount not to exceed the engineering*
19 *budget in the annual budget. Council Member Severini made the second. Voting Yes: Council*
20 *Member Haselton, Council Member Nadelberg, and Council Member Severini. Voting Nay:*
21 *Council Member Baier. Absent from voting: Council Member Jacobs. The motion carried*
22 *3-1.*

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

24 Mayor Rubin opened the floor for public comment at 8:05 p.m.

25 *Rachel Cooper* expressed her frustration with not being called on during the speeding discussion
26 and mentioned that the residents of Shoreline Phase 1 submitted a petition against speed bumps,
27 which included approximately thirty (30) signatures. She emphasized the community's opposition
28 to speed bumps and felt unheard. Mayor Rubin responded, stating that he disagreed and
29 acknowledged the community's division on the issue. He mentioned receiving petitions both for
30 and against speed bumps.

31 Ms. Cooper questioned the specific locations of the proposed speed bumps, but Mayor Rubin
32 declined to share that information during this meeting and assured that it would be disclosed when
33 the recommendation was presented. He noted that the speed bumps would not be in the same
34 location and emphasized the need for community members to drive responsibly.

35 Ms. Cooper suggested placing speed bumps away from homes to minimize noise disruption.
36 Mayor Rubin agreed, stating he and Staff would explore ways to implement speed bumps without
37 causing excessive noise.

38 *Brian Cooper* shared his positive experience with stop signs and recommended the placement of
39 stop signs at Recreation Drive. He recounted an incident while he was snow plowing for the Town
40 where a speeding contractor posed a safety hazard due to excessive speeding. He highlighted the
41 potential benefits of stop signs in such situations.

1 Council Member Severini brought up concerns about the Town's dark sky lighting ordinances,
 2 citing feedback from residents. Some expressed worries about safety, particularly for those with
 3 visibility issues due to stringent lighting regulations. Additionally, Severini mentioned requests
 4 to reconsider the timing of holiday lighting, possibly moving it back to Thanksgiving.

5 Mayor Rubin responded, acknowledging the safety concerns and assuring that safety remained a
 6 top priority. He explained the dark sky requirements and the need for compliant outdoor lighting,
 7 emphasizing the dark sky ordinance did not mean homeowners could not have lighting, but should
 8 ensure it aligned with the dark sky regulations.

9 Council Member Severini suggested revisiting the dark sky ordinance in the future and would
 10 like to seek information on the results of enforcing the lighting regulations and their impact on
 11 safety. He also raised questions about the effectiveness of the dark sky requirements and whether
 12 adjustments might be necessary.

13 Mayor Rubin acknowledged the need for balance in addressing the concerns and noted ongoing
 14 efforts to add streetlights in newer developments. The discussion highlighted the challenge of
 15 finding the right balance between dark sky compliance and ensuring sufficient lighting for safety.

16 Derek Roper raised the issue of additional lighting at the north entrance into Hideout on State
 17 Road 248, and suggested prioritizing streetlights for safety at that location. Mayor Rubin
 18 acknowledged the valid point and thanked Mr. Roper for the input.

19 There being no further comments, Mayor Rubin closed public input at 8:15 p.m.

20 **V. Continued Public Hearing Items:**

- 21 **1. Discuss and possibly approve an amendment of the Official Town of Hideout Zoning Map to**
 22 **rezone parcels 00-0020-8182 and 00-0020-8184 (the “Bloom in Hideout” Development) from**
 23 **Mountain (M) zone to Neighborhood Mixed Use (NMU), Residential 3 (R3), Residential 6**
 24 **(R6), Mountain Residential (MR), and Natural Preservation (NP)**
 25
 26 **2. Discuss and possibly approve a Master Development Agreement (MDA) for the Bloom in**
 27 **Hideout Development, which would include nightly rentals in zoning districts that do not**
 28 **currently allow for nightly rentals. Additionally, allowances for certain uses or conditional**
 29 **uses and architecture and/or roof designs that are not currently allowed per the Town’s**
 30 **current zoning ordinances may be included.**

31 *(Clerk’s note: Public Hearing Items 1 and 2 were discussed in conjunction with one another.)*

32 Thomas Eddington provided an overview, emphasizing a focus on policy issues related to
 33 commitments, potential partnerships with the Town, and discussions on infrastructure such as
 34 roads and parkland. The discussion primarily revolved around the maintenance and cost of Town
 35 roads that would be part of the Bloom in Hideout Development. He noted the Public Infrastructure
 36 District (PID) required the roads be dedicated to the Town, rather than kept as private,
 37 Homeowners Association (HOA)-maintained roads. Discussions between Town Engineer Timm
 38 Dixon and Ryan Taylor with Ardurra resulted in calculating the cost to the Town to maintain the
 39 roads would be approximately one hundred thousand dollars (\$100,000) per linear mile per year,
 40 with the assumption that the road would last twenty (20) years.

41 Applicant Jenni Hogan presented information comparing the current zoning with the proposed
 42 zoning for the development and noted the proposed zoning had not changed from the discussions

1 in the November Council Meeting. She highlighted the increase in property tax revenue and
2 additional benefits such as trails and open spaces in the proposed zoning compared to the potential
3 property tax the Town would receive if the land was kept zoned as it was.

4 Sam Hartman from D.A. Davidson presented data on historical road maintenance costs in
5 Hideout, suggesting an average cost of fifteen to sixteen thousand dollars (\$15-\$16,000) per
6 paved mile based on a five to ten (5-10)-year study. The applicants calculated there would be two
7 point one (2.1) miles of paved road, resulting in a cost of between thirty to thirty-four thousand
8 dollars (\$30-34,000) in total annual maintenance costs.

9 Mr. Hartman further noted the financial analysis calculated the total road funds and franchise tax
10 collected would net approximately eight hundred and fifty thousand dollars (\$850,000) per year
11 at full build out, exceeding the expense to the Town.

12 Mayor Rubin noted the historical figures from Hideout may not include fuel or maintenance for
13 the snowplow vehicles or cost of labor. He acknowledged that, once fully developed, the revenue
14 generated by the Bloom development would almost certainly exceed the cost to the Town. Ms.
15 Hogan noted they had considered funding the cost of road maintenance for the first few years in
16 order to offset costs to the Town. Mr. Hartman mentioned the data pulled for the financial analysis
17 included fuel, maintenance, equipment leases, personnel, et cetera.

18 Council Member Severini expressed concerns about the varying estimates and the need for
19 accurate information to ensure the Town and Developer would not face adverse financial
20 situations.

21 Applicant Ryan Sapp mentioned his willingness to contribute to the road maintenance costs, and
22 there was a proposal to subcommittee discussions on specific details of the Master Development
23 Agreement (MDA) related to this topic. He noted that commercial spaces within the development
24 should be accountable for their own snow removal and maintenance.

25 The discussion also touched on the issue of deferred maintenance, taking into consideration the
26 impact of construction-related traffic on road wear and tear. Mr. Sapp recognized during the
27 construction period, heavy trucks and equipment would cause increased road damage and he was
28 prepared to cover the cost of that damage as part of their five (5)-year plan. Ms. Hogan confirmed
29 they were willing to come to an agreement with the Town on how long they would be responsible
30 for maintaining the roads in the development.

31 Council Member Severini emphasized the importance of accurate analyses, considering historical
32 variations and questioned whether the estimates aligned with reality. Further discussions were
33 planned to address the varying estimates and ensure mutual success for the Town and the
34 Development.

35 The applicants then discussed and presented some options for contributions to the Town, which
36 included point four (.4) acres of land for an amphitheater which could be dedicated to the Town
37 after it was built. The Town could lease the amphitheater back to the developers to hold special
38 events. There was also discussion of a monetary contribution of a million-dollar valuation to the
39 Town, which could be gifted after Phase 1 was complete or in the beginning of 2029, whichever
40 occurred sooner.

41 Council Member Severini explained that a combination of land and cash contributions would be
42 most desired, since land would provide long-term value to the Town. Discussion ensued regarding
43 keeping the proposed designated open spaces as that, noting the reason the Golden Eagle lot

1 owners were satisfied with the proposed development was because it would not obstruct the views
2 from their lots. Council Member Severini suggested keeping the commercial development for the
3 Town closer to SR-248.

4 Discussion ensued regarding the monetary contribution and the potential uses for it. Ms. Hogan
5 noted she would want the money to be used for something that would benefit the development.
6 Council Member Severini expressed that any monetary contribution received would either
7 directly or indirectly benefit the development. Ms. McLean confirmed the contribution would
8 have to be a holistic benefit to the Town. Ms. Hogan emphasized the importance of making a
9 decision quickly on what contribution would benefit the Town most in order to get the MDA
10 approved.

11 Council Member Haselton stressed the need for an indoor community gathering space or
12 community center that could be used year-round, based on feedback from past Town surveys. She
13 noted that, while outdoor amenities would be beneficial, the snow may prevent the use of outdoor
14 amenities for several months of the year. Council Member Baier expressed her support of Council
15 Member Haselton's statements.

16 Ms. Hogan mentioned the commercial district planned for Bloom could potentially host some
17 community events once developed. She shared the exciting news that a local Golden Eagle lot
18 owner had signed a Letter of Intent (LOI) to open a bakery there, hoping to make it a community
19 hub.

20 A discussion followed around whether the contributions should focus more on outdoor amenities
21 or indoor community space. There was general agreement about wanting flexibility in the
22 language of the development agreement regarding the contributions. Mayor Rubin suggested
23 reviewing phrasing from the Richardson Flat MDA that allowed flexibility in phasing
24 contributions over time.

25 There being no further questions from Council, and Mayor Rubin recognizing that agenda items
26 1 and 2 were noticed as a public hearing, he opened the floor for public input on both matters at
27 9:15 p.m.

28 There being no comments from the public, Mayor Rubin closed the floor at 9:17 p.m. and asked
29 Council for a motion to continue the public hearing to the Council Meeting which was to be held
30 on January 15th.

31 ***Motion: Council Member Severini moved to continue the public hearing items to January 15,***
32 ***2024 at 6:00 p.m. Council member Haselton made the second. Voting Yes: Council Member***
33 ***Baier, Council Member Haselton, Council Member Nadelberg, and Council Member***
34 ***Severini. Absent from voting: Council Member Jacobs. The motion carried.***

35 **VI. Committee Updates**

36 **1. Design Review Committee - Thomas Eddington**

37 Mr. Eddington stated there was nothing new to report from the Design Review Committee and
38 that the projects that had been approved were moving forward.

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

1 Council Member Baier reported that the POST Committee met on November 28, with Jason
2 Whittaker, the Jordanelle State Park manager, and Timm Dixon, the Town Engineer, as guests.

3 The focus of the discussion was on drainage issues in the State Park, particularly the flooding and
4 mud on some trails built a few years ago. Glen Gabler, Developer of Shoreline, along with Mr.
5 Dixon and Mr. Whittaker, worked on a temporary fix involving pipe installation. However, it was
6 acknowledged that this might not be a permanent solution, and further evaluation in the Spring
7 was deemed necessary. Future trail rebuilding and maintenance were anticipated once the
8 flooding situation was under control.

9 The Committee deliberated on the possibility of a local park pass for Jordanelle State Park but
10 reached no conclusive decisions. Council Member Baier mentioned the consideration of a survey
11 to gauge residents' support for such a pass. The proposed pass would entail a fee for everyone,
12 covering day-use fees even for walkers or bikers. Council Member Baier clarified the nuances of
13 the proposed local park pass, emphasizing the direct support it would provide to Jordanelle State
14 Park's specific projects and maintenance.

15 Funding for projects was discussed, with a notable interest in establishing a nonprofit. Mr.
16 Eddington was assigned to lead the follow-up on this idea. Winter trail grooming was also a topic,
17 with Mr. Whittaker highlighting equipment limitations. The Committee offered assistance by
18 connecting him with contacts, including Council Member Haselton reaching out to White Pine
19 and resident John Hopkins to the Coyote Network. Additionally, a video link about a stand-behind
20 groomer was sent to Mr. Whittaker.

21 Mr. Hopkins and Deputy Recorder Kathleen Hopkins volunteered to install trail markers, aiming
22 to mark waterway east with one hundred (100) four-foot (4') poles. Although uncertainty
23 persisted about grooming the trails, the park manager granted permission to mark them.

24 Council Member Baier noted the next meeting would be held in late January, with the next trail
25 report expected in February. Mayor Rubin acknowledged the Committee's efforts.

26 **3. Transportation Committee - *Council Member Haselton***

27 Council Member Haselton provided detailed information about the three bus lines running from
28 Richardson Flat into Park City. The gray bus served Park City Mountain, the brown bus served
29 Deer Valley, and the silver bus operated in the evening. She noted the service was free for
30 residents.

31 Addressing the question brought up during the previous Council Meeting of pursuing more
32 private transportation options, Council Member Haselton proposed not exploring further private
33 companies, considering the ease of driving to Richardson Flat and the availability of three bus
34 options. Mayor Rubin agreed, noting that most residents have cars and can drive to Richardson
35 Flat.

36 Council Member Baier raised the issue of representing the residents at the Todd Hollow
37 apartments, suggesting that their specific needs might not be fully considered. Mayor Rubin
38 suggested working with Ms. McCosh to reach out to this group and explore their transportation
39 needs, especially for those working late hours. Council Member Baier highlighted potential
40 challenges for workers getting home late and suggested addressing the need for transportation
41 from Richardson Flat to the apartments.

1 **4. Economic Development Committee - Council Member Severini**

2 Council Member Severini discussed ongoing efforts in collaboration with Council Member Elect
3 Jonathan Gunn and Planning Commission Chair Tony Matyszczyk. The focus was on the Request
4 for Information (RFI) input and determining the next steps in the development process of the
5 town-owned land at the Ross Creek entrance. Several meetings had taken place recently to gather
6 diverse input, ranging from consulting proposals to exploring potential collaborations with
7 consulting companies for guidance on property use.

8 The Committee grappled with questions about whether the next step should be a Request for
9 Proposal (RFP) or a hybrid approach that involved a consulting company. Considerations
10 included making the property more dense, potentially establishing a town center, and
11 incorporating a richer set of commercial elements. Concerns were raised about the timeline for
12 property development, with acknowledgment that it might take several years before actual
13 development begins.

14 The uncertainty surrounding the finalization of the Richardson Flat Annexation due to court
15 proceedings added complexity to decision-making. Council Member Severini emphasized the
16 need to take action based on current information rather than waiting for uncertain future events.

17 The discussion touched on the possibility of a phased approach to development, including a
18 temporary phase with basic amenities like power, food trucks, and picnic tables, followed by a
19 more comprehensive plan in the future. The urgency of moving forward with development plans
20 to utilize the Town's prime space for revenue generation was stressed, given the uncertainty of
21 future events.

22 **VII. Approval of Council Minutes**

23 **1. June 8, 2023 Town Council Meeting Minutes DRAFT**

24 Council Member Baier noted on page three (3), line two (2), Katie Shepley's title should be
25 Financial Consultant.

26 **2. June 30, 2023 Town Council Meeting Minutes DRAFT**

27 There were no changes.

28 **3. November 8, 2023 Town Council Meeting Minutes DRAFT**

29 Council Member Haselton noted two corrections. The first being on page ten (10), lines four (4)
30 through six (6). She felt the minutes did not adequately convey what was said, and would like the
31 minutes changed to state, "She expressed difficulty in the expectation that Council Members had
32 adequate time to read the council packets when they were sent out to Council Members twenty-
33 four (24) hours prior to the meeting."

34 The second correction was on page seven (7), line forty (40), the sentence should be changed to,
35 "...reduce density and focus *on* early commercial development...".

36 There were no further changes.

37 ***Motion: Council Member Haselton moved to approve the Council Meeting Minutes of June***
38 ***8, 2023, June 30, 2023, and November 8, 2023 with the aforementioned changes. Council***
39 ***Member Baier made the second. Voting Yes: Council Member Baier, Council Member***

1 *Haselton, Council Member Nadelberg, and Council Member Severini. Absent from voting:*
2 *Council Member Jacobs. The motion carried.*

3 **VIII. Follow Up Items from Approved Council Minutes**

4 Council Member Severini pointed out that on page eight (8) on the November set of minutes,
5 resident Don Blumenthal noted he would provide additional input regarding the electric vehicle
6 (EV) charging stations at the Bloom Development. He asked Ms. Fairbourne to follow up with
7 Mr. Blumenthal to ensure his comments were received and the consideration was factored in.

8 Mayor Rubin inquired if other municipalities or the state had made changes to accommodate EV
9 stations in newly developed parking lots. Mr. Eddington stated he had not seen any new
10 legislation regarding the requirement of EV charging stations. Ms. McLean stated the same,
11 however she noted that the Town could pass an ordinance to require charging stations. Ms.
12 McCosh stated the Utah League of Cities and Towns (ULCT) had discussed the topic in a recent
13 meeting and she would follow up with information from the ULCT. Mr. Eddington noted the
14 requirement could also be incorporated into the Bloom MDA without having to pass a town
15 ordinance.

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

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

20 *Motion: Council Member Severini moved to close the public portion of the Council Meeting*
21 *and reconvene in a closed Executive Session. Council Member Baier made the second. Voting*
22 *Yes: Council Member Baier, Council Member Haselton, Council Member Nadelberg, and*
23 *Council Member Severini. Absent from voting: Council Member Jacobs. The motion carried.*

24 The public meeting adjourned at 9:49 p.m. and reconvened in a closed Executive Session at 9:55
25 p.m.

26 **Present:** Mayor Phil Rubin
27 Council Member Ralph Severini

28 **Attending Remotely:** Council Member Chris Baier
29 Council Member Carol Haselton
30 Council Member Bob Nadelberg

31
32 **Staff Attending Remotely:** Town Attorney Polly McClean

33 **X. Meeting Adjournment**

34 *Motion: Council Member Baier moved to adjourn the Closed Executive Session and the Town*
35 *Council Meeting. Council Member Severini made the Second. Voting Yes: Council Member*
36 *Baier, Council Member Haselton, Council Member Nadelberg, and Council Member*
37 *Severini. There were none opposed. The motion carried.*

38 The meeting adjourned at 10:20 p.m.
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Alicia Fairbourne, Recorder for Hideout

DRAFT