HIDEOUT, UTAH PLANNING COMMISSION
REGULAR MEETING AND PUBLIC HEARINGS
November 21, 2024
Agenda

PUBLIC NOTICE IS HEREBY GIVEN that the Planning Commission of Hideout, Utah will hold its Regular Meeting and Public Hearings 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 Thursday, November 21, 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 Public Hearings
6:00 PM

I. Call to Order

II. Roll Call

III. Approval of Meeting Minutes

1. October 17, 2024 Planning Commission Minutes DRAFT

IV. Public Hearings

1. Discussion and possible recommendation to Town Council regarding a final Subdivision approval for the Shoreline Phase 4 subdivision. ***This item is continued from October 17, 2024 and will be postponed to a date certain of December 19, 2024 meeting at 6:00 pm. There will be no discussion during this meeting.***
2. Discussion and possible recommendation to the Hideout Town Council of an Ordinance regarding updates related to subdivision procedures pursuant to Senate Bill 174 (2023) and House Bill 476 (2024), including technical corrections, and amendments to Hideout Municipal Code Titles 3, 8, 9, 10, 11, 12, and 13.
3. Consideration of a proposal for a conditional use permit from Rocky Mountain Power regarding the Wildfire Mitigation Project, which would rebuild existing 46kV transmission lines.
4. Discussion and possible recommendation to the Hideout Town Council regarding an amendment of the Official Town of Hideout Zoning Map to rezone parcel 00-0020-8164 (Wildhorse Development) from Mountain (M) zone to Neighborhood Mixed Use (NMU). This development is located on the northern side of SR-248, between the Woolf property and the Klaim Subdivision.

V. Agenda Items

1. Presentation and discussion of a concept plan for the Elk Horn Springs Development on parcels 00-0020-8182 and 00-0020-8184 ("the Salzman Property").

VI. Meeting Adjournment

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

File Attachments for Item:

1. October 17, 2024 Planning Commission Minutes DRAFT

Minutes
Town of Hideout Planning Commission
Regular Meeting and Public Hearing
October 17, 2024
6:00 PM

The Planning Commission of Hideout, Wasatch County, Utah met in Regular Meeting and Public Hearing on October 17, 2024 at 6:00 PM in person and electronically via Zoom meeting.

Regular Meeting and Public Hearing

I. Call to Order

Chair Tony Matyszczyk called the meeting to order at 6:02 PM and reminded participants that this was a hybrid meeting held both electronically and in-person.

II. Roll Call

Present: Commissioner Rachel Cooper
Commissioner Joel Pieper

Attending Remotely: Chair Tony Matyszczyk
Commissioner Donna Turner (arrived 6:11 PM)
Commissioner Chase Winder (alternate, arrived at 6:30 PM)

Excused: Commissioner Glynnis Tihansky
Commissioner Peter Ginsberg (alternate)

Staff Present: Alicia Fairbourne, Recorder for Hideout
Kathleen Hopkins, Deputy Recorder for Hideout

Staff Attending Remotely: Jan McCosh, Town Administrator
Cameron Platt, Town Attorney
Thomas Eddington, Town Planner

Public Present: Bill Woolf, Alycia Skousen.

Public Attending Remotely: Jeremy Sheppe, Jay Springer, Mimi Denton and others who may not have signed in using proper names in Zoom.

III. Approval of Meeting Minutes

1. September 19, 2024 Planning Commission Minutes DRAFT

There were no comments on the September 19, 2024 draft minutes.

Motion: Commissioner Pieper moved to approve the September 19, 2024 Planning Commission Minutes. Commissioner Cooper made the second. Voting Yes: Commissioner Cooper, Chair Matyszczyk and Commissioner Pieper. Voting No: None. Abstaining from

Voting: None. Absent from Voting: Commissioner Tihansky and Commissioner Turner. The motion carried.

IV. Public Hearings

Chair Matyszczyk adjusted the order of the agenda items from that in the published agenda.

1. **Consideration and possible recommendation to the Hideout Town Council regarding a proposed lot combination in the Soaring Hawk Subdivision, lots 65 and 66, located at 11476 N White Tail Ct and 1081 E Black Hawk Way (parcel ID # 00-0021-1018 and 00-0021-2017)**

Town Planner Thomas Eddington provided an overview of this item and referenced the Staff Report which had been included in the meeting materials distributed prior to the meeting. He noted the existing lots were 0.25 and 0.22 acres, respectively and the resulting lot combination would result in a lot of approximately 0.5 acres on a corner lot at the intersection of White Tail Court and Black Hawk Way. He stated the zoning was Resort Specially Planned Area (RSPA) within a Resort Village high density pod overlay that did not require any specific setbacks. He stated that under the Master Development Agreement (MDA), the Homeowners Association (HOA) determined setbacks which typically included six-foot Public Utility Easements (PUE) along all property lines, as well as building heights that were generally 35-feet but determined by the Design Review Committee (DRC). He noted there was currently no development on either lot, and that the property owner intended to build a single-family home on the combined lot.

Mr. Eddington discussed several staff recommendations regarding the proposal which included 1) the requirement for the future home to comply with the maximum home size on the combined lot not to exceed 125% of the allowable home size on a single lot per the HOA and DRC policies; 2) minimum setbacks to be recorded as 20-feet in the front, 15-feet along the sides and 20-feet in the rear; 3) the curb cut onto the combined lot must be located as far away from the intersection as possible for safety reasons; 4) no additional parking pads, storage units or accessory structures may be included on the property; 5) the requirement for the Applicant to adhere to all HOA and DRC requirements regarding retention of existing topography and native vegetation outside of the Limited Area of Disturbance set for the construction; and 6) the Applicant must confirm that there are no utility lines located between the existing lots.

Commissioner Joel Pieper asked for clarification on the zoning of the subdivision. Chair Matyszczyk asked for confirmation on the location of the curb cuts for a future driveway. Commissioner Rachel Cooper asked what the maximum square footage of the future home would be. The Applicant, Mr. Jeremy Sheppe stated it was 3,600 square feet for a single lot and up to 4,500 square feet for a combined lot. Mr. Sheppe also stated he expected the driveway location would be located along the right-side lot (Lot 65 on Black Hawk Way).

Chair Matyszczyk opened the floor for public comments at 6:12 PM. There were no public comments, and the public hearing was closed at 6:13 PM.

2. ***Motion: Commissioner Pieper moved to make a positive recommendation to the Town Council regarding the proposed lot combination in the Soaring Hawk Subdivision, lots 65 and 66, located at 11476 N White Tail Ct and 1081 E Black Hawk Way (parcel ID # 00-0021-1018 and 00-0021-2017) with the setbacks and other conditions discussed. Commissioner Winder made the second. Voting Yes: Commissioner Cooper, Chair Matyszczyk, Commissioner Pieper and Commissioner***

Winder. Voting No: None. Abstaining from Voting: none. Absent from Voting: Commissioner Tihansky and Commissioner Turner. The motion carried.

3. Discussion and possible recommendation to the Hideout Town Council of an Ordinance regarding updates related to subdivision procedures pursuant to Senate Bill 174 (2023) and House Bill 476 (2024), including technical corrections, and amendments to Hideout Municipal Code Titles 3, 8, 9, 10, 11, 12, and 13.

Chair Matyszczyk introduced Mr. Jay Springer to lead the discussion of this matter.

Mr. Springer, an attorney with Smith Hartvigsen, stated he was working under a contract with the Department of Workforce Services which was funding this program to assist municipalities in the adoption of this legislation which had been passed by the State of Utah in 2023 and 2024 regarding subdivision procedures for municipalities throughout the State.

Mr. Springer provided an overview of the new legislation and its impact on the current Hideout Town Code and procedures related to the approval of new subdivisions. He referenced a questionnaire which had been included in the meeting materials and noted the deadline for adoption of compliant Town Code was December 31, 2024. He stated much of this was procedural and did not affect zoning, but did provide applicants with several new rights when applying for new subdivisions.

Mr. Springer discussed the new regulations which included the requirement for the Town Staff to identify all potential deficiencies in a subdivision application during the initial review process. If any item is missed at this stage, it will be waived under the new rules. Thus, the Town is incentivized to be very thorough at the beginning of the process.

Mr. Springer reviewed in detail the redlined version of the current Town Code which would be impacted and sections where input from the Town regarding preferences would be appropriate. He discussed the changes to the roles of the Planning Commission and Town Planner under the new rules, and the new process for subdivision approvals. He noted the new statutes removed Town Council from approval process of all individual new subdivision applications for all single-family, two-family and townhome developments. He also noted the role of Town Council would be to set policy, the Planning Commission's role would be limited to preliminary review, and the Town would need to determine what was to be included in a preliminary review per the subdivision application. This would result in a fully developed preliminary review being presented to the Planning Commission at which time a Subdivision Improvement Plan (SIP), which would include all civil drawings, would be presented. After the Planning Commission approves a preliminary application, no additional changes would be made to the Final Application other than the Town Staff making the application ready for mylar printing and signatures.

Mr. Springer noted under the new statutes, only one public hearing may be held for a subdivision application. He stated a decision for approval may be continued by the Planning Commission, but a continuation of a public hearing would no longer be permissible. He explained that if a decision could not be made at the time a public hearing was scheduled, the public hearing could be rescheduled or held as scheduled but with the Planning Commission to continue a decision to a future date.

Mr. Springer clarified his role was to represent the Town, not the State of Utah which was paying for his services.

DRAFT

Mr. Springer discussed the specifics for new timelines for the application process which would be very granular and would need to include all aspects of the application rather than reviewing the application and providing comments in pieces. He discussed the new timelines and procedures for stopping the clock when comments were sent back to an applicant.

Commissioner Cooper asked if public comments could be in the form of written comments and reviewed outside of the one public hearing. Mr. Springer stated that it should not be an issue, and a policy could be adopted which made such written comments part of the official record.

Commissioner Pieper asked for some background on why the statute limited just one public hearing. Mr. Springer discussed the legislature's desire for these subdivision approvals to be administrative. He stated if an application "checked all the boxes" per the Town's code, the applicant would be entitled to receive an approval, and public comment technically would not influence an outcome. He also stated another intention behind the legislation was to speed up the approval process and to provide more clarity on the requirements for a new subdivision application.

Mr. Eddington asked if all existing development requirements would still apply to which Mr. Springer responded yes, and that it was the responsibility of the Town Council to set all such detailed policy requirements which would then leave the application approvals to be made by the Planning Commission as administrative functions.

Commissioner Pieper asked about next steps. Mr. Springer responded he was close to completing the markup of the Town Code, with final technical changes to be incorporated with the input of the Town Attorney. Mr. Springer reviewed the changes in each Town Code section which included:

- procedures to work out disputes
- automatic vesting and expirations of entitlements
- requirements that certificates of occupancy may not be withheld for the completion of private landscaping
- authority and roles of Planning Commission and Town Planner with regard to land use applications
- Town Council roles
- requirements that all subdivision required items be posted to the Town website
- third party comments or approvals being the responsibility of the applicant to provide to the Town
- changes to Concept Plan package/Pre-Application meeting requirements as being optional under new statutes
- Subdivision Improvement Plans (SIPs) required as part of the preliminary review,
- timeline for Ordinance review within 30 business days and 40 business day review of the SIP and
- the requirement for a detailed review log.

Mr. Springer explained that if an applicant has met all requirements in its submission, then the Planning Commission would approve the application. Any conditions included with an approval must be supported by Town Code. Changes to Final plat procedures reflected updates to be consistent with these new preliminary stage procedures. Mr. Springer also discussed the requirement that Towns cannot consider applications outside of an application under consideration unless it is part of a phased development under a development agreement. Mr. Springer provided

DRAFT

examples such as secondary access points or open space being proposed for a later date, but not covered in a phased development agreement.

Mr. Eddington asked how an existing multi-phase development agreement would be treated under the new statute. Mr. Springer replied this may need specific research by the Town Attorney, based on the terms of the development agreement already in place.

Mr. Springer indicated he still had some issues regarding phasing to be addressed with the Town Attorney. He also suggested the Town review its zoning code which was outside of the scope of this project, but important to the overall process. Mr. Springer stated he would come back to the Planning Commission next month for a final review and recommendation to Town Council. He also clarified that any applications currently under review would be grandfathered under the existing Town Code.

Town Recorder Alicia Fairbourne asked whether the Town Planner's signature would be required on plats going forward; Mr. Springer replied this would be at the Town's discretion. He also suggested the Town Attorney continue to be the final signatory on all plats.

Given the timing for scheduled Town Council and Planning Commission meetings, Mr. Springer suggested sending the current draft to the Town Council for review at its November meeting to ensure meeting the year-end deadline for adoption of new code language.

The public hearing was opened at 7:26. There were no public comments, and the public hearing was closed at 7:26.

Motion: Commissioner Pieper moved to continue this matter to the November 21, 2024 6:00 PM Planning Commission meeting. Commissioner Cooper made the second. Voting Yes: Commissioner Cooper, Chair Matyszczyk, Commissioner Pieper and Commissioner Turner. Voting No: None. Abstaining from Voting: None. Absent from Voting: Commissioner Tihansky. The motion carried.

V. Continued Public Hearings *(from September 19, 2024 meeting)*

1. Discussion and possible recommendation to Town Council regarding a final Subdivision approval for the Shoreline Phase 4 subdivision.

Chair Matyszczyk reported the applicant had requested this matter be continued to a date certain of November 21, 2024 at 6:00 PM. As this item was noticed as a public hearing, the meeting was opened for public comment at 7:28. There was no public comment, and the public hearing was closed at 7:28 PM.

Motion: Commissioner Turner moved to continue the discussion and possible recommendation to Town Council regarding a final Subdivision Approval of Shoreline Phase 4 subdivision to the November 21, 2024 6:00 PM Planning Commission meeting. Commissioner Cooper made the second. Voting Yes: Commissioner Cooper, Chair Matyszczyk, Commissioner Pieper and Commissioner Turner. Voting No: None. Abstaining from Voting: None. Absent from Voting: Commissioner Tihansky. The motion carried.

2. Discussion regarding an amendment of the Official Town of Hideout Zoning Map to rezone parcel 00-0020-8164 (Wildhorse Development) from Mountain (M) zone to Neighborhood Mixed Use (NMU). This development is located on the northern side of SR-248, between the Woolf property and the Klaim Subdivision.

Chair Matyszczyk reported the applicant had requested this matter be continued to a date certain of November 21, 2024 at 6:00 PM. As this item was noticed as a public hearing, the meeting was opened for public comment at 7:30 PM.

Mr. Bill Woolf, resident and property owner on SR-248 adjacent to this property under discussion, shared his concerns with the proposed project. He stated he had lived on his property since 1999 and was supportive of development in general, but he was not in favor of this re-zoning for commercial development. He noted the parcels under discussion had a 20-foot building height restriction which had been created when he purchased his property to protect his views from future development, and the building design previously presented was in violation of that height restriction. Mr. Woolf also had concerns about noise and food odors from a restaurant-related business which he felt would negatively impact his enjoyment of his property; he stated there were other areas in Hideout better suited for such commercial development and he had concerns with the viability of a restaurant at this location.

There was no other public comment, the public hearing was closed at 7:34 PM.

VI. Meeting Adjournment

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

Motion: Commissioner Pieper moved to adjourn the meeting. Commissioner Cooper made the second. Voting Yes: Commissioner Cooper, Chair Matyszczyk, Commissioner Pieper and Commissioner Turner. Voting No: None. Absent from Voting: Commissioner Turner. The motion carried.

The meeting adjourned at 7:36 PM.

_____

Kathleen Hopkins
Deputy Recorder for Hideout

DRAFT

File Attachments for Item:

2. Discussion and possible recommendation to the Hideout Town Council of an Ordinance regarding updates related to subdivision procedures pursuant to Senate Bill 174 (2023) and House Bill 476 (2024), including technical corrections, and amendments to Hideout Municipal Code Titles 3, 8, 9, 10, 11, 12, and 13.

TE NOTES:

- We need a ROBUST checklist with explicit instructions - and maybe confirmation lines for them to initial - for the applicant
-

Formatted: List Paragraph, Bulleted + Level: 1 + Aligned at: 0.25" + Indent at: 0.5"

TITLE 3 PLANNING COMMISSION AND ADMINISTRATIVE LAW JUDGE

3.02.050 POWERS AND DUTIES

The planning commission shall have such powers and functions and shall perform such duties as prescribed by Utah Code Title 10-9a, and any further amendments of or supplements to which may hereafter be enacted, and shall also have such powers and functions and perform such other duties in connection with the planning and zoning of the town as may hereafter be prescribed by any ordinance. The planning commission shall be designated as the administrative land use authority for preliminary approval of all subdivision applications, and may not be the land use authority for final approval of subdivision applications for developments single-family, two-family, or townhome dwelling units.

3.02.090 NOTICE REQUIREMENTS

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.

3.04.06 POWERS AND DUTIES

The Administrative Law Judge shall hear and decide:

A. Appeals from zoning decisions applying the zoning ordinance;
B. Variances from the terms of the zoning ordinance.
C. Nonconforming Uses: The Administrative Law Judge may make determinations regarding the existence, expansion or modification of nonconforming uses.
D. Administrative Enforcement Appeals (Title 13)
E. Any actions by the Board of Adjustment in the Hideout Municipal Code for an action by the Board of Adjustment shall be administered by the Administrative Law Judge.
F. Any other appeal authority which may be delegated by the Mayor, except those~~that~~ appeals from subdivision improvement plans, as defined in Utah Code Section 10-9a-401.2, which may not be delegated to the Administrative Law Judge.

TITLE 10 BUILDING AND DEVELOPMENT STANDARDS

10.04.14 EXPIRATION OF BUILDING PERMITS

A building permit ~~shall~~ automatically expires if construction is not begun within one year (1) from the date the building permit was issued. A building permit ~~shall~~ automatically expires if construction is not completed and a Certificate of Occupancy and Land Use Compliance obtained within two (2) years from the date the building permit was issued. The Building Official may, for good cause shown, extend the expiration date for a period of time not to exceed one (1) additional year. Inactivity on a building site exceeding 180 days will be grounds for a permit to expire upon written notice from the Building Official.

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 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 landscapes, lawn/turf/mowed grass areas ~~shall~~ may not exceed 20% of the total landscaped area, outside of active recreation areas.

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.

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~~ may 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.

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.

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.

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.

K. Community Gardens may count toward a Landscaping and/or Open Space requirement for Multiple Family Residential Developments.

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.

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.

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.

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.

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.

Q. Automated irrigation systems are required.

R. The Homeowners Association shall maintain all Common Areas and facilities.

10.06.04 OPEN SPACE AND PUBLIC SPACE GENERAL REQUIREMENTS

Open Space and Public Space requirements within each zone shall adhere to the following requirements:

A. Unless approved by the Town Council, the following ~~shall~~ may not count toward Open Space Requirement calculations:
    1. Detention/retention basins and other stormwater infrastructure.
    2. Lots and Lot setbacks.
    3. Roads and sidewalks.
    4. Parking and drive aisles.

B. Public Space may be counted towards the Open Space Requirement calculation.

C. Open Space shall follow criteria established in Section 10.08.32 in this Title.

D. Land shall be reserved, and improvements installed for Public Space following the criteria established in Section 10.08.34 in this Title.

E. Any public trails and Public Spaces shall be either be dedicated to the Town of Hideout or a Public Access Easement dedicated to the Town. Once the improvements associated with Public Trails or Public Spaces are complete according to Town Standards and the Town of Hideout accepts the dedication, the Town of Hideout shall thereafter assume the responsibility of maintaining such public trails or Public Spaces.

10.06.06 CONVEYANCE OF OPEN SPACE

A. Open Space shall be conveyed as follows:
    1. If the Town Council determines that a conveyance to the Town will benefit the public, to the Town of Hideout once any infrastructure and improvements have been constructed to Town Standards and approved by the Building Official. Any conveyance to the Town shall be in a form approved by the Town Attorney. If the Town determines not to accept a conveyance, the Town may require a public access easement over the Open Space and any Public Trails thereon.
    2. If the Town Council determines that conveyance to the Town will not benefit the public, the Open Space must be conveyed to either:
        a. A homeowner's association organized for the Subdivision in which the Cluster Development; or
        b. To a nonprofit organization whose principal purpose is the conservation of lands similar to Open Space, provided the conveyance to such a nonprofit organization must be approved by the Town Council.

Commented [A1]: JLS - The Town can only require completion of "Public Landscaping Improvements" under 10-9a-604.5.

B. In any case, where the Open Space is conveyed pursuant to subparagraph (1)(b), above, a deed restriction enforceable by the Town shall be recorded that provides that the Open Space shall:

1. Be kept in the authorized condition(s); and
2. Not be developed for Structures, Buildings, Accessory Structures, roadways, or other purposes which are inconsistent with Open Space.

10.08.04 APPLICATION OF STANDARDS

The regulations hereinafter set forth in this Chapter qualify or supplement, as the case may be, the zone regulations appearing elsewhere within the Town Code. The current edition of the construction specifications for the Town of Hideout will also govern construction of infrastructure in the Town of Hideout.

10.08.06 GENERAL STANDARDS

A. The design and development of Subdivisions shall preserve, insofar as possible, the natural terrain, natural drainage, existing topsoil, existing vegetation, and viewsheds.

B. The design of buildings should, insofar as possible, blend into the natural beauty of Hideout. See Section 10.08.08 – Building Design Standards for more information.

C. Monotony Clause – to mitigate the issues associated with monotony of design for single-family or townhouse (two-family) structures located within a neighborhood; the following standards apply:

1. Minor Subdivisions (5 lots or less) ~~shall~~ may not have any two (2) structures with the same elevation. The differentiation of each structure shall be a combination of unique roof lines, garage stepbacks, entry/porch location and canopy, fenestration, building materials, and colors.
2. Major Subdivisions (6 lots or more) ~~shall~~ may not have greater than twenty (20%) of the structures with the same elevation and, in no case, ~~shall~~ may any two (2) similar structures be located adjacent to each other or directly across the street. The differentiation of each structure shall be a combination of unique roof lines, garage stepbacks, entry/porch location and canopy, fenestration, building materials, and colors.

D. Land subject to natural hazards such as flooding, wildfire, falling rock, landslides, and avalanches shall be considered unsuitable for any occupancy that may impair the health, safety, or welfare of the inhabitants. Such land shall be identified and ~~shall~~ may not be subdivided until the hazards have been mitigated or will be mitigated by the Subdivision and construction plans in accordance with the Town Code. Where such hazardous conditions are adjacent to lands proposed for Subdivision, the proposal may be denied unless potentially hazardous conditions are appropriately mitigated per the Town Code.

E. The Applicant or builder shall comply with landscape requirements of approval, maintain vacant lots, keep sidewalks clear and roads swept, and implement best management practices, including revegetation of disturbed sites, as needed, to reduce erosion, sedimentation, and noxious weed proliferation during Subdivision construction and until the lots are sold.

F. Maintenance of Common Areas must be accomplished through either covenants and a Homeowners Association, a separate maintenance agreement, or some other perpetual agreement.

10.08.36 LANDSCAPING AND IRRIGATION

Commented [A2]: JLS - The Town can only require completion of "Public Landscaping Improvements" under 10-9a-604.5.

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 property owner on the site in accordance with the approved Final Landscape Plan prior to, or within nine (9) months of, the issuance of a certificate of occupancy or a temporary certificate of occupancy for the building or use. A failure to complete the landscaping within the time limits in this section may subject the Developer or property owner to a refusal, suspension, or revocation of the certificate of occupancy and other civil or administrative actions.

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, 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-family residential contiguous with other multiple-family development.

10.10 CONSTRUCTION AND IMPROVEMENTS REQUIRED
10.10.02 CONSTRUCTION STANDARDS
10.10.04 CONFLICTING PROVISIONS
10.10.06 REQUIRED IMPROVEMENTS

10.10.02 CONSTRUCTION STANDARDS

Construction standards, including drawings, tables, charts, references and other regulations adopted by the Town Council by resolution, shall constitute Subdivision Regulations supplementing this Ordinance.

10.10.04 CONFLICTING PROVISIONS

Where specific requirements are made or exemptions allowed under other sections of this Ordinance, those requirements or exemptions shall prevail over the Subdivision Regulations supplementing this Ordinance.

Commented [A3]: JLS - Consider revising to the more stringent standard controls. See example in 11.02.08. “Greater restrictions prevail.”

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 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:

Commented [A4]: JLS - These should be explicitly identified as part of (assuming they are not the entire) subdivision improvement plans.

A. 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.

B. Drainage and onsite stormwater management infrastructure in accordance with Section 10.08.20.

C. 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.

D. Electricity, natural gas, telephone service, high speed internet service (50/50 Mbps or greater), video, water, sewer and storm drains, shall be installed in accordance with Section 10.08.26 and all other Town Standards. These utilities shall be located underground except when the Applicant demonstrates by clear and convincing evidence that underground lines and structures are not technically possible using commercially available technology. Junction boxes which are less than four (4) feet in height and which are essential to the provision of utility service are exempt from the undergrounding requirement so long as they are wholly located within a utility easement.

E. Open Space, Public Trails, and Public Space in accordance with Section 10.08.32 and Section 10.08.34.

F. Landscaping and irrigation systems in accordance with Section 10.08.36.

G. 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.

H. Road lighting shall be installed as per Town Standards.

I. In order to preserve and maintain views within the Town, all utilities, lines, supports, and all related structures shall be installed underground. Any utility provider seeking to install new, additional, supplemental or replacement structures or systems above ground pursuant to Section 10.10.06(4) shall, upon request of the Town, attend a meeting as part of the permitting process to discuss and explore ways of preserving the then existing views or, when not technically possible, ways to minimize the impacts to then existing

views within the Town. A utility provider shall comply with the Town's requests for above ground adjustments to utility structure location(s) when technically feasible, so long as such requests are based upon: (i) preservation of then existing views; or (ii) public safety.

J. Upon request, a utility provider seeking to install new, additional, or replacement structures or lines shall promptly provide, as part of any permitting process: (i) accurate drawings depicting the exact locations and approximate dimensions of all proposed above ground lines and structures; and (ii) stake out specific locations as requested by the Town. Failure to timely comply with such requests shall be grounds to deny a permit application.

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.

…

Applicant. The Owner of land proposed to be subdivided or such Owner's duly authorized agent. Any agent must have written authorization from the Owner.

…

Civil Engineer. A professional engineer registered in the State of Utah to practice in the field of civil engineering.

…

Developer. Depending on the context in which it is used, either:

1. an Applicant for Subdivision approval;
2. an Applicant for a building permit or other land use permit provided for under the Town Code; or
3. the Owner of the Property for which Subdivision or other land use approvals are sought.

Development. The total area of the parcel of land on which a Building permit is to be issued, or the total area of property being improved.

Development Agreement. The agreement between the Town and the Owner/Developer that outlines the duties, responsibilities, obligations, commitments and promises of the Town and the Owner/Developer.

…

Dwelling. A Building or portion thereof designed or used for residential occupancy, including one- family, two-family, multiple family, and apartment Structure; but shall not include boarding, rooming, or lodging houses, tents, trailers, mobile home parks, motels, motor courts,

motor lodges, cottage camps, or similar Structures designed or used primarily for transient residential uses.

Dwelling, Multiple Family Unit. A Building arrangement designed for and/or occupied by three or more families.

Dwelling, Single Family Attached. Two or more contiguous Dwelling Units designed to be independently owned and occupied which are connected by a Lot line wall or party wall, each unit having separate water, sewer, electricity, heating and communication supplies.

Dwelling, Single Family Detached. A Building designed for and occupied exclusively by one family on a separate Lot and not sharing any common wall.

Dwelling Unit. A single unit providing complete, independent living facilities for one or more persons including provisions for living, sleeping, eating, cooking and sanitation.

E

Easement. Authorization by a Property Owner for the use by another, and for a specified purpose, such as utilities and irrigation ditches, of any designated part of the Owner's Property. An Easement may be for use under, on the surface, or above the Owner's Property.

Electronic Format. Drawings, maps, calculations, documents or other data required by the Town are to be provided by the Applicant on digital media (or other means) readable by a compatible computer. Types of electronic files including versions will be as requested by Town Staff.

…

Final Plat. A map of a Subdivision, required of all Subdivisions, which is prepared for final approval and recordation purposes in accordance with the applicable standards, which has been accurately surveyed, so that roads, lots and other divisions thereof can be identified.

…

Landscaping. The installation of plant materials (i.e., lawn, ground covers, annuals and perennial flowering plants, vines, shrubs, and trees), planted directly on the property.

Landscaping, Public. Landscaping of areas that will be dedicated to and/or maintained by the Town.

…

Lot. A unit of land described in a recorded Subdivision Plat.

Lot, Area. The horizontal area within the exterior lines of the Lot, exclusive of any area in a public or private way open to public uses.

Lot, Building. A parcel of land which is of such dimensions as to comply with the minimum requirements of this Title for area, width, and depth applicable to the zone in which it is located and having Frontage on a public or approved private Street.

Lot, Coverage. The percent of a lot covered by buildings, driveways, parking areas, sidewalks, or any other impermeable surface.

Lot, Double Frontage. Any Building Lot which has both the front and Rear Yard line bounded by a Street. This does not normally include corner Lots.

Lot, Corner. A Building Lot situated within a corner created by the intersecting lines of a Street or Streets that has Frontage on two (2) sides.

Lot, Flag. A Lot that does not have the required Frontage on a Town of Hideout Road or Private Road built to the Town of Hideout Standards. Access to the buildable portion of the Lot is through a narrow private access that is contiguous and part of the Lot.

Lot, Inside Gore-Shaped. A Lot where side Lot lines converge towards the rear to a point or the rear Lot line width is less than half the required width for the Lot in the applicable zone.

Lot, Interior. Any Building Lot other than a corner Lot.

Lot Line, Front. Any Street right-of-way line of record or established by use, which forms one or more boundaries of a Lot.

Lot Line, Rear, For Corner Lots. The interior Lot line which has been designated as the rear Lot line determined by the direction the house faces.

Lot Line, Side, For Corner Lot. All interior Lot lines for multi-Frontage Lots; for other corner Lots, that interior Lot line which the Lot owner has designated as the side Lot line.

Lot Line, Side, For Interior Lots. Those interior lines lying opposite each other, running between the front and rear Lot lines, or in the case of a multi-Frontage Lot, those interior lines which run between the two front Lot lines.

Lot, Multi-Frontage. Any Building Lot, the centerline of which intersects two front Lot lines, and which has no rear Lot line.

Lot Width, For Corner Lots. The width of the Lot as measured along both Street Frontages at the required setback.

Lot Width, For Interior Lots. The horizontal distance between the side Lot lines measured along a line lying at right angles to the centerline of the Lot at the point of the required setback.

Planning Commission. The Town of Hideout Planning Commission.

Planning Commission Chair. The chairperson of the Planning Commission appointed by the Mayor.

Public Improvement. Any road dedications, installations of curb, gutter, sidewalk, road base and asphalt, water, sewer and storm drainage facilities, or other utility or service required to provide services to a lot, parcel, building or structure.

…

Public Space. Landscaped Areas, which may include local government facilities, necessary public improvements, and playground equipment, recreation amenities, public landscaped and hardscaped plazas, public trails**,** and public pedestrian amenities; but excluding Buildings.

…

Road, Primary. The main access road into a Development.

Road, Private. A road that is on private property and maintained by the property owners and not a public entity.

Road, Public. A road that is dedicated to a public entity and maintained by a public entity.

…

Security Agreement. Agreement to install improvements secured by cash bond, cash escrow, an irrevocable letter of credit, or any combination of the preceding as approved by the Town Council.

…

Subdivision. Any land that is divided or proposed to be divided into two (2) or more Lots, parcels, sites, units, Plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or Development either on the installment plan or upon any and all other plans, terms and conditions.

Subdivision Improvement Plans. The civil drawings required and associated with required improvements for any Subdivision, including those for required improvements identified in Town Code Section 10.10.06.

Subdivision Ordinance. The terms and provisions of Title 11 of the Town Code, as the same may be amended from time to time.

…

Town Administrator. The official appointed by the Mayor of the Town of Hideout as the Town Administrator.

Town Code. This code of ordinances duly adopted by the Town of Hideout, and any amendments thereto.

Town Council. The legislative body of the Town of Hideout, consisting of the elected or appointed council members and the Mayor.

Town Engineer. The Town Engineer, a licensed professional engineer in the State of Utah, appointed by the Mayor of the Town of Hideout or the Town Engineer's authorized representative.

Town Planner. The individual appointed as the Town Planner by the Mayor of the Town of Hideout.

Town Staff. The employees and administrative appointees of the Town of Hideout, including, without limitation, the Town Administrator, Town Clerk, office staff, public works staff, maintenance staff, Town Planner and planning staff, Town Engineer and engineering staff, and Building Official and building staff.

Town Standards. The standards, including the Town Code and other applicable standards which have been adopted, created, or approved as authorized under the Town Code, which govern or regulate building, land development, construction and other similar activities.

…

Zoning Ordinance. The terms and provisions of Title 12 of the Town Code, as amended from time to time.

TITLE 11 SUBDIVISION REGULATION

11.02.02 SHORT TITLE

These Subdivision Regulations shall be known and cited as the TOWN OF HIDEOUT SUBDIVISION REGULATIONS, hereinafter referred to as the "Subdivision Ordinance".

11.02.04 STATEMENT OF PURPOSE

The purposes of this title ~~shall be~~is to:

A. Protect and promote the health, safety, convenience, and general welfare of the present and future inhabitants of the Town of Hideout;

B. Establish reasonable standards of design and procedures for Subdivisions and plat amendments in order to further the orderly layout and use of land; and to insure proper legal descriptions and recordation of subdivided land.

C. Establish the rights, duties, and responsibilities of Applicants and Developers with respect to land Subdivision;

D. Secure the provision of necessary infrastructure and services in an efficient and economical manner for existing and future residents;

E. Guide the future growth and development of the Town of Hideout, in accordance with the General Plan.

F. Prevent the pollution or degradation of air, water, and soil, assure the adequacy of drainage facilities, minimize site disturbance and removal of native vegetation, and reduce the hazards to life and Property from fire, flood, erosion, sedimentation and soil slippage.

G. Provide for Open Space and Public Space through efficient design and layout of the land using Open Space requirements and other provisions of the Town Standards.

H. Encourage the wise use and management of natural resources in order to preserve the integrity, stability and aesthetics of the community.

11.02.06 AUTHORITY

A. By authority of ordinance of the Town Council of the Town of Hideout, hereinafter referred to as "Town Council", adopted pursuant to the powers and jurisdictions vested through Title 10, Chapters 3 and 9a of the Utah Code, Annotated (1953, as amended) and other applicable laws, statutes, ordinances, and regulations of the State of Utah, the Town Council hereby exercises the power and authority to ~~review, approve, and disapprove~~regulate and establish procedures and requirements for plats for subdividing land within the corporate limits of the Town of Hideout.

B. By the same authority, the Town Council does hereby exercise the power and authority to regulate and establish procedures and requirements for~~pass and approve~~ development

in Subdivisions and plat amendments of land ~~already~~ recorded prior to November 1, 2024, in the office of the County Recorder if such are entirely or partially undeveloped.

C. ~~The~~ Any Subdivision or plat shall be ~~considered to be~~ void if the Subdivision or plat has been recorded with the County Recorder's office without a prior approval by the Town ~~Council~~.

D. A Transfer of land pursuant to a void plat is voidable in the discretion of the Town Council.

E. The Town Planning Commission is hereby designated as the administrative land use authority for preliminary plat applications for subdivisions.

~~D.~~F. The Town Administrator is hereby designated as the administrative land use authority for final plat applications for subdivisions.

11.02.08 INTERPRETATION AND SEVERABILITY

A. Greater Restrictions Prevail: In their interpretation and application, the provisions of this title shall be considered as minimum requirements. Where the provisions of this title impose greater restrictions than any statute, other regulations, ordinance or covenant, the provisions of this title shall prevail. Where the provisions of any statute, other regulation, ordinance or covenant impose greater restrictions than the provision of this title, the provisions of such statute, other regulation, ordinance or covenant shall prevail.

B. Definitions: Whenever any word or phrase used in this title is not defined herein, but is defined in related sections of Utah Code Annotated or in the Town Code, such definition is incorporated herein and shall apply as though set forth herein in full, unless the context clearly indicates a contrary intention. Unless a contrary intention clearly appears, words used in the present tense include the future, the singular includes the plural, the term "shall" is always mandatory and the term "may" is permissive.

C. Severability of Parts: The various sections, subparagraphs, sentences, phrases and clauses of this title are hereby declared to be severable. If any such part of this title is declared to be invalid by a court of competent jurisdiction or is amended or deleted by the Town Council, all remaining parts shall remain valid and in force.

D. Rounding: Rounding to whole numbers may be used to determine distance or height, but not in determining maximum or minimum area or other quantitative standards or requirements. A decimal ending with five (5) or greater may be rounded up to the next whole number.

E. Time Computation: Unless otherwise specified herein, a period of time specified in this title shall be calendar days beginning on the day after the act, event or decision to which the time period refers and ending at eleven fifty-nine (11:59) P.M. on the last day of the time period.

11.02.10 COORDINATION WITH OTHER DOCUMENTS

This title, other titles and chapters of the Town Code, the Town Standards, and the most recent version of the Town of Hideout General Plan ("General Plan") adopted by the Town Council shall guide the use of all land within the municipal boundaries of the Town.

11.02.12 SUBDIVISION ORDINANCE AMENDMENTS

A. The Town Council may, from time to time and in a manner consistent with the General Plan, amend any provision of this title. Amendments shall be approved in accordance with all public notice and public hearing requirements imposed by state law or local ordinance.

B. Any amendment or revision to this title shall supersede any prior provisions or ordinances. Provisions of this title not affected by the amendment or revision shall continue to be valid and ~~shall~~ may not be considered a new enactment when amendments or revisions are adopted. Any prior provisions of Town ordinances, which do not conform to provisions of this title, are declared void. Any uses, structures or buildings which were conforming to previous provisions of this title but do not now conform shall be nonconforming uses, structures or building.

11.02.14 ORDERLY DEVELOPMENT REQUIRED

All Subdivisions, site plans, Condominiums and other developments shall be developed in an orderly manner and in such a way that the required improvements will be continuous and available as necessary during construction activities within the project, and that all of the improvements will be made available for the full, effective and practical use and enjoyment thereof by the purchaser, grantee, assignee, transferee or lessee of any of the lands developed within the time herein provided or in phases specified. Subdivisions shall be planned and developed to accommodate the continuation of roads, utilities, drainage and other infrastructure to adjoining properties. Over sizing of lines or infrastructure in the Subdivision may be necessary to accommodate future development outside of the project.

11.02.16 COMPLIANCE REQUIRED

A. No tract of land ~~shall~~ may be divided, subdivided, reconfigured, developed or redeveloped except in conformance with provisions of this title and all other applicable provisions of the Town Code and other Town Standards.

B. No plat, Subdivision amendment or reconfiguring of Property ~~shall~~ may be recorded except in accordance with the provisions of this title and all other applicable provisions of the Town Code and other Town Standards.

C. All licenses, permits, agreements and plans issued or approved by the Town shall comply with all requirements and provisions of the Town Code and other Town Standards.

D. All Subdivisions, Condominiums, site plans, construction and infrastructure shall be designed and constructed in conformance with Town Code and other Town Standards.

E. All uses shall be conducted in conformance with Town Code and other Town Standards, all approved plans, and requirements or conditions of approval.

F. Land which is to be subdivided shall not be transferred, sold or offered for sale prior to recording the subject plat and until all requirements of Town Code for Subdivisions, Condominiums or other development have been met.

G. No building permit may be issued for any structure or development on any land that has been divided, subdivided, reconfigured, developed or redeveloped in a manner not in conformance with the provisions of the Town Code and all other applicable ordinances and regulations.

11.02.18 VACATION, ALTERATION OF AMENDMENT OF PLATS

The Town Council may, on its own motion, or pursuant to a petition or application, consider and approve at a public hearing any proposed vacation, alteration, or amendment of a Subdivision plat involving any vacation of a plat or portion thereof, ~~or~~ of any road, lot, alley or public use area contained in a Subdivision plat, as provided in Utah Code Section 10-9a-608 through 10-9a-609.5 as amended. If an amended plat is approved by the Town Council and recorded, the recorded plat shall vacate, supersede, and replace any contrary provision in a previously recorded plat on the same land. An ordinance, when approved by the Town Council and recorded, shall replace a previously recorded plat described in the vacating ordinance.

11.02.20 VIOLATION, ENFORCEMENT AND PENALTIES

In addition to denial, suspension, or refusal to act on a Developer or Owner's request, any person who violates the provisions of this title shall be guilty of a class B misdemeanor unless otherwise established by law. Each day of violation of this title exists shall be considered a separate violation and subject to the penalties of this section and any other applicable law, ordinance, or regulation.

11.02.22 APPEALS

The requirements and procedures for appealing decisions of the Town's land use authority in administering or interpreting the Town land use provisions of the Town Code, including this title, are set forth in Title 3 of the Town Code, and are hereby incorporated herein by this reference. Notwithstanding any other provision of the Town Code, any appeal from the Subdivision Improvement Plans, as defined in Utah Code Section 10-9a-604.2, shall comply with Utah Code Sections 10-9a-604.2(8) and 10-9a-508(5)(d) in effect as of the date of the adoption of this Ordinance.

11.04.02 GENERAL

Commented [A5]: This is duplicated in 11.02.08. Consider removing one.

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this title. Words used in the present tense include the future; the singular includes the plural; the word "shall" is mandatory and not directory; the word "may" is permissive. Words used in this title, but not defined herein, shall have the meaning first as defined in any other ordinance adopted by the Town and then its common, ordinary meaning.

11.04.04 DEFINITIONS

The definitions set forth in Title 10 of the Town Code are hereby incorporated as definitions pertaining to this title.

11.06.02 CLASSIFICATION OF SUBDIVISION

A. **Minor Subdivision.** A Subdivision containing not more than five (5) lots fronting on an existing road, not involving any new road or existing road, or the extension of municipal facilities, or the creation of Public Improvements, is not commercial and that is consistent with the General Plan and existing Official Zoning Map.

1. A Concept Plan may be approved in accordance with these regulations (preferred, but optional).
2. A Preliminary Plan shall be approved in accordance with these regulations (preferred, but optional).
3. A Final Plat shall be approved in accordance with these regulations.

B. **Major Subdivision.** A commercial project, Condominium, or a residential Subdivision of land into six (6) or more Lots, or any size Subdivision requiring any new road.

1. A Concept Plan ~~shall~~ may be approved in accordance with these regulations (preferred, but optional).
2. A Preliminary Plan shall be approved in accordance with these regulations.
3. A Final Plat shall be approved in accordance with these regulations.

C. **Plat Amendment.** The combining of existing subdivided Lots into one (1) or more Lots or the amendment of plat notes or other platted elements including but not limited to easements, limits of disturbance boundaries or areas, building pads, and house size limitations.

1. Plat Amendments shall be reviewed according to the requirements of Section 11.06.24 and Section 11.06.26 Final Plat Application and Procedures and approval shall require a finding of Good Cause and a finding that no Public Road, Right-of-Way, or Easement has been vacated or amended.

11.06.04 APPLICATION FORMS AND PERMITS REQUIRED

A. The Mayor or his/her designee shall author application forms and may identify submittal requirements and processing procedures for the acceptance and filing of all applications required by the land use ordinances and building codes, as adopted. The forms, applications, and requirements shall be available upon request or made publicly available on the Town's website.

B. The requirements of all land use ordinances and building codes, as applicable, shall apply to all uses, buildings or structures located, or proposed, within the Town. No use, building or structure ~~shall~~ may be commenced or occupied unless and until all necessary approvals, permits and licenses have been issued in accordance with all requirements of the land use ordinances and building codes, as applicable.

11.06.06 PUBLIC NOTICE REQUIRED

A. Unless otherwise required under state law, notice of all public hearings held by the Town Council or Planning Commission with respect to subdivision or land use applications shall be provided by the Town at least ten (10) calendar days before the date of the public hearing. Such notice shall be provided as required under Utah Code Section 10-9a-205 as if the application were a land use regulation.

B. If notice given under the authority of this section is not challenged in accordance with applicable appeal procedures thirty (30) days from the date of the hearing for which the notice was given, the notice is considered adequate and proper. The notice provided in this section may be referred to in this title as "required notice". The cost of required notices shall be paid by the Applicant.

11.06.08 BONDS GUARANTEEING CONSTRUCTION IMPROVEMENTS

11.06.08.01 COMPLETION BOND

A. **Completion Bond Required.** If the required landscaping and infrastructure improvements have not been completed and accepted by the Town prior to the time a final plat for a subdivision, or portion thereof, has been recorded, a completion bond in a form acceptable to the Town shall be required prior to the recordation of the Final Plat. The completion bond will secure installation of any public landscaping or infrastructure improvements required by or promised to the Town of Hideout as part of the development.

B. **Completion Bond Time Period.** The Town will authorize a pro-rata portion of the completion bond to be released as portions of the required infrastructure and improvements are completed and accepted in accordance with all applicable Town Standards.

C. **Completion Bond Amount.** A completion bond shall be posted with the Town of Hideout in a principal amount of one hundred (100) percent of the total estimated cost of any improvement or other performance required by or promised to the Town of Hideout as part of the development. The estimated cost shall be based upon the estimate of the Town Engineer who shall take into account some or all of the following factors when making his estimate:

1. The Developer's engineering estimate;
2. The estimate of any reviewing engineer;
3. Any other relevant information.

D. **Failure of Performance, Extension of Time.** In the event that any performance covered by a completion bond required is not completed within the time period allowed for under the completion bond, the Developer may petition Hideout for an extension of time in which to complete the required performance. A one-year extension of time may be granted by the Town Council upon application by the Developer, upon a showing of good cause and diligent effort by the Developer to complete the performance as provided in this chapter.

E. **Form of Bond.** Guarantee arrangements offered in lieu of simultaneous completion of Buildings and Site or Public Improvements shall be in an amount determined as provided for above, and shall be in one or more of the following forms:

1. An irrevocable letter of credit issued by a bank authorized to do Business in the State of Utah or an out-of-state bank, provided that a bank authorized to do Business in Utah confirms in writing that it will honor the letter of credit, naming the Town of Hideout as the payee of funds drawn against that letter of credit and guaranteeing the availability of funds for eighteen (18) months, or
2. A deposit of cash with a third-party Escrow, or
3. A deposit of cash with the Town, or
4. Some combination of the above as approved by the Town or an approved equal.

11.06.08.02 WARRANTY BOND

A. **Warranty Bonding.** Upon completion of the required improvements or other performance subject to a completion bond, the Developer shall petition the Town of Hideout for release of the completion bonds, or a portion thereof, as applicable. The Developer, prior to release of the completion bond, shall obtain and provide to the Town a warranty bond as security for the Developer's unconditional warranty that the required improvements or other promised performance comply with all applicable Town Standards and will not fail in any material respect as a result of poor workmanship or materials for a period of one (1) year following the date of acceptance of the improvements by the Town of Hideout. The warranty bond provided for herein shall be required in order to ensure that the improvements are installed pursuant to the approved plans, are structurally sound, and that no further replacements or repairs are required.

B. **Warranty Bond Amount.** Warranty bonds required herein must have a face amount of at least ten percent (10%) of the value of Town Engineer's current estimate of cost of completion of the improvements to be warranted. Developer may not draw against the warranty bond for any purpose during the warranty period.

11.06.08.03 NOXIOUS WEED ABATEMENT BOND

A. All Subdivision Construction Permits require a cash noxious weed bond. $500 per acre shall be assessed for the bond. The bond is refundable the later of a three year period following receipt of a project's final approval or until the Town Engineer approves the

bond release. The Developer shall petition the Town of Hideout for release of the noxious weed abatement bond, or a portion thereof, as applicable."

B. Applicants of Subdivision Construction Permits and the Town of Hideout will execute a Weed Bond Agreement.

11.06.10 INSPECTIONS DURING APPLICATION PROCESS

A. To review information relevant to an application, the Town Planner, Town Engineer, or other Town Staff may enter upon any land at reasonable times to make examinations, investigations, and surveys related to the application.

B. Applicants must show proof that the Property has legal access to their Property when the Property does not abut to a public road as a condition of subdivision approval.

11.06.12 INSPECTIONS DURING CONSTRUCTION

A. Construction work involving the installation of Public Improvements in Subdivisions and other developments shall be subject to the inspection of the public works director and Town Engineer or their designees.

B. Requests for inspections shall be made to the Town Engineer by the person responsible for the construction. Requests for inspection on work shall be made at least one working day prior to the commencement of the work. Inspections shall be made by the Town Engineer after various phases of the construction work are completed. Any faulty or defective work shall be corrected by the Developer or the Developer's contractor within a period of thirty (30) days from the date of the Town Engineer's written notification to the Developer that correction of the faulty or defective work is required.

C. Work which does not comply with the approved plans and/or does not meet minimum Town Standards will not be accepted.

11.06.14 FEES

A. **Application Fees.** The Town Council shall establish, by resolution, a Fee Schedule for the processing and review of all land use applications required by all land use ordinances and designed to recover the actual or anticipated costs for the processing of the land use application. The Fee Schedule may be included in the Town consolidated Fee Schedule, which Schedule may be amended from time to time by resolution of the Town Council. The Fee Schedule for the processing and review of all land use applications may include a processing fee and an application fee. Fees shall not be required for land use applications initiated by the Town.

B. **Actual Cost Fees.** The Town Council shall establish by resolution, a Fee Schedule identifying the amount of money an applicant must place on deposit with the Town for to pay for the costs incurred by the Town in connection with processing and approving a land use application and inspecting any construction or development work performed in connection therewith.

C. **Impact Fees.** Each subdivision and development and each individual lot contained within each development shall be subject to each applicable Impact Fees adopted by the Town of Hideout, as the same may be amended from time-to-time.

11.06.16 FIRE DISTRICT REVIEW

In connection with the first application delivered to the Town in connection with a subdivision of land (i.e. the Concept Plan, if a Concept Plan application is the first application submitted, the Preliminary Plan, if a Preliminary Plan application is the first application is submitted, or the Final Plan if a Final Plan is the first application submitted), the Applicant must deliver a copy of the Concept Plan, Preliminary Plan, or Final Plan, as applicable, to the Wasatch County Fire District for review and comment.

The plan submitted must contain information about road widths, access points, fire hydrant locations, and other matters reasonably requested by the Fire District. The Fire Chief of the Wasatch County Fire District or his designee shall, within twenty-one (21) days from receipt, provide comment and feedback regarding the in the form of a written report or approval letter which cites to relevant provisions of the International Fire Code or other applicable fire and safety standards as necessary.

If the Fire District does not provide written comment and feedback or approval within that time, the Fire District will be deemed to have waived the opportunity to do so with respect to such application. Any report or approval letter received from the Fire District shall be forwarded to the Planning Commission for consideration. A copy of any report or approval letter received from the Fire District shall also be forwarded to the Applicant. The Applicant will have up to seven (7) calendar days to provide written notice to the Planning Commission of the Applicant's intent to submit any additional information relevant to public safety, including (if desired) a report from an expert of Applicant's choosing, for consideration by the Planning Commission.

The Planning Commission shall consider the Fire District's report along with any information provided by the Applicant in determining whether to approve the Applicant's plan. If the Planning Commission approves the Applicant's plan, the Planning Commission will forward the Fire District's report, together with any information provided by the Applicant to the Town Council along with the Planning Commission's recommendation.

Before any subdivision plat is approved for recording with respect to any subdivision which obtained Preliminary Plan approval prior to the date of this paragraph took effect, or for which the Fire District review required above has not taken place, the ~~Town~~ Applicant shall provide written approval of the Preliminary Plan from the~~shall request that the~~ Fire District. The Town shall cooperate with and provide information to the Fire District with respect to the Fire District's review of the subdivision plat.~~, within twenty- one (21) days, approve such plat or provide comments and feedback in the form of written recommendations which cite to relevant provisions of the International Fire Code or other applicable fire and safety standards. If the Fire District does not provide written comments and feedback within that time, the Fire District will be deemed to have waived the opportunity to do so with respect to such plat. If the Fire District approves the plat or fails to provide comment and feedback within the time provided for herein,~~

~~the plat shall be approved and signed so long as it otherwise complies with the Town Code.~~

If the Fire District does not approve the plat, then a copy of the Fire District's recommendations, together with any additional information which the applicant chooses to provide, as provided above, will be forwarded to the Town Council. The Town Council shall thereafter hold a public hearing to determine whether to approve the plat or to instruct the applicant to address the Fire District's recommendations prior to approving. At such hearing, the scope of the Town Council's review shall be limited to Fire District's recommendations.

11.06.18 CONCEPT PLAN APPLICATION

11.06.18.01 CONCEPT PLAN APPLICATION PACKAGE

A. A Concept Plan application package is required for all proposed multi-family dwelling unit or ~~major residential or~~ commercial Subdivisions. A Concept Plan application package is preferred but optional for all other residential and all Minor Subdivision application package.

B. A Concept Plan application package includes a completed Concept Plan application form, Concept Plan, and all required plans, reports and documents described herein that conform to the goals of the General Plan and the Town Code relating to the zone(s) governing the application. The Concept Plan should use the criteria established in the Building Code and other Town Standards.

C. Any person seeking to subdivide land that does not require a Concept Plan application within the Town boundaries may request a pre-application meeting or concept plan review. The Town highly recommends a pre-application concept plan review meeting prior to submitting a Preliminary Subdivision Application. An optional preapplication concept plan meeting is not a land use application for the purposes of vesting, and does not count toward the maximum number of review cycles for subdivision applications, where applicable. Within fifteen (15) business days after the request, the Town Staff shall schedule a meeting to review the concept plan and give initial feedback. At or before the scheduled pre-application meeting, Town Staff shall provide the applicant with, or make available on its official website, the following:

1. Copies of applicable land use regulations, including this Title;

2. A complete list of standards required for the proposed project;

3. Preliminary and final application checklists; and

4. Feedback on the concept plan.

~~B.~~D. The Town may not engage in substantive in review of Subdivision Improvement Plans during the Concept Plan review stage or at any other time prior to the beginning of the review cycles for Subdivision Improvement Plans during Preliminary Plan approval.

11.06.18.01 CONCEPT PLAN APPLICATION PACKAGE

Commented [A6]: Consider making this a non-negotiable requirement for final approval. The Town can't approve the subdivision if the applicant can't produce the Fire District's sign-off.

A. **Concept Plan.** The Concept Plan is a preliminarily engineered sketch plan drawn to illustrate the proposed layout for roads, lots, trails, Open Space, Public Space, snow storage areas, and other features in relation to the existing and planned roads within one quarter mile of the new Subdivision. This plan should be prepared using spatial data and shall be prepared by a team that is headed up by a licensed professional engineer or licensed architect/landscape architect. This is the stage where drawings are tentatively illustrated, before heavy engineering costs are incurred in the design of any proposed development.

B. **Conceptual Level Road Design Plan.** As a part of the Concept Plan application package, the Applicant shall prepare a Conceptual Level Road Design Plan that includes:

1. General Location and Description of Project;
2. Township, range, section, 1/4 section, (Subdivision, lot and block);
3. Existing roads. Sidewalks and trails in the proposed development and connecting to the proposed development;
4. Proposed road (including sidewalks and trails) concept and how it fits existing roads and traffic patterns, sidewalk and trails;
5. General discussions of road design problems, including overall area traffic flow, traffic calming, aesthesis, fit to the mountain terrain, snow management, and minimization of disturbance, coordinating/accommodating utilities and consideration of anticipated structures that the roads will serve.
6. General discussion of the rationale for including or excluding sidewalks and the proposed design criteria relative to pedestrian travel.

C. **Conceptual Building Configuration and Design.** As a part of the Concept Plan application package, the Applicant shall prepare a Conceptual Level Site and Building Layout Plan that includes:

1. All proposed residential and commercial buildings within a site layout that includes streets, sidewalks, trails, park/open space, storm water basins, etc.
2. A conceptual landscape plan including proposed plant typology.
3. Conceptual architectural renderings of building designs proposed.

D. **Conceptual Level Drainage Control Plan.** As a part of the Concept Plan application package, the Applicant shall prepare a Conceptual Level Drainage Control Plan that includes:

1. Location
    a. Township, range, section, 1/4 section, (Subdivision, lot and block).
    b. Major drainage ways and facilities.

2. Description of Property
    a. Area in acres.
    b. Proposed land use and ground cover.
3. Drainage Basins and Sub-basins
    a. Reference to major drainage way planning studies such as flood hazard delineation report, major drainage way planning reports, and flood insurance rate maps.
4. Drainage Design Criteria
    a. Proposed drainage concept, onsite stormwater management infrastructure, and how it fits existing drainage patterns.
    b. Brief discussions of drainage problems, including storm water quality, and potential solutions at specific design points.
    c. Brief discussion of detention storage and outlet design.
5. Identification of Potential Improvements to Public Drainage Systems
    a. Identification of potential design concepts and impacts to local drainage systems.

E. **Conceptual Level Snow Management Plan.** As a part of the Concept Plan application package, the Applicant shall prepare a Conceptual Level Snow Management Plan that includes:
    1. General location of snow storage areas.
    2. Brief discussion of snow removal methods and snow management.

11.06.20 CONCEPT PLAN PROCEDURES

A. The Applicant shall submit an application in Electronic Format to the Town ~~Hall~~ along with required fees set required under the Town's Fee Schedule. Up to five (5) hard copies of the Concept Plan application package may be requested by the Town Staff.
B. The Town Staff shall ensure all necessary documents and information are included with the application and then submit the application to the following entities:
    1. Town Clerk for validation of tax compliance;
    2. Town Engineer for engineering review;
    3. The Town Planner for planning/design review; and
    4. Wasatch County Fire District for review as provided for in this Code.

C. The Town Administrator, Town Engineer, Town Planner, or Fire District Representative may request reasonable additional information from the Applicant from time to time.

D. Within thirty (30) days of receiving all reports from the Town Administrator, Town Planner, Town Engineer, and Fire District, the Town Staff will review the application again for completeness and a letter will be sent if additional information is needed. During the Concept Plan review process, the Town Staff may request reasonable additional information from the Applicant from time to time; and may ask other advisors to review the plan if, in the opinion of the Town, it may contribute to a decision in the best interest of the Town.

E. When the Town Staff determines that the Concept Plan is ready for Planning Commission review, they will notify the Commission's Authority Representative and the Commission's Authority Representative will establish a date for a public hearing and initial presentation and review of the Concept Plan providing sufficient public notice as required under Section 11.06.06~~.~~.

F. The Planning Commission shall give guidance to the Applicant to assist in meeting the requirements and constraints for Subdivision development within the Town of Hideout.

G. If the Planning Commission finds that the proposed Concept Plan complies with all applicable requirements, it shall approve the Concept Plan, or approve the Concept Plan with conditions, and the Applicant may apply for Preliminary Plan approval. If the Planning Commission determines that the proposed Subdivision would violate local ordinances and regulations, no further review of the proposed Subdivision shall be made by the Planning Commission, and a new Concept Plan shall be required to re-initiate the Subdivision process.

H. The approval of the Concept Plan shall be effective for a period of six (6) months from the date the Concept Plan is approved by the Planning Commission, at the end of which time the Applicant must have submitted a Preliminary Plan for approval. If a Preliminary Plan is not submitted for approval within the six (6) month period following approval, or as extended by the Planning Commission in writing, the Concept Plan shall be void, and the Applicant shall be required to submit a new Concept Plan for review and approval subject to the existing provisions of this Code. An approved Concept Plan does not authorize the applicant to begin any form of land disturbing activities.

I. Notwithstanding the foregoing, for optional Concept Plan applications, the Town Staff shall submit the completed Concept Plan to the Town Administrator for administrative review, and no public hearing may be held. The Town Administrator may, in its discretion, submit the Concept Plan to the Planning Commission for discussion and feedback only, with no public hearing being held with respect to the Concept Plan.

11.06.22 PRELIMINARY PLAN APPLICATION

A. A Preliminary Plan application package is required for all proposed major residential or commercial Subdivisions. A Preliminary Plan application package is preferred but

optional for a Minor Subdivision application package

B. A Preliminary Plan application package includes a completed Preliminary Plan application form, Preliminary Plan, and all required plans, including those comprising the Subdivision Improvement Plans, reports and documents described herein that conform to the goals of the General Plan and the Town Code relating to the zone(s) governing the application. The Preliminary Plan shall incorporate the criteria and requirements of the Building Code and other Town Standards.

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 17-23-20. 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:
    a. The courses and distance of the proposed development/Subdivision boundary and the error of closure;
    b. 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:
    a. Firewall construction, as required by the International Fire Code, the adopted Building Code;
    b. Additional parking, if required;
    c. Additional Open Space, if required;
    d. Location of individual utility lines and meters, if required; and
    e. 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
    a. Information as required from Concept Plans.

b. City, County, State Highway and local roads within and adjacent to the site, or the area to be served by the drainage improvements.

c. Names of surrounding developments.

d. Name of receiving water(s).

2. Description of Property

a. Information as required from Concept Plans.

b. Existing ground cover (type and vegetation).

c. Existing major irrigation facilities such as ditches and canals.

3. Major Basin Description

a. Information as required from Concept Plans.

b. Major basin drainage characteristics, and existing and planned land uses within the basin, as defined by the Town Engineer.

c. Identification of all nearby irrigation facilities that will influence or be influenced by the local drainage.

4. Sub-Basin Description

a. Describe historic drainage patterns of the Property.

b. Describe offsite drainage flow patterns and impact on development under existing and fully developed basin conditions.

5. Drainage Facility Design Criteria

a. Information as required from Concept Plans.

b. How offsite runoff will be considered and how expected impacts will be addressed.

c. Anticipated and proposed drainage patterns.

d. 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.

e. Maintenance and maintenance access.

f. Describe the content of tables, charts, figures, plates, drawings and design calculations presented in the report.

6. Specific Details (Optional Information)

a. Discussions of drainage problems, including storm water quality, and solutions at specific design points

b. Discussion of detention storage and outlet design.

c. Discussion of impacts of concentrating flow on downstream properties.

7. Public Drainage Improvements

a. 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

a. 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:

a. A copy of any published floodplain maps (i.e., flood hazard area delineation, flood insurance rate maps)

b. All major drainage ways shall have the defined floodplain shown on the report drawings.

c. Flood hazards from either shallow overland flow, side channels, or concentrated flows.

d. The location of the Property in relation to the floodplain(s) and/or flood hazards.

3. Drainage Plan Mapping:

a. Prepare at a scale of 1" = 20' to 1" = 200' on a 22" x 34" size drawing sheet.

b. Existing topographic contours at 2-feet (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.

c. All existing drainage facilities within map limits including basin boundaries and sub-boundaries.

d. 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.

e. Any offsite feature including drainage that influences the development.

f. Proposed drainage patterns and, if available, proposed contours.

g. Legend to define map symbols.

h. Project name, address, engineering firm and seal, and date the title block in lower right corner.

i. 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:
    a. Owner's dedications;
    b. Surveyor's certificate of accuracy of survey;
    c. Surveyor's approval

11.06.24 PRELIMINARY PLAN PROCEDURES AND SUBDIVISION IMPROVEMENT PLANS

A. The Applicant shall submit the Preliminary Plan application package in Electronic Format to Town ~~Hall~~ Staff along with required fees set forth in the Town's Fee Schedule. Up to five (5) hard copies of the Preliminary Plan application package may be requested by Town Staff.

B. The Town Staff shall ensure all necessary documents and information are included with the application and then submit the application to the following entities:

1. Town Administrator for validation of tax compliance;
2. Town Engineer for engineering review;
3. The Town Planner for planning/design review; and
4. Wasatch County Fire District for review as provided for in this Code; and

5. POST Committee for review of planned Parks, Trails, Open Spaces and Public Spaces.

C. The Town Administrator, Town Engineer, Town Planner, Fire District Representative, or POST Committee Representative may request reasonable additional information from the Applicant from time to time.

D. Within thirty (30) business days of receiving ~~the~~ a complete application, ~~reports from~~ the Town Administrator, Town Planner, Town Engineer, and Fire District, shall submit reports to the Town Staff, and the Town Staff will review the application again for completeness and a letter will be sent if additional information is needed. If the application is complete, the Town Staff shall submit to the applicant a written review identifying any non-compliant portions of the application, excluding those pertaining directly to the Subdivision Improvement Plans within thirty (30) business days of receipt. If an application is deemed incomplete, the application automatically terminates sixty (60) days after written notice if the necessary components to complete the application have not been submitted. During the Preliminary Plan review process, the Town Staff may request reasonable additional information from the Applicant from time to time; and may ask other advisors to review the plan if, in the opinion of the Town, it may contribute to a decision in the best interest of the Town.

E. No later than forty (40) business days of receipt of a complete Preliminary Subdivision Application including the Subdivision Improvement Plans, the Town shall complete review of the Subdivision Improvement Plans and provide written comments to the applicant, including an index of requested modifications, deficiencies, or additions each of which shall include citations to ordinances, standards, or specifications (the "Review Log").

F. Within forty (40) business days of receipt of the Review Log, the applicant shall respond in writing and identifying all revisions, modifications, or corrections including an index of requested modifications, deficiencies, or additions each of which shall include citations to ordinances, standards, specifications, and document locations (the "Correction Log"). The Correction Log shall address all items raised in the Review Log.

~~E.~~G. Within forty (40) business days of receipt of the Correction Log, or sixty (60) business days in the event the Correction Log was received more than forty (40) business days after the Town sent the Review Log, the Town shall update the Review Log according to this Section and send to the applicant.

~~F.~~H. When the Town Staff determines that the Preliminary Plan is ready for Planning Commission review, they will notify the Commission's Authority Representative and the Commission's Authority Representative will establish a date for a public hearing and initial presentation and review of the Preliminary Plan providing sufficient public notice as required under Section 11.06.06.

~~G.~~I. The Planning Commission shall hold one (1)~~a~~ public hearing on the Preliminary Plan application.

~~H.~~J. After review of the Preliminary Plan at a public hearing, the Planning Commission shall recommend, reject, or recommend the Preliminary Plan with conditions, or may

postpone action to allow the Applicant time to provide material or additional information needed by the Planning Commission to then determine appropriate action. However, the public hearing may not be continued to a future date and there may be no more than one (1) public hearing.

~~I.~~K. At such time that the Planning Commission determines that a ~~complete~~ compliant application has been provided, the Planning Commission ~~will forward the application along with its recommendations to the Town Council~~shall approve the preliminary subdivision application and forward the Preliminary Plan to the Town Administrator for consideration associated with a Final Plat Application~~.~~, provided however if any conditions are set forth by the Planning Commission, all such conditions must be met prior to application for final approval unless otherwise required by the Planning Commission.

~~J. The Mayor will establish a date for a public hearing that provides sufficient public notice as required under Section 11.06.06.~~

~~K.~~L. ~~The hearing before the Town Council will be held, and comments requested from the public at that time. If, after such hearing the Town Council approves the project, the project may then proceed to apply for Final Plat approval, provided however if any conditions are set forth by the Town Council, all such conditions must be met prior to application for final approval unless otherwise required by the Town Council.~~

~~L.~~M. The approval of the Preliminary Plan shall be effective for a period of six (6) months from the date the Preliminary Plan is approved by the Planning Commission, at the end of which time the Applicant must have submitted a Final Plat for approval. If a Final Plat is not submitted for approval within the six (6) month period following approval, or as extended by the Planning Commission in writing, the Preliminary Plan shall be void, and the Applicant shall be required to submit a new Preliminary Plan for review and approval subject to the existing provisions of this Code. An approved Preliminary Plan does not authorize the applicant to begin any form of land disturbing activities.

11.06.26 FINAL PLAT APPLICATION

A. A Final Plat application package is required for all proposed major and minor residential or commercial Subdivisions.

B. A Final Plat application package includes a completed Final Plat application form, Final Plat, and all required plans, reports and supporting documents described herein that conform to the goals of the General Plan and the Town Code relating to the zone(s) governing the application. The Final Plat shall incorporate the criteria and requirements of the Building Code and other Town Standards.

11.06.26.01 FINAL PLAT APPLICATION PACKAGE

A. **Final Plat.** The Final Plat consists of the final, signature-ready 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

Commented [A7]: Town Planner and Engineer - we may want to confirm the Preliminary and Final requirements are the same. Once the Subdivision Improvement Plans are approved in preliminary, they cannot be revised or reviewed for substantive compliance in final.

Commented [A8R7]: We should also verify the checklists are updated.

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:

a. All buildings;

b. 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:
    a. "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.
    a. Information as required from Preliminary Plans.
    b. Local roads within the adjacent to the Subdivision.
    c. Easements within and adjacent to the site.
3. Description of Property
    a. Information as required from Preliminary Plans.
    b. General project description.
    c. General soil conditions, topography, and slope.
4. Major Basin Description
    a. Information as required from Preliminary Plans.
    b. 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
    a. 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.
    b. Potential impacts identified from adjacent drainage studies.
    c. Drainage impacts of site constraints such as roads, utilities, transit ways, existing structures, and development or site plan.
6. Hydrologic Criteria
    a. Design storm rainfall and its return period(s).
    b. Runoff calculation method(s).

c. Detention discharge and storage calculation method(s).

d. Discussion and justification of other criteria or calculation methods used that are not presented in or referenced by the CRITERIA.

7. Hydraulic Criteria

   a. Identify various capacity references.

   b. Discussion of other drainage facility design criteria used that are not presented in these criteria.

8. Storm water Quality Criteria

   a. BMPs to be used for storm water quality control.

   b. Identify, as appropriate, water-quality capture volume and drain time for extended-detention basins, retention ponds and constructed wetland basins.

   c. Identify, as appropriate, runoff volume and flow rates for design of water-quality swales, bioretention areas, porous pavement, wetland basins, etc.

   d. 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

   a. Identify provisions by section number for which a waiver is requested.

   b. Provide justification for each waiver requested.

10. Drainage Facility Design Discuss the following:

    a. Proposed concept, onsite stormwater management infrastructure, and typical drainage patterns

    b. Compliance with offsite runoff considerations.

    c. Anticipated and proposed drainage patterns.

    d. Proposed storm water quality management strategy.

    e. The content of tables, charts, figures, plates, or drawings presented in the report.

    f. Drainage problems encountered and solutions at specific design points.

    g. Detention storage and outlet design.

    h. Storm water quality BMPs to be used.

    i. Maintenance access and aspects of the design.

j. Easements and tracts for drainage purposes, including the conditions and limitations for use.

11. Stormwater Maintenance Agreement
12. Conclusions
13. References
    a. Reference all criteria and technical information used.
14. Appendices
    a. Hydrologic Computations (Including computer model input and output listings.)
    b. Land use assumptions regarding adjacent properties.
    c. Initial and major storm runoff at specific design points.
    d. Historic and fully developed runoff computations at specific design points.
    e. Hydrographs at critical design points.
    f. Time of concentration and runoff coefficients for each basin.
    g. Storm water quality BMP sizing calculations including runoff adjustments for minimizing directly connected impervious areas.
    h. Hydraulic Computations (Including computer model input and output listings.)
    i. Culvert capacities.
    j. Storm sewer capacity, including energy grade line (EGL) and hydraulic grade line (HGL) elevations.
    k. Gutter capacity as compared to allowable capacity.
    l. Storm inlet capacity including inlet control rating at connection to storm sewer.
    m. Open channel design.
    n. Check and/or channel drop design.
    o. Detention area/volume capacity and outlet capacity calculations for flood detention and water quality basins; depths of detention basins.
    p. Wetland area and area/depth distribution for constructed wetland basins.
    q. Infiltration rates and volumes for porous pavement or release rates where under drains or infiltration is not possible.
    r. Flow rates, velocities, longitudinal slopes and cross-sections for

wetland basins and water quality swales.

s. 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 Plant, 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 properties 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):
    a. Owner’s dedications;
    b. Surveyor’s certificate of accuracy of survey;
    c. Surveyor’s approval;
    d. 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:
    a. Required assessments;
    b. Designation of commonly owned Property;
    c. Necessary dedication statement;
    d. Statement concerning the formation of a Homeowners Association for the maintenance of the commonly owned Property; and
    e. Necessary certifications and approvals.
    f. 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.

11.06.28 FINAL PLAT PROCEDURES

A. The Applicant shall submit the Final Plat application package in Electronic Format to the Town Hall along with required fees. Up to five (5) hard copies of the Final Plat application package may be requested by the Town Staff.

B. The Town Staff shall ensure all necessary documents and information are included with the application and then submit the application to the following entities:
    1. Town Administrator for validation of tax compliance;
    2. Town Engineer for engineering review;
    3. Town Planner for planning/design review; and
    4. Fire District for review; and
    5. POST Committee for review of planned Parks, Trails, Open Spaces and Public Spaces.

C. The Town Administrator, Town Engineer, Town Planner, Fire District Representative or POST Committee Representative may request reasonable additional information from the Applicant from time to time.

D. Within thirty (30) days of receiving the reports from the Town Administrator, Town Planner, Town Engineer, and Fire District, the Town Staff will review the application again for completeness and a letter will be sent if additional information is needed. During the Final Plat review process, the Town Staff may request reasonable additional information from the Applicant from time to time; and may ask other advisors to review the plan if, in the opinion of the Town, it may contribute to a decision in the best interest of the Town.

~~E.~~ When the Town Staff determines that the Final Plat is complete, Town Staff shall submit the Final Plat to the Town Administrator for review and approval. ~~ready for Planning Commission review, they will notify the Commission's Authority Representative and the Commission's Authority Representative will establish a date for a public hearing and initial presentation and review of the Final Plat providing sufficient public notice as required under Section 11.06.06.~~

~~F. The Planning Commission shall hold a public hearing on the Final Plat application.~~

~~G. After review of the Final Plat at a public hearing, the Planning Commission shall recommend, reject, or recommend the Final Plat with conditions, or may postpone action to allow the Applicant time to provide material or additional information needed by the Planning Commission to then determine appropriate action.~~

~~H. At such time that the Planning Commission determines that a complete application has been provided, the Planning Commission will forward the application along with its recommendations to the Town Council.~~

~~I.~~E. ~~The Town Council will establish a date for a public hearing that provides sufficient public notice as required under Section 11.06.06.~~

~~J.~~F. ~~The hearing before the Town Council will be held, and comments requested from the public at that time. After such hearing the Town Council will vote to either approve the projects without conditions, approve the project with conditions or to not approve the project~~The Town Administrator shall confer with Town Engineer, Town Planner, Fire District Representative or POST Committee Representative prior to issuing any final determination or approval.

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:

A. Boundaries of the development and location of all required survey monuments; and

B. Location of all lot lines; and

C. 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

D. Location and extent of all Easements; and

E. The certifications previously proposed and approved as part of the Final Documentation provided; and

F. The following Signature Blocks:

1. Required

    a. Surveyors Certificate

b. Owner's Dedication, Lien Holder, and Acknowledgement
c. Administrative Approval: Mayor and Attestation
d. Planning Commission Chair
e. Town Attorney
f. Town Engineer
g. Wasatch County Surveyor
h. Wasatch County Recorder

2. Optional (to be included based on the circumstances indicated):
    a. Jordanelle Special Services District (when services are directly provided to the subdivision by JSSD)
    b. Wasatch County Housing Authority (when the subdivision contains an Affordable Housing component)

11.06.32 NO SALE OF LOTS UNTIL PLAT RECORDATION

Lot(s), in a Subdivision may not be sold until after the plat has been recorded.

11.06.34 WITHDRAWAL OF APPLICATION

An Applicant may withdraw a land use application at any time prior to a land use authority decision on the application. Application fees set forth ~~the~~ in Section 11.06.14 ~~shall~~ may not be refundable. Any unused Actual Cost Fees set forth in Section 11.06.14 will be refunded.

11.06.36 EXPIRATION AND REVOCATION OF FINAL PLAT AND PERMITS

All expirations and revocations are automatic except at the discretion of the Town Council. Any exceptions or extensions granted by the Town Council must be in writing. Any remediation of the Property will be paid for from the posted Completion Bond required under the Town Standards. The Final Plat shall expire and be subject to revocation if the Final Plat is not recorded within six (6) months from the date of approval. The Town Council may grant a one-time extension to the recording of the Final Plat not exceeding six (6) months; provided~~,~~ that the Developer submits the request for extension prior to expiration of the Final Plat and satisfies any new Town requirements pertaining to the public health, safety and welfare. Further, and in addition to any remedies available to the Town and any other requirements associated with the grading permits, building permits, or permits for development, the following circumstances shall be grounds for the expiration and revocation of any grading permit, building permit, or other permit granted for the development on the Final Plat.

Commented [A9]: As this action is not related to the approval of the plat, it may be acceptable to leave with the Council.

A. **Failure to Timely Complete Grading.** If grading is not completed within one (1) year after the issuance of a grading permit unless an extension (not to exceed six [6] months)

is granted by the Town Council.

B. **Failure to Timely Complete Building.** If construction of a building or other improvement is not complete within two (2) years after the issuance of a building permit unless an extension (not to exceed six [6] months) is granted by the Town Council.

C. **Abandonment.** If development, including grading, construction, etc., ceases for a continuous period for more than six (6) months after the start of development activities unless the Town Council approves the cessation of work.

D. **Violations.** If the there is a violation of any local, federal, or state regulations, including the Town Code and other Town Standards which the permit holder fails to remedy within thirty (30) days after receiving written notice of the violation.

11.06.38 REAPPLICATION FOLLOWING APPLICATION DENIAL

If a land use application is denied for failure to meet the requirements of the Town Code or other Town Standards, a land use application from the same Applicant for all or any part of the same Property shall not be considered for a period of at least one (1) year from the date of denial, unless the prior denial was based upon a mistake of fact, or on a motion duly passed by the Town Council to act immediately and identifying a valid public purpose.

11.08 DEVELOPMENT AGREEMENTS

11.08.02 PURPOSE

The Developer/ Owner and the Town of Hideout may enter into a Development Agreement that outlines the duties, responsibilities, obligations, commitments and promises of the Developer/ Owner and the commitments of the Town.

11.08.04 GENERAL REQUIREMENTS

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

B. The Development Agreement shall be prepared by the Town Attorney and shall incorporate all agreements between the parties relating to the development which the subject of the Development Agreement.

C. If a Development Agreement is required as a condition of Final Plat approval, the Development Agreement must be approved prior to the Mayor's signature on the Final Plat.

D. If the Developer is including parks, Open Space, clubhouses and/or trail improvements within a development, the Development Agreement shall include proposed phasing and terms of completion of these improvements.

E. Any special agreements, conveyances, restrictions or covenants which govern the use, maintenance and continued protection of common areas shall be included in the

Development Agreement.

F. The Development Agreement may provide limitations on the number of building permits issued and/or phases of the project to be approved subject to the completion of the improvements.

G. The Development Agreement for phased Subdivisions shall incorporate the phased Subdivision master plan.

H. The Development Agreement shall include all required improvements and bonds guaranteeing Subdivision construction as outlined in the Town Code, as well as a schedule for implementation.

I. If the development is a phased Subdivision, the Development Agreement shall specify all conditions and requirements that must be met in order to protect and maintain a vested approval for all subsequent phases. For example, the Town may impose as a condition precedent to final approval of subsequent phases, the availability and access to water and sewer services and source sufficient to accommodate the subsequent phases.

11.08.06 DEVELOPMENT AGREEMENT APPROVAL

Approval of ~~The~~ a Development Agreement is a legislative action and shall be approved by the Town Council and signed by the Mayor.

11.08.08 DEVELOPMENT AGREEMENT RECORDING

The Development Agreement shall be recorded in the Wasatch County Recorder's office. Recordation by the Town shall only take place after all of the necessary signatures are obtained, all approvals given, and all bonds and fees posted. The Development Agreement must be recorded prior to the recording of the Final Plat.

11.08.10 DEVELOPMENT AGREEMENT REQUIRED FOR PHASED DEVELOPMENT

If any requirement of this Title or the applicable standards is proposed to be satisfied by relation to or incorporation of components of another phase or related development, the applicant shall enter into a development agreement with the Town governing the applicable phases or related development or otherwise modify the application to satisfy all requirements independently.

File Attachments for Item:

3. Consideration of a proposal for a conditional use permit from Rocky Mountain Power regarding the Wildfire Mitigation Project, which would rebuild existing 46kV transmission lines.

INTEGRATED planning & design

Staff Report for Rocky Mountain Power – Conditional Use Permit (CUP)

To: Chairman Tony Matyszczyk
Town of Hideout Planning Commissioners

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

Re: Rocky Mountain Power (RMP) Utility Poles – Conditional Use Permit (CUP)

Date: November 21, 2024 Planning Commission Meeting

Submittals: *CUP Application and associated materials dated September 27, 2024*

Background

Rocky Mountain Power (RMP) plans to rebuild a portion of an existing 5.8-mile 46kV transmission line, with approximately 3.5 miles of it running through the Town of Hideout. This line originates at RMP's Silver Creek Substation in Summit County, near the intersection of Highway 40 and SR 248, and extends eastward through Summit County into Wasatch County and Hideout, before continuing into unincorporated areas of Wasatch County.

The transmission line crosses multiple zoning districts within the Town, each with its own permitted and conditional uses. The Mountain (M) Zone, which covers a significant portion of the Town, only permits overhead electric utilities through a Conditional Use Permit (CUP).

In Utah, a conditional use is an allowed use where reasonable conditions can be proposed to mitigate the reasonably anticipated detrimental effects of a proposed use as defined in the Town's zoning ordinance. Town Code section 12.26 and State Code 10-9a-507 detail the process and conditions for issuing CUPs in the Town of Hideout.

Project Details

Miles Through Town:	Approximately 3.5 Miles
Easement Width:	40'-0" *(Applicant to confirm)*
Number of Poles:	42 *(Applicant to confirm single poles will only be replaced with single poles and this is true for double pole configuration)*
Pole Type:	Existing poles are wood and will be replaced with corten steel

Public Outreach

Town officials requested that Rocky Mountain Power partner with the Town and conduct an in-person community open house, followed up by an online version. That meeting was held on September 12, 2024 in the council chambers of Town Hall and was well attended. Residents or interested parties who attended in person or online were provided with a short presentation that outlined the project and RMP officials were there to answer questions.

Project Details

According to Rocky Mountain Power's submitted materials, the replacement of the existing wood poles with corten poles will "will improve Rocky Mountain Power's electrical system, improve safety and reduce wildfire risk in the area." The existing poles have both transmission lines (the upper tier of lines) and distribution lines (the lower tier of lines). The distribution lines will be removed from the new poles and placed underground within the Town's existing rights-of-way. That project is already underway and has been coordinated with the Town Engineer due to Rocky Mountain Power's requirement for a permit to work in the right-of-way and for possible road closure/disruption when a new distribution line crosses from one side of a road to another.

Map Illustrating the RMP Easement with Existing and Proposed Pole Locations



* The RMP easement enters the Town from the north through Deer Springs to Deer Waters to Lakeview to Shoreline to Hideout Canyon to Rustler before leaving the Town and entering Tuahaye.

Image of the Proposed Poles (w/ Corten Material)



Pole Heights

Almost all the poles will increase in height. The table below illustrates the existing and proposed heights for all 42 poles – all but two will increase in height and one will decrease in height.

Silver Creek - Kamas Transmission Line Rebuild

Note: All new poles will be corten steel (weathering steel)

Municipality	Pole Number	Existing Pole Height Above Ground (ft)	New Pole Height Above Ground (ft)	Change in Pole Height (ft)
Hideout	44	52	74.5	+ 22.5
	45	52	65.5	+ 13.5
	46	52	65.5	+ 13.5
	47	52	65.5	+ 13.5
	47a	47.5	61	+ 13.5
	48	56.5	65.5	+ 9
	49	56.5	70	+ 13.5
	50	65.5	70	+ 4.5
	51	61	79	+ 18
	52	56.5	74.5	+ 18
	53	52	61	+ 9
	54	52	61	+ 9
	55	56.5	65.5	+ 9
	56	56.5	74.5	+ 18
	57	65.5	65.5	0
	58	79	70	- 9
	59	56.5	92.5	+ 36
	60	52	65.5	+ 13.5
	61	52	65.5	+ 13.5
	62	56.5	65.5	+ 9
	63	52	65.5	+ 13.5
	64	52	65.5	+ 13.5
	65	52	65.5	+ 13.5
	66	52	70	+ 18
	67	56.5	65.5	+ 9
	68	52	65.5	+ 13.5
	69	52	65.5	+ 13.5
	70	52	65.5	+ 13.5
	71	52	65.5	+ 13.5
	72	52	74.5	+ 22.5
	73	68.2	61	- 7.2
	74	65.5	70	+ 4.5
	75	65.5	70	+ 4.5
	76	65.5	70	+ 4.5
	77	52	56.5	+ 4.5
	78	52	74.5	+ 22.5
	79	61	74.5	+ 13.5
	80	61	56.5	- 5
	81	56.5	74.5	+ 18
	82	61	61	0
	83	61	65.5	+ 4.5
	84	65.5	79	+ 13.5
	85	47.5	56.5	+ 9
	86	43	74.5	+ 31.5

Planning Issues

- The following are photos of existing poles throughout Town:



This is an existing pole on the south side of Shoreline Phase 2, looking south as the easement goes toward Dead Mans Gulch.

- Will the single pole be replaced with a single pole?
- Will the three-pole structure be replaced with a three-pole structure?



This is on North Vantage Lane between Shoreline 2 and Lakeview.

- There are two different single poles. Will they be replaced with a single pole for each that matches or is different, as these are?



This photo is a view from Deer Waters, on Star Gazer.

- Are the bottom lines (whiter in color) the distribution lines that will be removed and located underground?



This photo is looking south along Longview Drive.

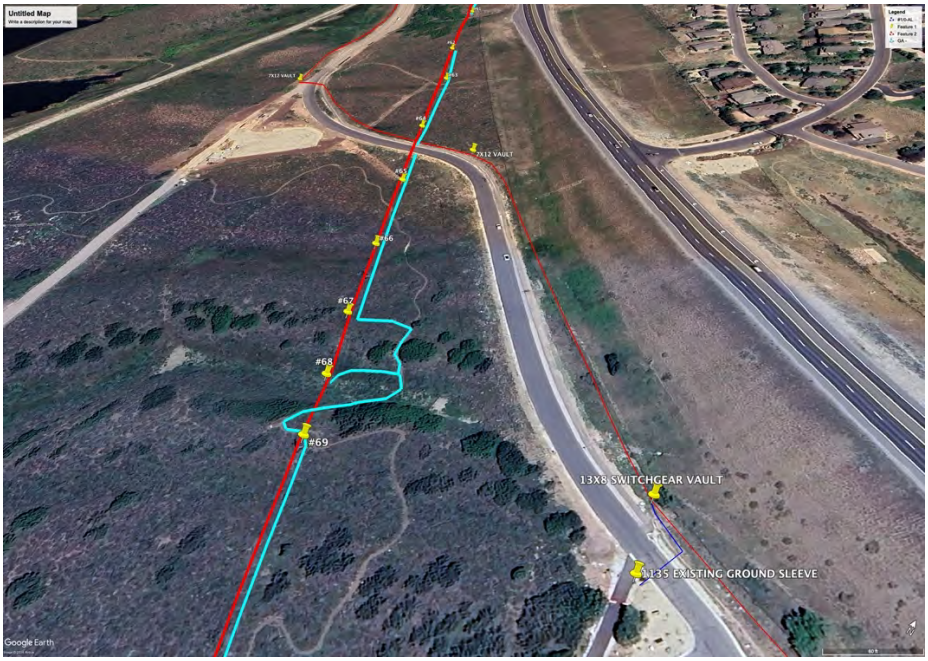
- Are these double pole configurations going to be replaced with a similar structure, only corten?
- RMP should provide a photo of the two pole structures in corten.

- It appears there are several locations where contractors for Rocky Mountain Power will need to access a pole from outside of their existing 40'- 0" easement. The Applicant shall address how this is coordinated with the property owner and/or how the destruction to any existing trees and vegetation will be handled. A couple of examples (blue = access route) follow:

Area Along Longview Near the Maintenance Facility Across from the Golf Course



Area North of Deer Waters (Bureau of Recreation Land)



- The following is proposed for revegetation but only includes seed mix. Will trees and native vegetation (e.g., gamble oak, sagebrush, bottlebrush, etc.) be replaced?

Table 2. Site-Specific Seed Mix

Seed: Common Name	Seed: Scientific Name	Acceptable Substitutions	Bulk Pounds per acre	PLS Pounds per acre	Total Pounds	# Seeds/lb	Average PLS	# of Viable Seeds/sq foot
Ricegrass, Indian	*Achnatherum hymenoides*		2	1.8	4.4	141000	91.3	5.9
Fescue, Idaho	*Festuca idahoensis*		2	1.4	4.4	450000	67.6	14.0
Bluegrass, Sandberg	*Poa secunda*	*Poa ampla*	1	0.9	2.2	925000	88.2	18.7
Brome, Mountain	*Bromus marginatus*		2	2.0	4.4	90000	97.9	4.0
Wildrye, Great Basin	*Leymus cinereus*		2	1.7	4.4	130000	87.0	5.2
Yarrow, Western	*Achillea millefolium*		0.5	0.4	1.1	3300000	89.7	34.0
Flax, Lewis	*Linum lewisii*		1	0.9	2.2	170000	94.6	3.7
Beeplant, Rocky Mountain	*Cleome serrulata*		1	0.9	2.2	70000	91.9	1.5
Vetch, American	*Vicia americana*		0.5	0.4	1.1	33000	87.7	0.3
Wheatgrass, Slender	*Elymus trachycaulus*		1	0.9	2.2	99000	90.8	2.1
Penstemon, Rocky Mountain	*Penstemon strictus*		1	0.9	2.2	592000	88.4	12.0
Wheatgrass, Bluebunch	*Pseudoroegneria spicata*	*Penstemon palmeri*	2	1.5	4.4	140000	76.5	4.9

Total Pounds	**35**
Bulk lbs/acre	**16**
PLS lbs/acre	**14**
Live seed/ft2	**106**
Live seed/ft2	**106**

- Will boulders and rocks moved as part of the construction will be replaced and/scattered naturally in the area…as they currently exist?

- Per meetings with Rocky Mountain Power staff, we understand that all new poles will be located within three to five feet (3' – 5') of the existing pole locations. The Applicant shall confirm this. Does this same degree of tolerance apply to all single and double poles?

- The Applicant shall provide the estimated disturbance zone (i.e., width) along the access route to each pole. Will that access be wide enough for a truck, machinery, or similar equipment?

- Timeline: The Applicant shall confirm the estimated duration of construction. Per staff meetings this past fall, the estimated time to complete the replacement of all 42 poles was approximately three months. Is this work still estimated to begin in early spring?

- The Town's 2019 Parks, Open Space, and Trails (POST) Plan recommends a trail easement for the Town along the existing 40'-0" wide Rocky Mountain Power easement once construction is complete. Is RMP amenable to working with the Town's reps to ensure this easement/allowance is in place?

Code Requirements for a Conditional Use Permit (CUP)

The Planning Commission may allow a conditional use to be located only in a zoning district in which the particular use is allowed as a Conditional Use by this Title. In authorizing any Conditional Use, the planning commission shall impose such requirements and conditions necessary to mitigate the reasonably anticipated detrimental effects of the proposed use. The Planning Commission shall not authorize a Conditional Use Permit unless the evidence presented is such as to establish that the proposed use:

1. *At the specified location, is in harmony with the general intent and purpose of the General Plan; and*

2. *Is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community and the neighborhood; and*

3. *Such use will not, under the circumstances of the particular case, be harmful to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and*

4. *Reasonable conditions can be imposed by the Planning Commission which will mitigate proposed use's detrimental effects.*

Conditional Use Permit Requirements

1. The proposed land use, at the specified location, is in harmony with the general intent and purpose of the General Plan.

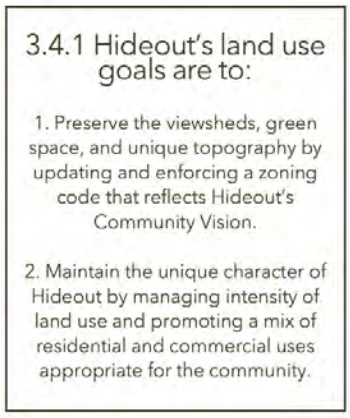
   The General Plan says very little about public utilities specifically other than in Section 7.2.3 Electric and Gas Service:

   > *Hideout receives electrical power through Rocky Mountain Power and gas is received from Dominion Energy.*

   However, the General Plan is very clear in terms of view preservation given the Town's location overlooking the Jordanelle Lake with Deer Valley Resort and Mt. Timpanogos in the background. The proposed poles, with greater heights, can have significant impacts on the community. As such, they must conform to the recommendations and requirements of the General Plan. The 2019 General Plan for Hideout includes the following Vision Statement:



2019 General Plan's Land Use Goals



The following Conditions should be considered by the Planning Commission to mitigate any negative impacts relative to the proposed application by Rocky Mountain Power:

1. None of the new poles may be located more than five feet (5'-0") from the pole they are intended to replace. This applies to single pole structures as well as each individual pole associated with dual-pole structures and/or tri-pole structures.

2. To ensure this requirement is adhered to, the Applicant shall contact the Town Planner no less than 72 hours before each of the first five poles are replaced so that Town staff or officials may be on site to observe the work.

3. All construction sites and access routes associated with pole replacement shall be revegetated with like vegetation and, in the case of any damage to or removal of a tree such as gamble oak, aspen, evergreens or similar that is greater than 6'-0" tall, Rocky Mountain Power shall replace with a similar tree that is 1.5" caliper for a deciduous tree or 4'-0" for an evergreen.

4. Boulders or rocks that are removed for construction or access purposes shall be put back in a scattered or natural pattern – like the way they existed prior to disturbance.

2. <u>The proposed land use is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community and the neighborhood.</u>

   The provision of safe, reliable electricity is a necessary service/utility which will contribute to the general well-being of the community. The RMP easement, and utility poles, have been in existence for many years. There is an opportunity to ensure the proposed land use contributes to the community's general well-being – the provision of an easement, or an agreement, to allow the Town and/or partners to install trails within this space for public use. The 2019 Parks, Trails, and Open Space (POST) Plan recommended a partnership approach with Rocky Mountain Power to secure easement for trails, bike paths…likely a combination of soft trails and paved trails, terrain dependent.

   The following Conditions should be considered by the Planning Commission to ensure a robust contribution to the general well-being of the Hideout community:

- Rocky Mountain Power will provide a minimum ten-foot (10'- 0") easement to the Town of Hideout, and its nonprofit partners, to allow for public walking, hiking, and/or biking trails along the +/-3.5 mile stretch of utility lines through the Town. The easement shall allow for the construction of soft or hard/paved trails.

3. Such use will not, under the circumstances of the particular case, be harmful to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

   Rocky Mountain Power has maintained a strong commitment to the general welfare of the communities they serve. To ensure the protection of property values, which are in part dependent on views, the conditions recommended in #1 should adequately address any concerns.

   The following Conditions should be considered by the Planning Commission to mitigate any negative health impacts relative to the proposed application by Rocky Mountain Power:

   - Rocky Mountain Power shall provide an analysis of the electromagnetic emissions from utility lines, also known as electromagnetic fields (EMF), pre and post construction to ensure there is no significant variation.

4. Reasonable conditions can be imposed by the Planning Commission which will mitigate proposed use's detrimental effects.

   The Planning Commission should review this Conditional Use application and determine if additional conditions are warranted to mitigate any negative health impacts relative to the proposed application by Rocky Mountain Power. The Hideout Municipal Code (HMC) includes the following in Title 10:

   In addition [to the conditions noted above], the Planning Commission may establish conditions as outlined herein to meet the concerns of safety for persons and property, health and sanitation, environment, comprehensive plan proposals and neighborhood needs, performance and administration. More specifically, the planning commission may require:

   a. *Compliance: Conditions relating to compliance with the intent of the comprehensive plan and characteristics of the zoning district.*
   b. *Safety: Conditions relating to safety for persons and property:*
   c. *Health And Sanitation: Conditions relating to health and sanitation:*
   d. *Environment: Conditions relating to environmental concerns:*

   Additional conditions:

   _____

   _____

   _____

   _____

Conditions Summarized

1. None of the new poles may be located more than five feet (5'-0") from the pole they are intended to replace. This applies to single pole structures as well as each individual pole associated with dual-pole structures and/or tri-pole structures.

2. To ensure this requirement is adhered to, the Applicant shall contact the Town Planner no less than 72 hours before each of the first five poles are replaced so that Town staff or officials may be on site to observe the work.

3. All construction sites and access routes associated with pole replacement shall be revegetated with like vegetation and, in the case of any damage to or removal of a tree such as gamble oak, aspen, evergreens or similar that is greater than 6'-0" tall, Rocky Mountain Power shall replace with a similar tree that is 1.5" caliper for a deciduous tree or 4'-0" for an evergreen.

4. Boulders or rocks that are removed for construction or access purposes shall be put back in a scattered or natural pattern – like the way they existed prior to disturbance.

5. Rocky Mountain Power will provide a minimum ten-foot (10'- 0") easement to the Town of Hideout, and its nonprofit partners, to allow for public walking, hiking, and/or biking trails along the +/-3.5 mile stretch of utility lines through the Town. The easement shall allow for the construction of soft or hard/paved trails.

6. Rocky Mountain Power shall provide an analysis of the electromagnetic emissions from utility lines, also known as electromagnetic fields (EMF), pre and post construction to ensure there is no significant variation.

Recommendation

The Planning Commission should review the requested Conditional Use, evaluate the analysis provided, ask questions of the Applicant, and confirm that all necessary conditions are in place to mitigate potential negative impacts. Once the Planning Commission is satisfied with the applied conditions and after conducting a public hearing, it may vote to approve the project. Unlike other approvals, a Conditional Use Permit (CUP) does not require forwarding to the Town Council, as the Planning Commission holds the final authority on CUPs.

Exhibit A
Rocky Mountain Power Submittal Package

(see following pages)

ROCKY MOUNTAIN POWER
A DIVISION OF PACIFICORP

70 North 2nd East
American Fork, Utah 84003

September 24, 2024

Hideout Planning & Zoning
Attn: Thomas Eddington
10860 N Hideout Trail
Heber City, UT 84032

The accompanying conditional use permit application is to rebuild part of a 5.8-mile existing Rocky Mountain Power 46kV transmission line, with approximately 3.5-miles within the town of Hideout. This transmission line originates at Rocky Mountain Power's Silver Creek Substation in Summit County near the HWY 40 and HWY 248 JCT, and travels east crossing from Summit County into Wasatch County towards Hideout, then back into Wasatch County.

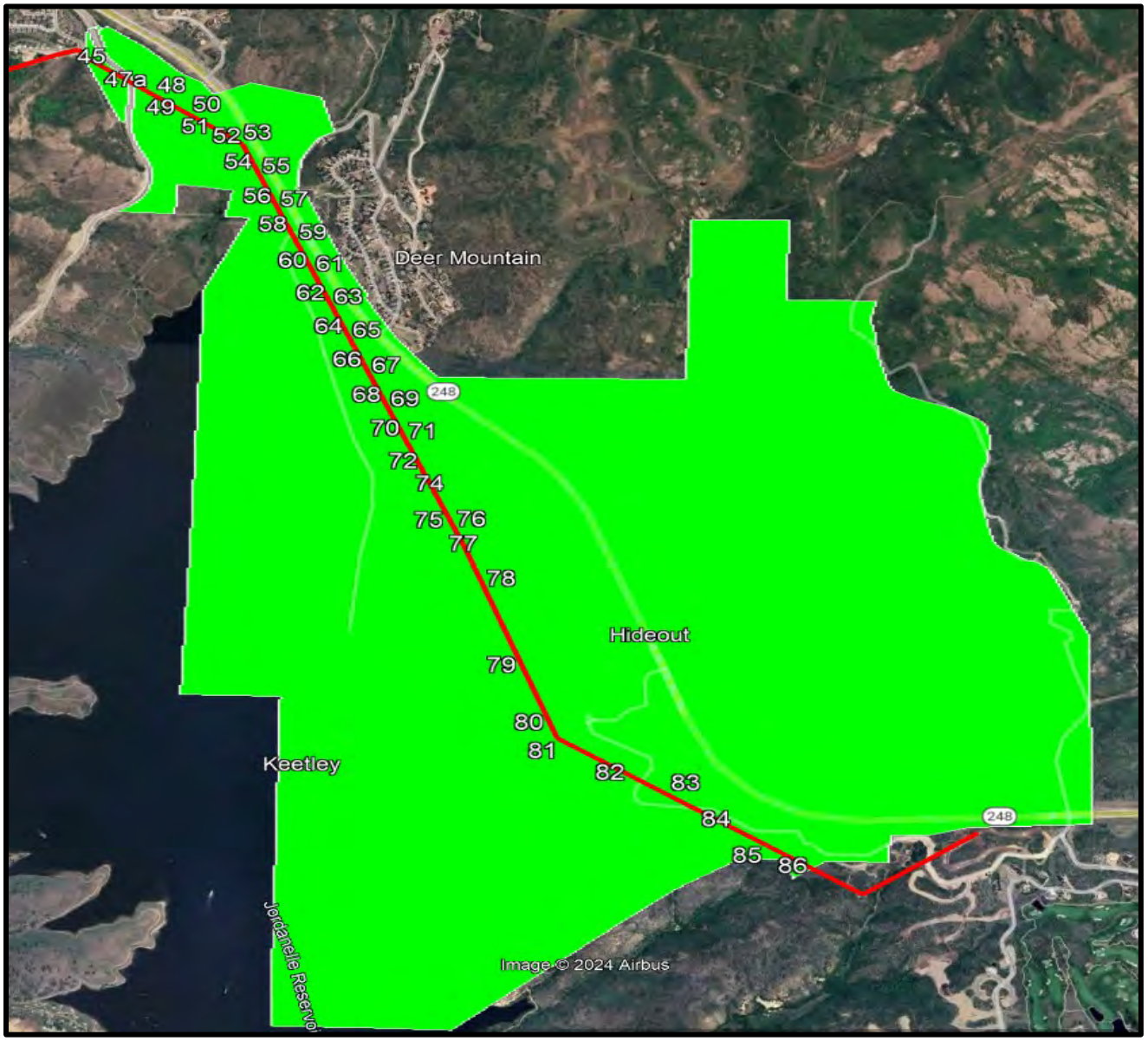
Poles 44 through 86 will be replaced with corten, weathering steel structures, rebuilt to the most up-to-date national electric safety codes and avian safe standards.

Protecting the communities we serve while providing safe, reliable power is one of Rocky Mountain Power's top priorities. This project will improve Rocky Mountain Power's electrical system, improve safety and reduce wildfire risk in the area. This is the second of several projects Rocky Mountain Power is working on and will be implementing over the next several years within the fire high consequence area boundary. Along with these efforts, we have increased inspections and vegetation management near our facilities to mitigate wildfire risk.

We look forward to working with the county on this and future projects to better serve the communities in Summit County.

Sincerely,

Andy Badger
Regional Business Manager
Rocky Mountain Power



Existing 46kV Overhead Transmission Line

ROCKY MOUNTAIN POWER
A DIVISION OF PACIFICORP

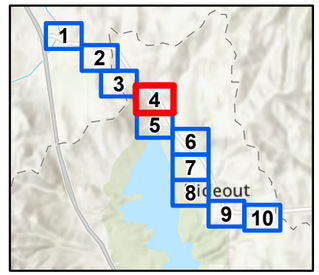
Silver Creek – Kamas Transmission line
Wildfire Mitigation Rebuild

Silver Creek - Kamas Transmission Line Rebuild

Note: All new poles will be corten steel (weathering steel)

Municipality	Pole Number	Existing Pole Height Above Ground (ft)	New Pole Height Above Ground (ft)	Change in Pole Height (ft)
Hideout	44	52	74.5	+ 22.5
	45	52	65.5	+ 13.5
	46	52	65.5	+ 13.5
	47	52	65.5	+ 13.5
	47a	47.5	61	+ 13.5
	48	56.5	65.5	+ 9
	49	56.5	70	+ 13.5
	50	65.5	70	+ 4.5
	51	61	79	+ 18
	52	56.5	74.5	+ 18
	53	52	61	+ 9
	54	52	61	+ 9
	55	56.5	65.5	+ 9
	56	56.5	74.5	+ 18
	57	65.5	65.5	0
	58	79	70	- 9
	59	56.5	92.5	+ 36
	60	52	65.5	+ 13.5
	61	52	65.5	+ 13.5
	62	56.5	65.5	+ 9
	63	52	65.5	+ 13.5
	64	52	65.5	+ 13.5
	65	52	65.5	+ 13.5
	66	52	70	+ 18
	67	56.5	65.5	+ 9
	68	52	65.5	+ 13.5
	69	52	65.5	+ 13.5
	70	52	65.5	+ 13.5
	71	52	65.5	+ 13.5
	72	52	74.5	+ 22.5
	73	68.2	61	- 7.2
	74	65.5	70	+ 4.5
	75	65.5	70	+ 4.5
	76	65.5	70	+ 4.5
	77	52	56.5	+ 4.5
	78	52	74.5	+ 22.5
	79	61	74.5	+ 13.5
	80	61	56.5	- 5
	81	56.5	74.5	+ 18
	82	61	61	0
	83	61	65.5	+ 4.5
	84	65.5	79	+ 13.5
	85	47.5	56.5	+ 9
	86	43	74.5	+ 31.5

Kamas to Silver Creek 46 kV Rebuild



00-0021-1694
The Retreat At Jordanelle Owners Association Inc & Advantage Management

00-0020-4943
The Retreat At Jordanelle Owners Association Inc
43 (Existing)

00-0021-3162
Holmes Western Deer Springs LLC

00-0020-4954
Jordanelle Special Service District

44

45

46

00-0021-3164
Holmes Western Deer Springs LLC

47

47a

48

00-0021-3163
Holmes Western Deer Springs LLC

49

50

51

52

53

54

55

00-0021-5231
Town Of Hideout

00-0007-2012
Jordanelle Land Investors LLC

- Structures
- Line
- Parcels

N

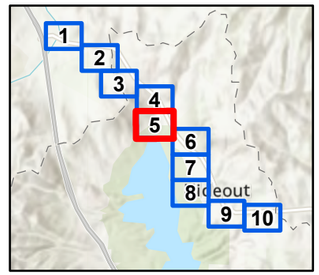
0 250 500
Feet

PACIFICORP
GIS SUPPORT SERVICES
Solutions Group
gisdept@pacificorp.com

Data is projected in
UTM Zone 12, NAD83, meters.

PacifiCorp makes no representations or warranties as to the accuracy, completeness or fitness for a particular purpose with respect to the information contained in this map. PacifiCorp shall have no responsibility or liability to any person or entity resulting from the use of any information furnished in this map.

Kamas to Silver Creek 46 kV Rebuild



55
56
57
58
59
60
61
62
63

00-0007-2012
Jordanelle Land
Investors LLC

00-0021-3417
Jordanelle
Special Service District

00-0021-5231
Town Of
Hideout

00-0021-3416
Jordanelle Special
Service District

00-0021-5233
Town Of Hideout

00-0021-5234
Town Of
Hideout

00-0020-8388
US Bureau Of
Reclamation

Structures
Line
Parcels

N

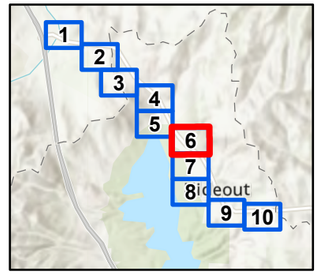
0 250 500
Feet

PACIFICORP
GIS SUPPORT SERVICES
Solutions Group
gisdept@pacificorp.com

Data is projected in
UTM Zone 12, NAD83, meters.

PacifiCorp makes no representations or warranties as to the accuracy, completeness or fitness for a particular purpose with respect to the information contained in this map. PacifiCorp shall have no responsibility or liability to any person or entity resulting from the use of any information furnished in this map.

Kamas to Silver Creek 46 kV Rebuild



63
64
65
66
67
68
69
70
71

00-0020-8388
US Bureau Of
Reclamation

00-0020-3157
US Bureau Of
Reclamation

00-0020-3159
Holmes Lakeview Estates
LLC & Holmes Homes

Structures
Line
Parcels

N

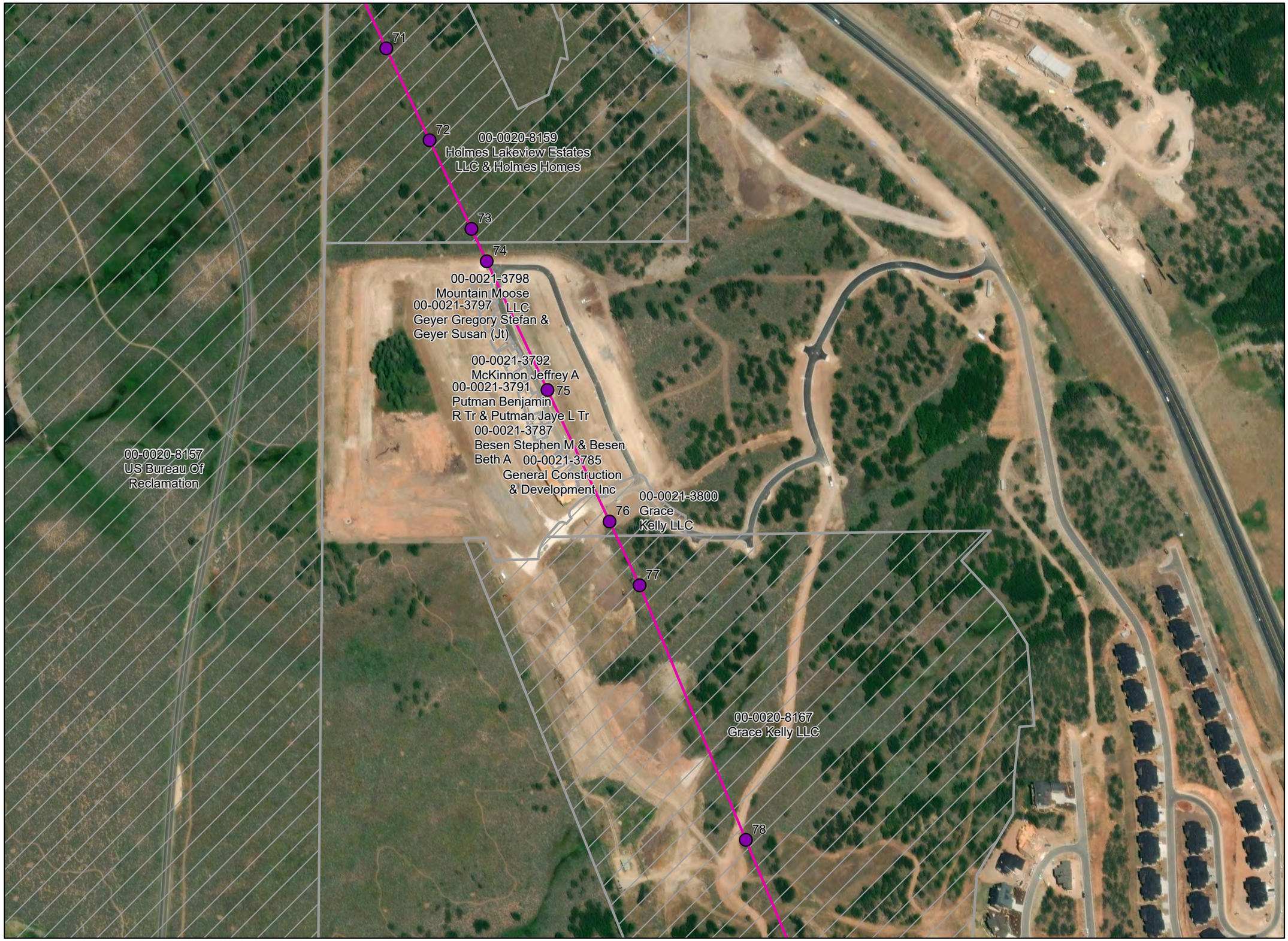
0 250 500
Feet

PACIFICORP

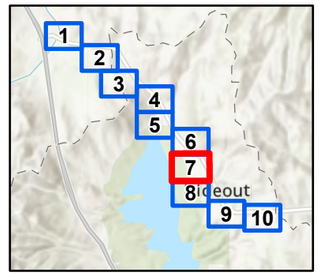
GIS SUPPORT SERVICES
Solutions Group
gisdept@pacificorp.com

Data is projected in
UTM Zone 12, NAD83, meters.

PacifiCorp makes no representations or warranties as to the accuracy, completeness or fitness for a particular purpose with respect to the information contained in this map. PacifiCorp shall have no responsibility or liability to any person or entity resulting from the use of any information furnished in this map.



Kamas to Silver Creek 46 kV Rebuild



- Structures
- Line
- Parcels

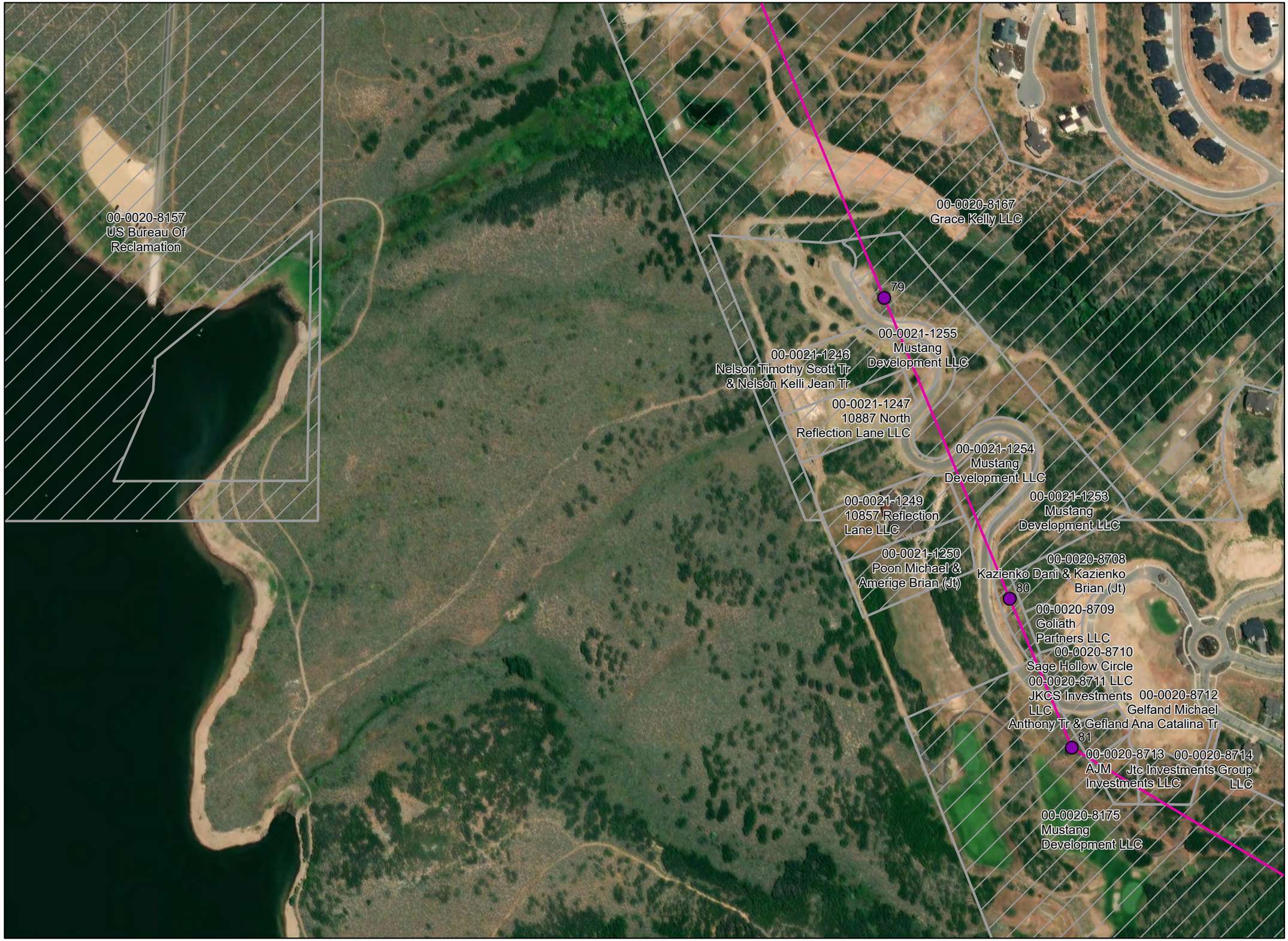
N

0 250 500
Feet

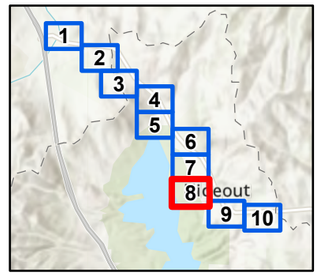
PACIFICORP
GIS SUPPORT SERVICES
Solutions Group
gisdept@pacificorp.com

Data is projected in
UTM Zone 12, NAD83, meters.

PacifiCorp makes no representations or warranties as to the accuracy, completeness or fitness for a particular purpose with respect to the information contained in this map. PacifiCorp shall have no responsibility or liability to any person or entity resulting from the use of any information furnished in this map.



Kamas to Silver Creek 46 kV Rebuild



Structures
Line
Parcels

N

0 250 500
Feet

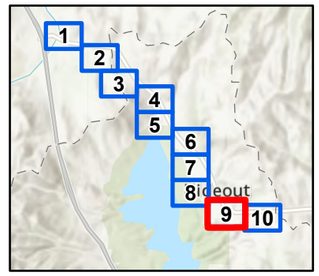
PACIFICORP

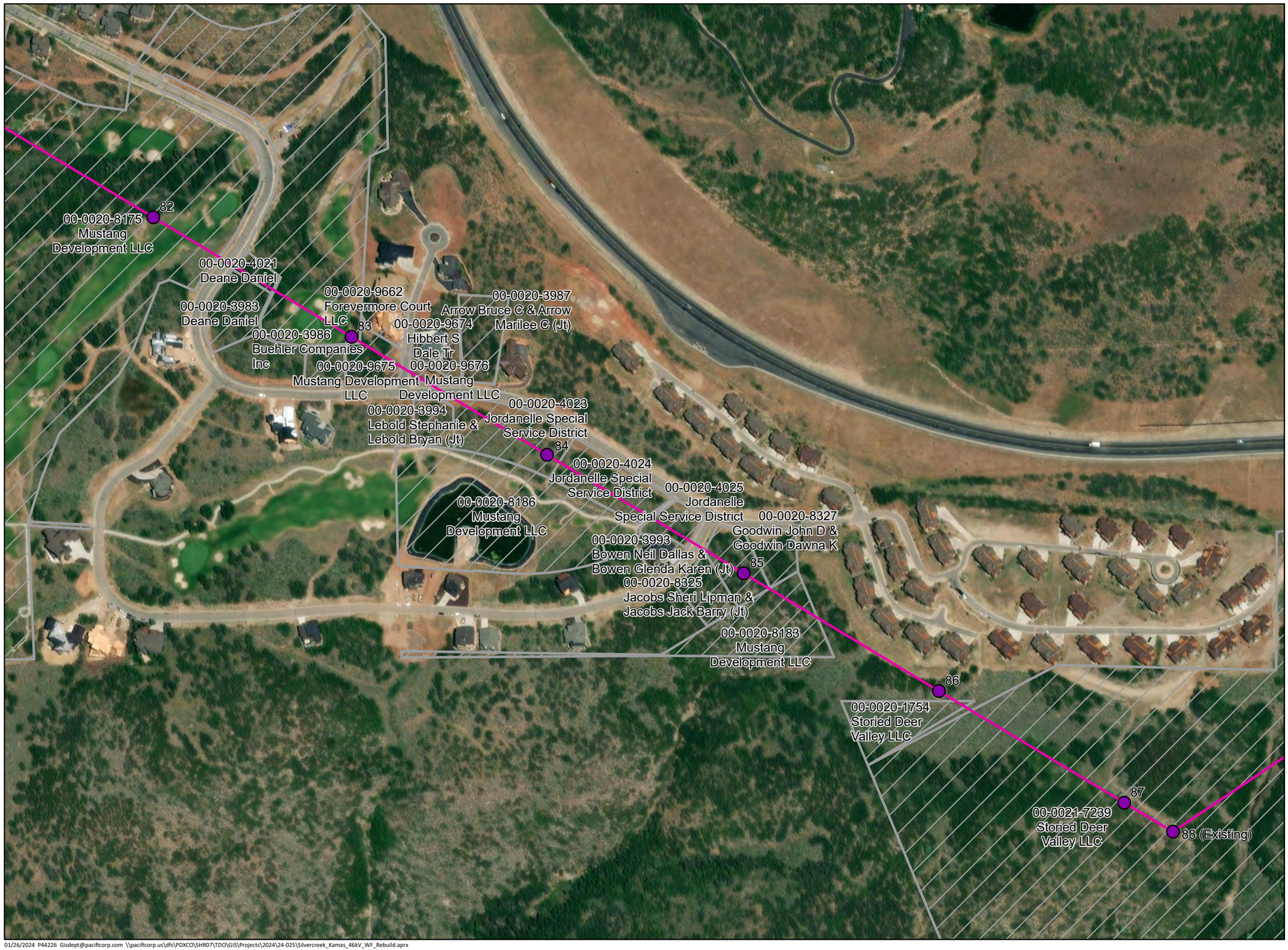
GIS SUPPORT SERVICES
Solutions Group
gisdept@pacificorp.com

Data is projected in
UTM Zone 12, NAD83, meters.

PacifiCorp makes no representations or warranties as to the accuracy, completeness or fitness for a particular purpose with respect to the information contained in this map. PacifiCorp shall have no responsibility or liability to any person or entity resulting from the use of any information furnished in this map.

Kamas to Silver Creek 46 kV Rebuild





Structures
Line
Parcels

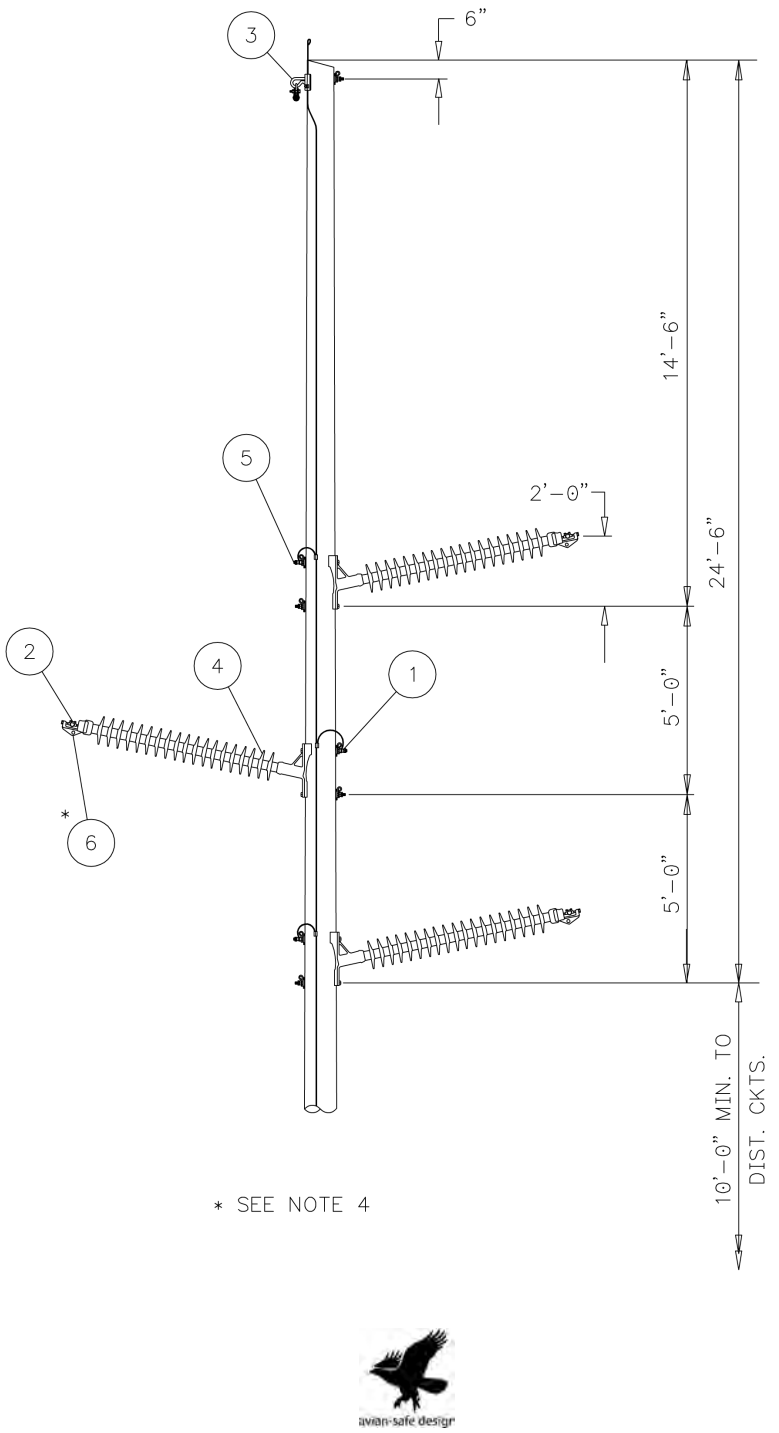
N

0 250 500
Feet

PACIFICORP
GIS SUPPORT SERVICES
Solutions Group
gisdept@pacificorp.com

Data is projected in
UTM Zone 12, NAD83, meters.

PacifiCorp makes no representations or warranties as to the accuracy, completeness or fitness for a particular purpose with respect to the information contained in this map. PacifiCorp shall have no responsibility or liability to any person or entity resulting from the use of any information furnished in this map.



avian-safe design

Figure 1—Structure Layout

Deviation from this standard requires prior approval. Contact the standards engineering manager for approval processes and forms.
Printed versions of this standard may be out of date. Please consult the online standards for the most recent version. This standard shall be used and duplicated only in support of PacifiCorp projects. Copyright ©2022 by PacifiCorp.

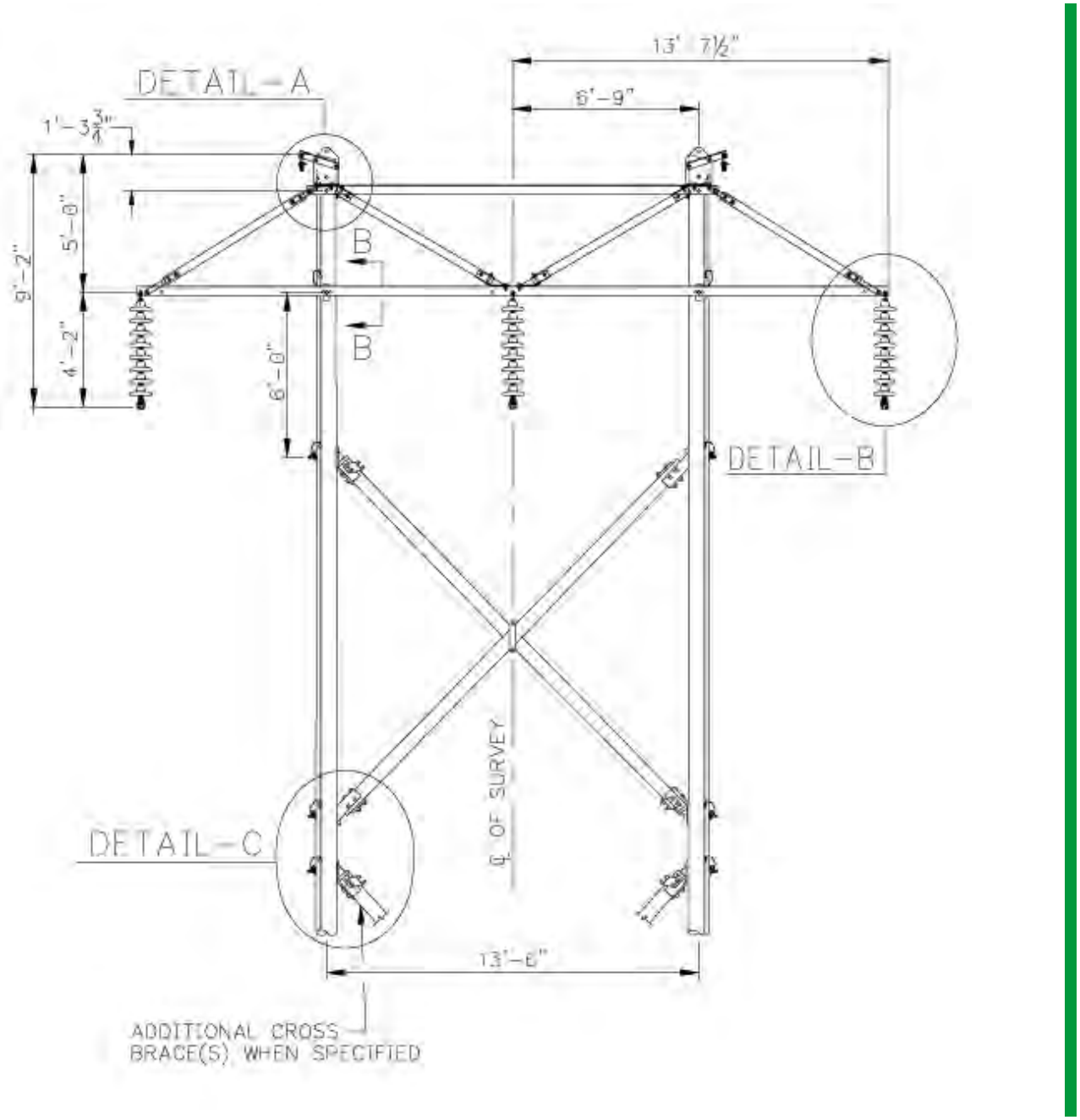


Figure 1—Structure Layout

Deviation from this standard requires prior approval. Contact the standards engineering manager for approval processes and forms.
Printed versions of this standard may be out of date. Please consult the online standards for the most recent version. This standard shall be used and duplicated only in support of PacifiCorp projects. ©2020 by PacifiCorp.

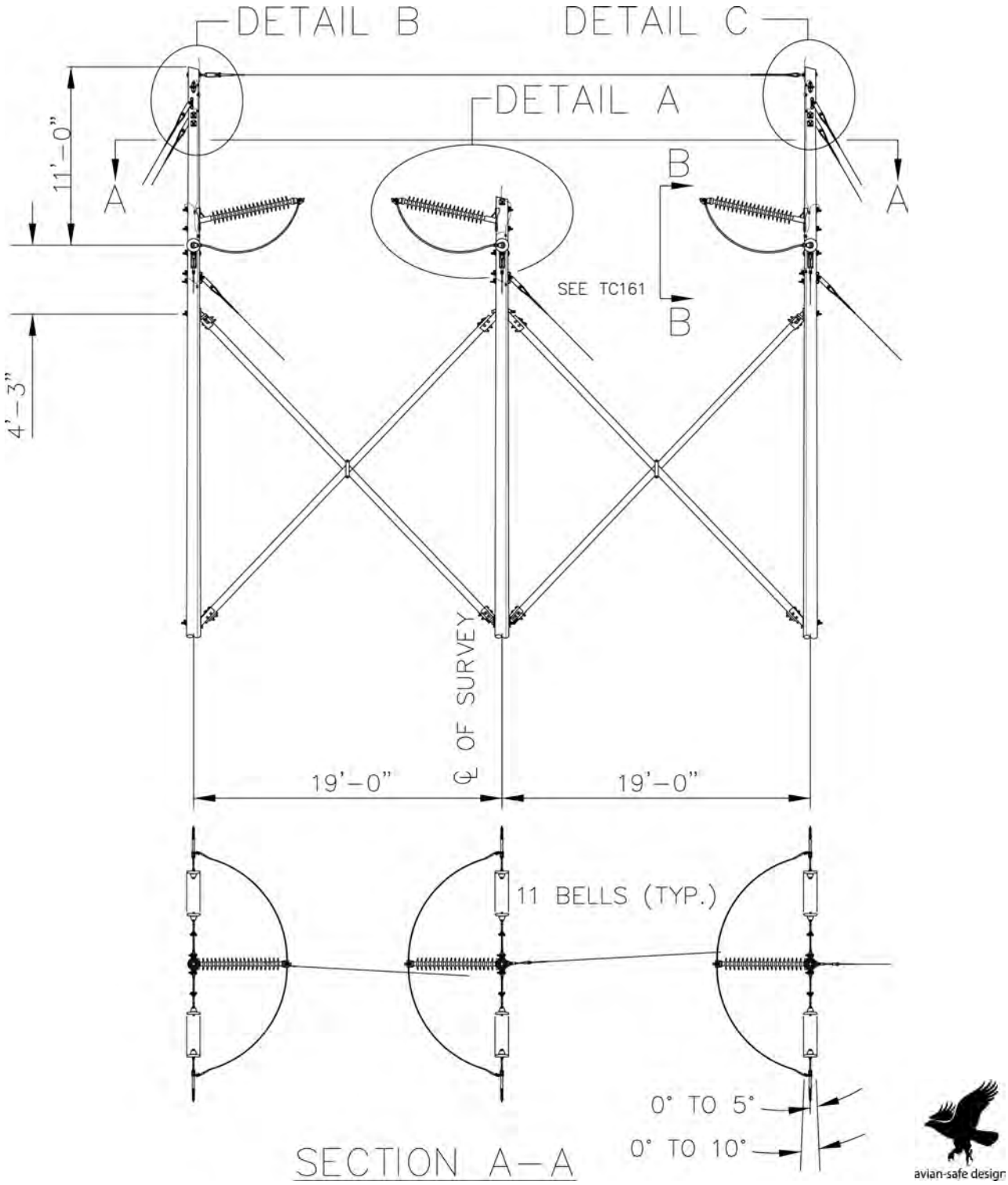


Figure 1—Structure Layout

Deviation from this standard requires prior approval. Contact the standards engineering manager for approval processes and forms.
Printed versions of this standard may be out of date. Please consult the online standards for the most recent version. This standard shall be used and duplicated only in support of PacifiCorp projects. ©2016 by PacifiCorp.

Silver Creek – Kamas 46kV FHCA Rebuild

RECLAMATION PLAN

Prepared By:

Rocky Mountain Power
1407 West North Temple
Salt Lake City, Utah 84116
February 2024

Prepared For:

TBD Contractor

&

Summit & Wasatch Counties

1. Introduction

Rocky Mountain Power (RMP) will construct the Silver Creek to Kamas 46kV FHCA Rebuild (Project) in compliance with all federal, state, and local regulations and all other applicable permits. The line exists within an RMP-internally identified Fire High Consequence Area (FHCA). The existing line currently has a "distribution underbuild" (*Silver Creek #14*), distribution voltage conductor underneath the high-voltage transmission conductor – essentially two (2) lines on one pole. RMP's proposed project can be categorized into two (2) parts:

- **Part 1 – Transmission**; *Silver Creek – Kamas 46kV Rebuild*. This entails replacing transmission poles from structures 1-6 and 44-87. Approximately 4-miles. Fire wrap should be installed on poles to remain in place (Structures 7-43). Additionally, replace the 1/0-ACSR conductor between structures 43-77 with 397-ACSR conductor, approximately 1.9 miles.
- **Part 2 – Distribution**; *Silver Creek #14 Underground*. This entails replacing the existing distribution under build (Silver Creek #14) per RMP design including undergrounding conduit and installing vaults.

The project will replace, pole-for-pole, existing wooden poles with weathered steel poles, with over-engineered conductor sizes (138kV) installed to increase clearance spans. While engineered at 138kV the line will still be operated at 46kV. The over-engineered transmission insulators will make it necessary for the "distribution underbuild" of *Silver Creek #14* to be removed and placed underground. These designs are to minimize potential of both lines to cause wildfire or be affected by a wildfire in the region.

The project is in Summit and Wasatch Counties of Utah. Originating at the Silver Creek Substation at ~4136 Atkinson Road Park City, Utah in Summit County and travelling southeast then east to the Kamas Substation located in Kamas, Utah Summit County. The line and proposed work crosses into Wasatch County in the Deer Mountain Community. The existing line is 30-years or older in age and has been in continually servicing Summit and Wasatch County residents and businesses. RMP Operations and Maintenance (O&M) have serviced the transmission and distribution line during this time utilizing existing access and egress and ingress within the existing right-of-way. The line, and existing access exists within Private and Public lands (Jordanelle State Park), the majority within private.

This Reclamation Plan (Plan) is part of RMP's efforts to ensure public interest is addressed by presenting details regarding the final reclamation phase of the Project. This Plan is intended to be adaptive to changing conditions and technologies – a "living document". RMP will have discretion to update, modify, or change this reclamation plan should it be deemed warranted due to site conditions, stakeholders, or other factors.

2. Disturbance Areas

The entirety of the Project will be constructed in previously disturbed areas within RMP's existing right-of-way, and the original routes used to construct the powerline and conduct O&M. Temporary disturbance will be required to install the direct-embedded poles, access the right-of-way, establish pads, trench, and install underground conduit. Table 1 below shows the quantification of access routes, poles, underground conduit, and an estimated amount of work areas, or landing pads, around the base of the transmission poles.

Table 1. Approximate Disturbance Acreage

Disturbance – Transmission (Part 1)	**Units**
Poles (x49)	49
Landing Pads (20'x20' or 400 sq/f)	0.44 acres
Access Routes (Established)	n/a
Access Routes (Existing, drive & crush)	~4 miles
Access Routes (Needs Improvement) ~1 mile, estimated	1.19 acres
Disturbance – Distribution (Part 2)	
Underground Vaults (7'x12')	26
Proposed Underground Conduit	33,203'
*Disturbance from **Trenching (10'x33,203')	7.622 acres
Total	**Acres**
Disturbed Areas	^9.25

*Proposed underground conduit installed via trenching is designed along or under existing roadways (dirt and asphalt) therefore the grade of reclamation efforts differs drastically than, for example, the base of a transmission structure located away from development.

** The entirety of the proposed underground conduit cannot be installed via trenching, for example, under SR-248. This will be conducted via horizontal directional drilling (HDD) and lead to no surface disturbance.

^This figure is most likely greater due to amount of distribution proposed to be bored (horizontal directionally drilled).

2.1 Access

Right-of-way access would be achieved using existing accessways except for gaining access to complete the upgrade of some of the transmission poles. Access exists throughout the project area and has been utilized by RMP for O&M activities since the line was installed. To quantify the impact access routes will be considered 10' wide. When utilizing historical access "roll and crush" practices will be done. Travel between the existing transmission poles along the right-of-way utilizing "roll-crush" allows for utility trucks to access each pole location without the need for access road construction or additional earth disturbance and maintains existing natural vegetation by rolling onto and crushing it rather than clearing and grubbing. Roll- crush reduces opportunities for invasive species to be implanted into the soil bed and reduces potential erosion from the removal of the existing vegetation. No ground disturbance will be quantified for portions of right-of-way and access that are driven over while preserving vegetation.

Established access, including improved dirt roads, paved roads, golf cart paths, etc. will only be used when conditions will not lead to damage. This includes during winter when snowplowing will affect the roadway and spring when wet conditions will rut.

In certain areas where access is more difficult it may require improvement of existing corridors. This would require the grading and removal of vegetation. In areas where vegetation would be removed during grading activities, shrubs would be trimmed back creating woody debris slash piles on the down gradient side of the disturbance. Slash piles would be positioned to protect sediment and mitigate erosion during the construction process.

2.2 Installation

Part 1 – Transmission: The new steel poles are embedded at 10% of their height +2'. For the Project the holes will be dug ~10 in depth. To achieve this depth a tracked excavator will be utilized to dig and backfill the hole. All spoils will be backfilled and packed to ensure pole stability. The installation of the pole and insulation equipment will be done with two (2) Class-VII trucks, one equipped with a personnel

bucket, the other with a claw/crane. To operate these two Class-VII trucks safely some disturbance is expected around poles with perceptible slope. Disturbance at these areas is estimated to be 20'x20' feet in diameter or less and are largely dependent on the depth of cut and size of fill slope needed to build each "landing" pad as a sage and flat work surface. Poles located at relatively flat areas may require a similarly sized temporary work area, but grading activities are not anticipated and vegetation within the area would be crushed in place, but root system not disturbed.

Part 2 – Distribution: The underground conduit will be installed via open-trenching and where feasible (constrained by wetlands, development, roadways, etc.) horizontal directional drilling will be utilized. The majority of the proposed underground conduit runs adjacent to or underneath existing roadways and will lead to minimal disturbances to existing vegetation. It is expected, where open-trenching, a 10' wide pathway of disturbance will occur. Where the trench will only be ~2' the 10' figure accounts for the width of the excavation equipment.

2.3 Wreck-Out

Once weathered steel poles are installed, and conduit transferred, the existing wooden poles will be removed. The existing wooden poles will be removed by cutting 6" below grade and taken to a facility certified to receive the treated poles for proper disposal. Any soil removed during this operation will be used to backfill any depression and return the area immediately surrounding the old pole footprint and the new pole as it was.

3. Resources

In fulfillment of regulatory requirements RMP will coordinate with the State and County in preparation of appropriate permits to analyze the potential impacts of the proposed project and mitigate any environmental degradation that could take place. The following are resources evaluated and protected by acquired permits or RMP's own internal operating procedures.

3.1 Land Use, Recreation, and Transportation

The existing transmission and distribution exists adjacent to SR-248. Numerous residential development and roadways are established. RMP will take precautions during construction activities to notify the public of ongoing work and reclaim any damaged roadways to the standard of land use observed prior to the Project.

3.2 Vegetation

As covered in Section 2.0 it is anticipated that vegetation would be removed only for access to the transmission line where not passable via drive & crush, for small areas around each transmission structure, and where distribution conduit will be installed via trenching. Areas of land are expected to be cleared of vegetation during the Project, RMP will reseed using a site-specific seed mix to establish vegetation in all areas disturbed.

3.3 Wildlife

The project area is primarily within an sagebrush steppe habitat along the Wasatch Back. This habitat is generally conducive to many common wildlife species expected to occur in sagebrush/grassland regions of the Wasatch Back. This includes but not limited to Greater Sage Grouse and large ungulate species like Moose and Elk. RMP has acquired acknowledgement from the Utah Department of Wildlife Resources the proposed project will not affect nearby Greater Sage Grouse communities under the State

of Utah Greater Sage Grouse Conservation Plan (Appendix A). During construction of the project attention to wildlife movement will be observed for both RMP's personnel safety and that of the animal. That includes transportation of personnel/equipment and operations.

3.4 Migratory Birds

Most bird species likely to occur within the project area are protected by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. Within the Project area no known Bald and Golden Eagle nests are documented. Preconstruction avian nest clearance surveys would be completed for ground-disturbing activities, including vegetation clearing, that would take place during the non-raptor migratory bird nesting season. Mortality of avian species is not anticipated to occur due to compliance with APLIC guidelines.

3.5 Water Resources

Based on review of National Wetlands Inventory data, one riverine feature (Silver Creek), and several wetland features are mapped within the portion of the transmission and distribution line ROWs. These features have been identified and protected from access. During operations RMP will avoid impacting these features with fill or roll-crush practices resulting in the alteration of a potential Water of the US (WOUS). Any work necessary near potential wetlands, not delineated and acknowledged by the US Army Corps of Engineers (USACE) under Clean Water Act (CWA) Section 404 will be done under the Nationwide Permit #33. Where distribution circuit is proposed Horizontal Directional Drilling (HDD) will be implemented underneath the potential wetland to preserve the vegetation and hydrology.

RMP will comply with CWA 402 as necessary and acquire a Construction General Permit as part of the Utah Pollutant Discharge Elimination System. A Storm Water Pollution Prevention Plan (SWPPP) will be compiled to administer potential sediment and erosion from the Project that has potential to pollute storm water and subsequently WOUS. The SWPPP will be kept digitally and onsite to inform the Project team of best management practices to reduce impacts to stormwater.

3.6 Soil Resources

Part 1 – Transmission line crosses through the Lower Silver Creek Soil Zone (Appendix B). Soil analyses have been conducted at the proposed pole replacement locations and an excavation and soil disposal plan has been compiled to contain contaminants discovered at within the hazardous soil zone. Existing poles will be cut at ground level and the butts abandoned below grade to reduce hazardous material from being disturbed. No earthwork is approved inside the Lower Silver Creek Soil Zone except the six (6) transmission pole replacements.

There are multiple soil types in the project area, with varying erosion hazards. Soil exposure to wind and water erosional forces will be minimized by waiting as long as feasible prior to beginning construction to clear vegetation and disturb soil. To control dust as needed, the applicant may spray ground or road surfaces with water. Topsoil, when removed, will be stockpiled separately from other soils to increase restoration success. Topsoil will be replaced at appropriate depths when site activities are complete. Any ground disturbances created during the removal of the poles and other equipment would be backfilled with on-site materials, tamped, and reseeded as a part of final reclamation.

3.7 Cultural Resources

The Project right-of-way contains no previously identified cultural resources. It is anticipated that all eligible cultural resources would be avoided during construction activities resulting in a finding of no historic properties affected. Unanticipated discoveries of potential cultural resources will be protected by RMP postponing work and contacting Environmental Services to document and determine the significance.

4. Reclamation

Final reclamation includes recontouring accessways back to the original contour, seeding, controlling noxious weeds, and may also include other techniques to improve reclamation success, such as constructing waterbars, mulching, and redistributing woody debris.

Disturbed areas (e.g., staging areas, structure locations, pulling and tensioning stations) will be restored to pre-disturbance conditions to the maximum extent practicable following construction activities. Disturbed areas would be stabilized (i.e., contours restored, compacted soils loosened, removed vegetation scattered etc.) as needed. Accepted and approved erosion protection measures may be used to prevent soil loss during the reclamation process. Erosion and sediment control devices would be left in place until stabilization has been established.

Seeding and revegetation is necessary to minimize erosion during inclement weather. The seed mix for this project has been developed with the criteria of being drought tolerant and low maintenance. Reseeding will be conducted during the first appropriate growing season (Fall or Spring) after completion of construction. Seeding may need to be repeated if satisfactory growth is not established after the second growing season.

The seedbed would be prepared prior to seeding, consisting of dragging chains or harrowing (or similar) to roughen and loosen the soil surface, specifically to de-compact the soils surface, such as along accessways. Seed would then be broadcast and raked in or drilled to ensure seeds have adequate contact and cover by soil. Due to safety concerns, seed would be broadcast at areas along the Project that are too steep to rake or drill. The following seed mix has been submitted for approved to be used along and adjacent to the project corridor. Table seeding rates listed below are for rake and drill methods. Multiply seeding rate by 1.5 if broadcast seeding is necessary. Seeding is to be applied during the fall seeding window between October 15 and December 15 within the year of completion, if possible. Table 2 contains the preferred seeding mix.

Table 2. Site-Specific Seed Mix

Seed: Common Name	Seed: Scientific Name	Acceptable Substitutions	Bulk Pounds per acre	PLS Pounds per acre	Total Pounds	# Seeds/lb	Average PLS	# of Viable Seeds/sq foot
Ricegrass, Indian	*Achnatherum hymenoides*		2	1.8	4.4	141000	91.3	5.9
Fescue, Idaho	*Festuca idahoensis*		2	1.4	4.4	450000	67.6	14.0
Bluegrass, Sandberg	*Poa secunda*	*Poa ampla*	1	0.9	2.2	925000	88.2	18.7
Brome, Mountain	*Bromus marginatus*		2	2.0	4.4	90000	97.9	4.0
Wildrye, Great Basin	*Leymus cinereus*		2	1.7	4.4	130000	87.0	5.2
Yarrow, Western	*Achillea millefolium*		0.5	0.4	1.1	3300000	89.7	34.0
Flax, Lewis	*Linum lewisii*		1	0.9	2.2	170000	94.6	3.7
Beeplant, Rocky Mountain	*Cleome serrulata*		1	0.9	2.2	70000	91.9	1.5
Vetch, American	*Vicia americana*		0.5	0.4	1.1	33000	87.7	0.3
Wheatgrass, Slender	*Elymus trachycaulus*		1	0.9	2.2	99000	90.8	2.1
Penstemon, Rocky Mountain	*Penstemon strictus*		1	0.9	2.2	592000	88.4	12.0
Wheatgrass, Bluebunch	*Pseudoroegneria spicata*	*Penstemon palmeri*	2	1.5	4.4	140000	76.5	4.9

Total Pounds	**35**
Bulk lbs/acre	**16**
PLS lbs/acre	**14**
Live seed/ft2	**106**
Live seed/ft2	**106**

5. Revisions

Author	Purpose/Change	Date
Jens Jorgensen	Composition	2.29.2024

Appendix A – Sage Grouse

State of Utah

SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

Department of Natural Resources

JOEL FERRY
Executive Director

Public Lands Policy Coordinating Office

REDGE B. JOHNSON
Director

February 6, 2024

Submitted electronically: Jens.Jorgensen@pacificorp.com

Jens Jorgensen
Environmental Analyst Transmission & Distribution
Rocky Mountain Power
1560 West North Temple
Salt Lake City, UT 84116

Subject: **Rocky Mountain Power, Silver Creek – Kamas 46kV Transmission Line Upgrade**

Dear Mr. Jorgensen:

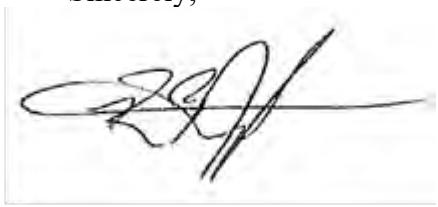
The state of Utah ("State"), through the Public Lands Policy Coordinating Office (PLPCO), in coordination with the Utah Division of Wildlife Resources ("DWR"), has reviewed the "Rocky Mountain Power, Silver Creek – Kamas 46kV transmission line upgrade" proposal and offers the following greater sage-grouse related comments.

The project is outside of designated Sage Grouse Management Areas and more than three miles from the nearest documented sage-grouse breeding location. DWR appreciates Rocky Mountain Power's proactive mitigation approach of limiting construction operations until after 10 a.m. daily. This effort is consistent with the Utah Conservation Plan for Greater Sage Grouse to reduce potential disturbance. The proximity of the project to SR-248 will further minimize any possible impacts.

If you have wildlife questions, please contact Josee Seamons, the DWR's Impact Analysis Biologist in our Central Region office, at jseamons@utah.gov or 385-421-1277.

The State and DWR appreciate the opportunity to provide comments. Please contact me if you have any further questions.

Sincerely,



Redge B. Johnson
Director

File Attachments for Item:

4. Discussion and possible recommendation regarding an amendment of the Official Town of Hideout Zoning Map to rezone parcel 00-0020-8164 (Wildhorse Development) from Mountain (M) zone to Neighborhood Mixed Use (NMU). This development is located on the northern side of SR-248, between the Woolf property and the Klaim Subdivision.

INTEGRATED planning & design

Staff Report #5 for the Wildhorse Provisions Development (Tim Schoen) – Revised Concept Plan

To: Chairman Tony Matyszczyk
Town of Hideout Planning Commission

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

Re: Wildhorse Provisions – Revised Concept Plan

Date: Prepared for the November 21, 2024 Planning Commission Meeting

---

Submittals: *Revised Concept Plan Received on November 13, 2024*

Background

The Applicant initially presented a Concept Plan on June 18, 2024 that was favorably reviewed by the Planning Commissioners at that time. After that, the Applicant began working with a new architectural team and updated the building design while keeping the proposed uses, building layout, and parking generally the same. At the September 19, 2024 meeting, the Applicant presented the new building design as an updated Concept Plan.

The Planning Commission expressed some concerns about the height of the new buildings that exceeded the maximum allowed height of 45'-0" in the Neighborhood Mixed Use (NMU) zoning designation. There were also some concerns about stormwater runoff and the need for a detailed stormwater management plan as well as questions regarding the setbacks from SR248 and the heights of the retaining walls visible from the highway.

The Applicants were scheduled to appear before the Planning Commission the following month, on October 17, 2024, but requested to be continued since they were in the process of design revisions and researching/addressing a height restriction easement recorded against the property that limits building heights on this property to a maximum height of 20'-0".

Based upon confirmation of the new height restrictions per an easement signed in 1999, the Applicants have redesigned the project to comply with the 20'-0" height limit. This redesign is the subject of review by the Planning Commissioners. on the property and requires additional retaining walls. The proposed commercial uses and number of buildings remains the same.

Zoning Request and MDA

In conjunction with the proposed revisions to the building design, the Applicant applied to rezone a portion of their property, 2.54 acres, from Mountain (M) to Neighborhood Mixed Use (NMU).

This site is part of a larger property (15.19 acres) that the owner intends to develop soon. The remaining 12.65 acres are not proposed for any zoning changes at this time.

Site Characteristics

Total Acres of Site:	2.54 Acres
Current Zoning:	Mountain (M) – single-family residential uses allowed
Allowed Density:	One (1) single-family dwelling unit per acre

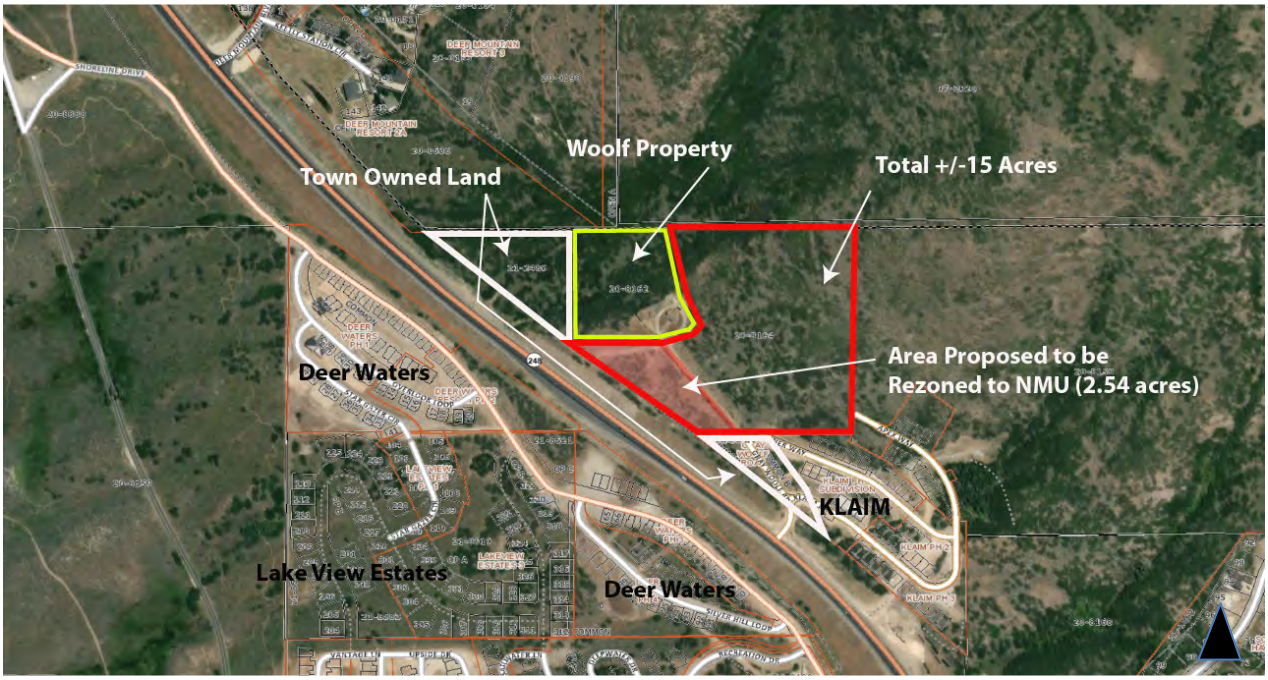
Proposed Concept

Proposed Uses:	A restaurant with a bar/pub Up to five (5) retail/commercial spaces – a market, coffee shop, wellness center, a kitchen, etc. The sizes of each space have not been provided. Residential uses have been removed from the proposed buildings on this portion of the property.
Total Square Feet:	+/- 18,000 SF of commercial space.

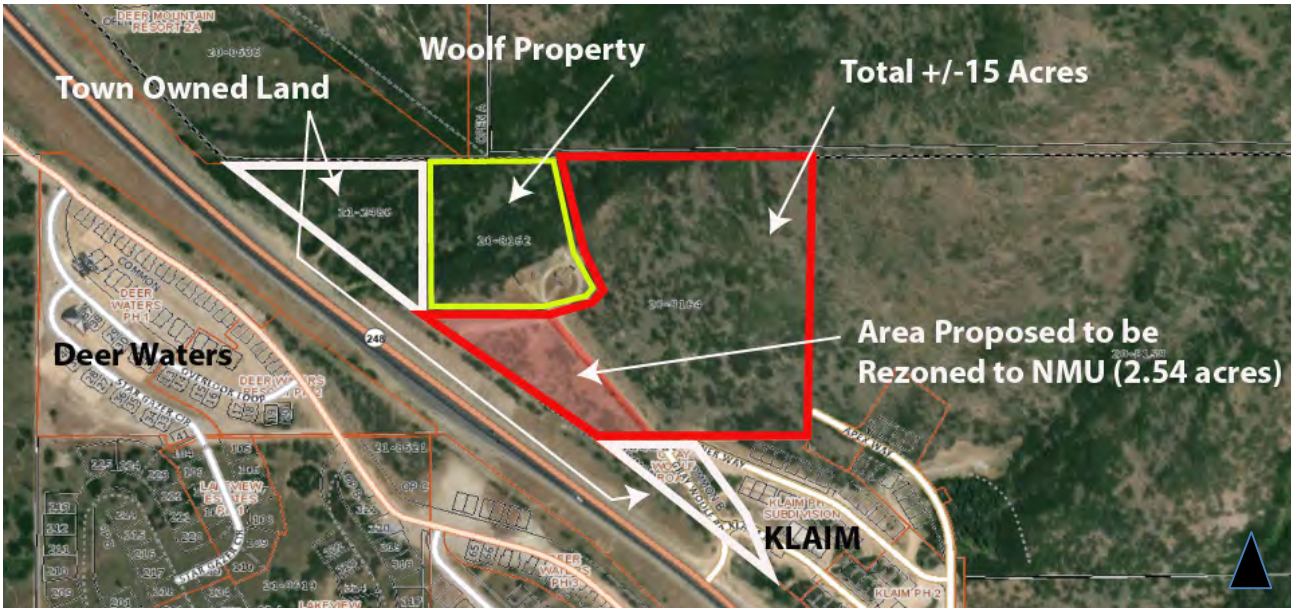
Site Location (proposed site in red)



Parcel Map - Site & Proximity Location
(proposed site in red and Town-owned site in white)



Zoomed In Parcel Map



Concept Plan – 3D Images

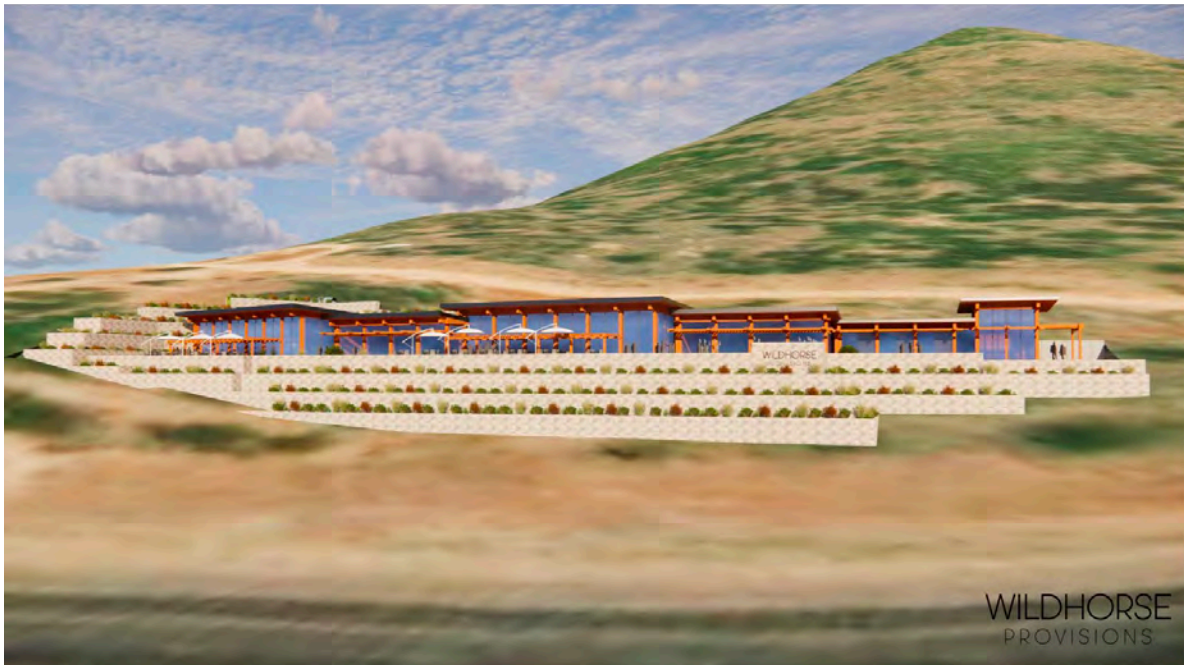








Exhibit A includes the full set of plans submitted by the Applicant on November 13, 2024

Planning Commission – Site Plan and Building Design Issues for Discussion

The following are site planning and design/development related issues that warrant additional review and analysis:

- The Hideout Municipal Code (HMC) Sensitive Lands ordinance (10.08.28) does not allow any development on slopes greater than 30% - residential or commercial. Much of this site is greater than 30%. The Applicant should provide a site plan with the areas of slope in excess of 30% identified. Is the Planning Commission supportive of development on slopes greater than 30%?

- The setback requirement from SR248 is 50'-0" from the ROW line or property line – for any structure. The submitted plan has the patio and associated retaining walls at the lot line with the UDOT RO – 0' setback. The Neighborhood Mixed Use (NMU) setbacks are: 0' front, 30' sides, 30' rear, and 50' from UDOT highway ROW. Is the Planning Commission supportive of the reduced setbacks?

- The Town's engineer has not reviewed conceptual site plan for stormwater analysis, but the proposed building footprint and associated parking, on steep slopes, will likely require a robust stormwater management plan. Do the Applicants believe there is enough space to adequately address this issue on site and keep the retention basin relatively hidden?

    - The Applicants shall provide a detailed analysis of the total square footage of building footprints on the site, total pavement (SF), and total area of undisturbed land/open space, etc. The NMU district limits disturbed land – buildings, pavement, etc. - to a maximum of 80% of the site (2.54 acres); 20% open space.

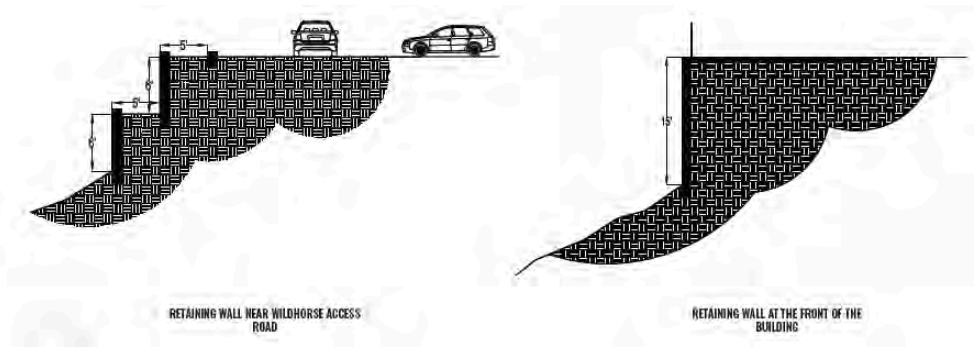
- The proposed Concept Plan includes access points off the driveway that provide access for the Woolf property (a single-family residential structure). Currently, this driveway does not meet the Town's requirements for commercial development and/or higher-density residential development (anticipated upslope).

  Once the conceptual site plan is finalized, the Applicants shall submit final engineered plans to the Town Engineer with road grades and widths included.

  Additionally, UDOT will need to confirm that the existing KLAIM access point to SR248 is sufficiently designed to accommodate new development in this area.

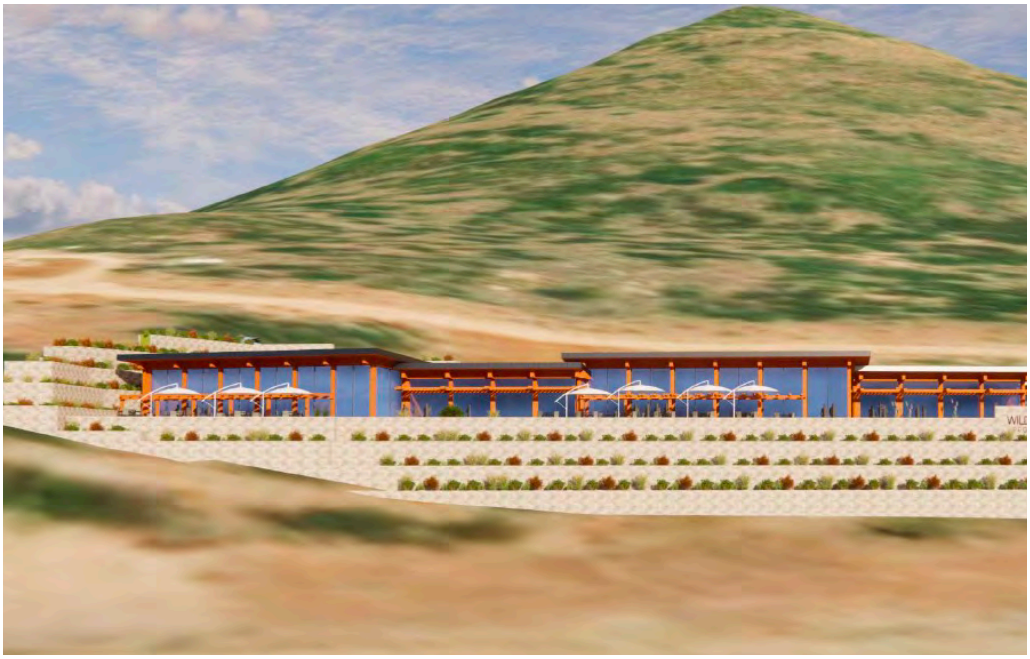
- Regarding retaining walls, the conceptual proposal rendering of the façade facing SR248 illustrates a retaining wall below the downslope section of the proposed commercial building and parking lot. Details regarding materials and individual wall heights will be necessary to ensure compliance with the Hideout Municipal Code (HMC) maximum retaining wall height of 6'-0" for a single wall or 10'-0" for a double tiered wall (two 5'-0" walls). These requirements apply to all retaining walls on site. The Code does not allow retaining walls greater than 10' - 0" on a property. If the Applicants wish to request a variance for higher walls by way of an MDA, the heights of each wall or series of walls must be detailed.

The Applicant provided a cross section that depicts the height of the retaining wall along two locations that front SR248. The Applicant should explain where these walls are proposed.



A detailed cross section – through the subject property from SR248 to and including Gray Woolf Road – is necessary to understand the extent of retaining walls proposed on site.

View from SR248 (looking up at the proposed development)



The Applicant must provide a few cross sections of the entire site from SR248 up beyond Gray Woolf Road. It appears there will be additional retaining walls that exceed the Town's zoning requirements (such as the retaining walls along Gray Woolf Road above the proposed commercial access driveway and parking area). The Applicants should also include the proposed height of the retaining wall along SR248.

- The Applicants shall provide the Planning Commission a detailed list of variances and/or waivers requested.

Non-Site Planning Issues for Planning Commission Discussion

Town Owned Land

The Applicants would like to partner with the Town and utilize some of the Town owned land which the Town acquired from UDOT in conjunction with getting access from SR248 for the KLAIM project (south end of the subject property and depicted on the following page). This area contains 1.49 acres and, subject to Planning Commission recommendation and Town Council approval, would allow access over the parcel and allow the project to have additional parking spaces.

The follow planning and design documents are required for submittal and review:

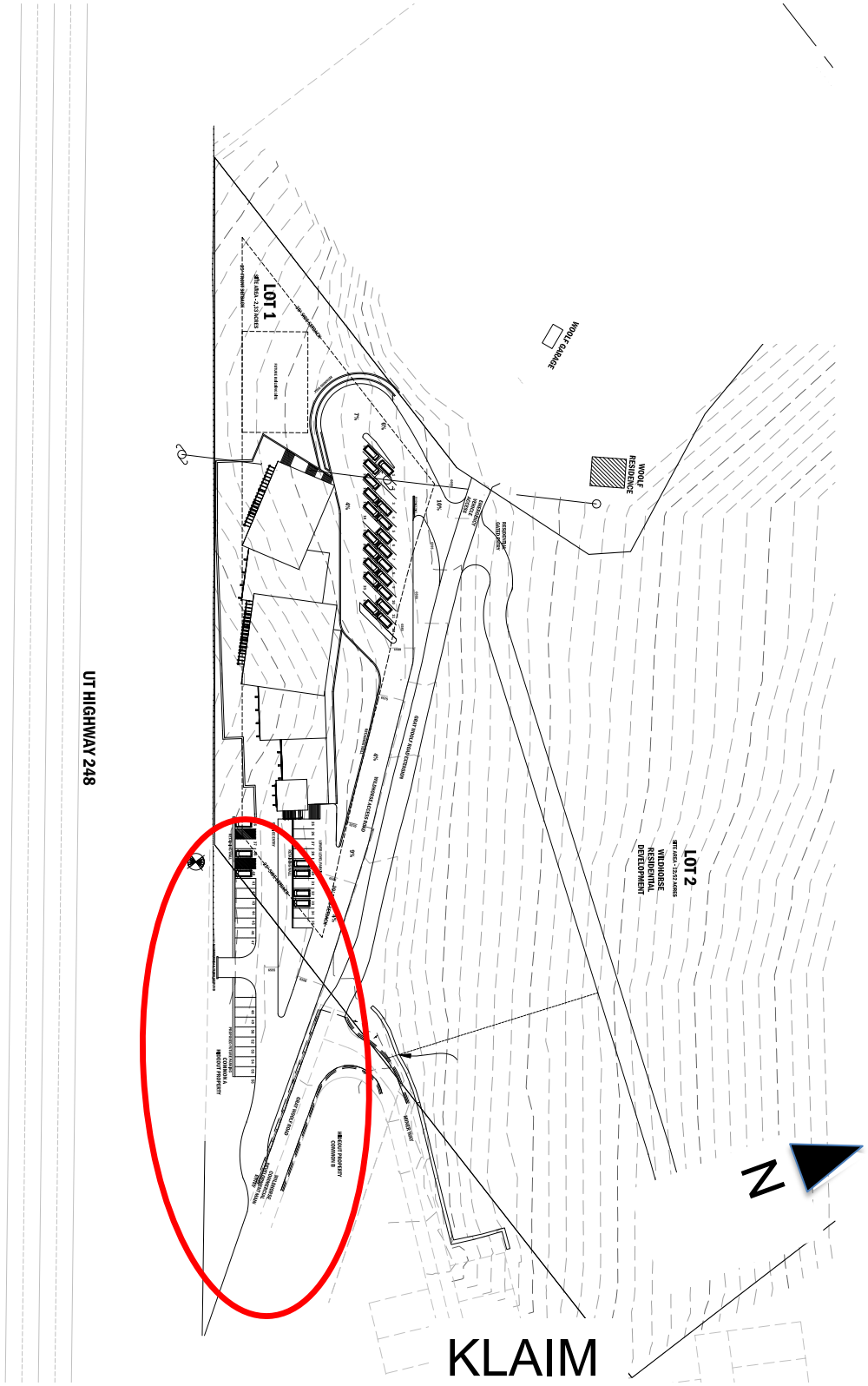
- Steep slope survey depicting 30%+ slopes and areas of cut and fill (and an analysis of how much soil will be added to or removed from the site)
- Landscape plan with stormwater infrastructure included
- Detailed architectural elevations with proposed materials and building heights
- Cross sections through the site (from SR248 to the upslope side of Gray Woolf Road)
- Final site plan with parking and landscaping
- Final engineering drawings for the Town Engineer to review
- Other documents as noted by the Planning Commission

This review is important because, subject to the Town Council granting an easement for the Applicant to use the Town's land for access, it will be important to ensure the minimum number of required parking spaces can be retained on the Applicant's 2.54-acre site. The Town may allow access (and perhaps parking spaces) on the Town-owned land, but the privately owned land should be able to accommodate the required number of parking spaces per the zoning ordinance. In addition, the Town needs to understand if the Applicant is requesting variances on the Town-owned land for slope and coverage.

If the proposed conceptual site plan is recommended by the Planning Commission and the Applicants move to the rezoning request, the Town-owned property will have to be rezoned to Neighborhood Mixed Use (NMU) so that the proposed parking can be constructed on site.

The November 13, 2024 submittal appears to indicate a total of 56 parking spaces, 38 of which appear to be located on the 2.54-acre site (numbers to be confirmed by the Applicant given the pdf was difficult to read at the resolution provided). At the concept level, the proposed 18,000 square foot commercial structure requires 36 parking spaces on site. As presented, the project meets the minimum parking standards of two parking spaces per 1,000 SF of commercial development.

Town Owned Land
(located within the red circle)



Encroachments and KLAIM

The Applicants should speak to the issue of and retaining wall encroachments adjacent to the Town owned land, the KLAIM property, and the Applicant's property. Any outstanding issues shall be resolved prior to a rezoning of the property in association with a finalized MDA. The Applicants shall also confirm the proposed road will be built to Town Standards and that the HOA will assume maintenance and snow removal responsibilities for the project, including on the Town land.

Architecture and Design Standards

The Town has historically required adherence to design and development standards for major projects. The Town should adopt a set of commercial or mixed-use standards, in conjunction with the Applicant's design team, that will ensure quality development for any commercial development.

Phasing /Timing

The Applicants shall provide a timeline for the proposed construction of the completed project.

2019 Hideout General Plan

When the Planning Commission considers a concept plan or rezoning request, any recommendation must be in compliance with the General Plan. The vision statement for the General Plan indicates:





The General Plan recommends preservation of viewsheds, the natural environment, and land development at intensities appropriate to the site and respectful of the natural environment. The Planning Commission should review the proposed conceptual site plan and determine whether it complies with the General Plan.

The Applicants should explain any proposed community benefits and/or any proposed commitments as part of the proposed upzone requested and the proposed use of Town-owned land.

Recommendation and Next Steps

The Planning Commission should review the proposed revision to the conceptual site plan design and provide direction to the Applicants in the form of a recommendation to move forward as is to the next step – MDA and rezoning – or to move forward with revisions, or to recommend denial of the proposed conceptual site plan design.

If the recommendation is to move forward as is, or with recommended revisions, the Applicants will plan to appear before the Planning Commission at the next meeting regarding the rezoning request and associated MDA.

Exhibit A
Full Submittal Package

(see following pages)

PROJECT UPDATE: NOVEMBER 18, 2024

10860 N. Hideout Trail
Hideout, Utah 84036

Application #	
Zone	
Tax ID #	00-0020-8614
Date Received	
Received By	
Reviewed By	
Date Completed	

Zoning Change Petition Form

Petition For Change (12.02.24)

Any person desiring to initiate a change in this title or the zoning map shall submit a petition to the Town Administrator explaining the request and the reasons therefore. The petition shall be accompanied by an amendment petition fee in an amount determined by the town fee schedule and listed below.

Town of Hideout Fee and Rate resolution #2024-R-01 (January 2024)

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

1. Project Information

Project Name: Wildhorse PC
Project Location: Hideout, Utah
Legal Description: Parcel # 00-0020-8164
Tax ID: #00-0020-8164

Owner(s) of Record:
Full Name: Grand Summit Point, LLC
Address: 1215 Walnut Hill Farm Drive, Chesterfield, MO 63005
Phone: 314.816.7419 Email Address: tschoen@brewhub.com

Architect / Engineer / Landscape Architect / Surveyor:
Full Name: Stantec Architects, Thomas C. Longhi, AIA
Address: 224 S. Michigan Ave., 14th floor, Chicago, IL 60604
Phone: 312.952.6545 Email Address: tom.longhi@stantec.com

Current Zone(s)

- [x] Mountain (M)
- [ ] Residential Single Family (RSF)
- [ ] Residential Medium Density (RMD)
- [ ] Residential High Density (RHD)
- [ ] Neighborhood Commercial
- [ ] Commercial (C)
- [ ] Light Industrial (LI)
- [ ] Community Site (CS)
- [ ] Open Space (OS)
- [ ] Resort Specialty Planned Area (RSPA)
- [ ] Resort Village Medium Density (RVMD)
- [ ] Resort Village High Density (RVHD)
- [ ] Planned Performance Development (PPD)

Requested Zone(s)

- [ ] Mountain (M)
- [ ] Residential Single Family (RSF)
- [ ] Residential Medium Density (RMD)
- [ ] Residential High Density (RHD)
- [x] Neighborhood Commercial
- [ ] Commercial (C)
- [ ] Light Industrial (LI)
- [ ] Community Site (CS)
- [ ] Open Space (OS)

Subdivision and Lot #, or Survey, Lot and Block #:
Parcel # 00-0020-8614

Project description: (Include number acres, number of lots and projected ERU's):
One-story shed roof commercial building(s) of approx. 18,000 sf on 2.54-acre site with proposed approx. 9 EUR's; final number to TBD.

WILDHORSE PROVISIONS . Hideout, Utah
Stantec
08/20/2024

2. Zone Change Request Procedures

Requests for amendments or changes to the Zoning Ordinance or the Official Zoning Map shall be initiated with the Town Staff and Planning Commission. The amendment process shall proceed as follows:

1. ■ A petition shall be submitted to the Town of Hideout along with required fees in amount determined by the Town's Fee Schedule.

    a. The petition must include a complete narrative outlining the Zoning District proposed to be changed, including:

        i. Why the Applicant proposes the change
        ii. Proposed Zoning District and location/boundary/graphics/mapping
        iii. All other supporting documentation

2. Within thirty (30) days of submittal, the Town Staff will review the petition for completeness and a letter will be sent if additional information is needed.

3. When the Town Staff determines that the petition is complete and ready for Planning Commission review, Town Staff will notify the Commission's Authority Representative and the Commission's Authority Representative will establish a date for a public hearing providing sufficient public notice as required under Section 11.06.06.

4. A public hearing shall be held by the Planning Commission.

5. All proposed amendments shall be first reviewed by the Town Planner and submitted to the Planning Commission for its recommendation as provided in this chapter.

6. The Planning Commission shall review the petition and shall recommend adoption of proposed amendments to the Town Council only where it finds:

    a) The proposed amendment furthers the purpose of the General Plan, or
    b) That changed conditions make the proposed amendment necessary to fulfill the purposes of this title.

7. Once a recommendation has been made by the Planning Commission, The Town Council will establish a date for a public hearing that provides sufficient public notice as required under Section 11.06.06.

8. A public hearing shall be held by the Town Council. After the required hearing on the proposed amendment, the Town Council may adopt, modify or reject such amendment.

9. Resubmission of an application for the same amendment shall not be allowed for a period of twelve (12) months. Any such resubmission shall follow the same procedures as the original submission.

3. Applicant or Authorized Representative to Whom all Correspondence Is to Be Sent

☐ Applicant is not the owner listed above.

Full Name: Tim Schoen

Address: 1215 Walnut Hill Farm Drive, Chesterfield, MO 63005

Phone #: 314.816.7419

Email Address: tschoen@brewhub.com

The checklist below must be included with your application with all items checked off to designate that they have been submitted or your application will not be processed.

4. Checklist:

a) ■ Fee paid

b) ■ Completed Zoning Change Petition Form

c) ■ Preliminary Engineering sketch/drawing of the proposed use; drawn to scale not smaller than one-inch equals one hundred feet (1" = 100ft) and showing the following (both hard copy and electronic)

i. ☑ North point, scale, date

ii. ☑ Area to be developed

iii. ☑ Adjacent property

iv. ☑ Proposed lot lines with lot sizes

v. ☑ Proposed building envelopes

vi. ☑ Proposed ERU's

5. Acknowledgement of Responsibility

This is to certify that I am making an application for the described action by the Town of Hideout and that I am responsible for complying with all town requirements regarding this request. This application should be processed in my name and I am a party whom the town should contact regarding any matter pertaining to this application.

I have read and understood the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that my application is not deemed complete until the Town Administrator or designee has reviewed the application and notified me in writing that it has been deemed complete. **I understand that any application I submit will be governed by the terms of the Town Code of the Town of Hideout** and that I am responsible to understand those provisions and ensure that the application complies with the same.

I will keep myself informed of the deadlines for submission of material and the progress of this Zoning Petition application. I understand that I will be informed of the dates set for any public hearing or public meetings. This report will be on file and available in the Town of Hideout office shown above.

I further understand that additional fees may be charged for the Town's review of the application, and that the fee for the zoning petition is non-refundable. Any additional analysis required would be processed through the town's consultants with a written estimate of time/expense/scope. This estimate will be provided to the applicant for authorization prior to any work being performed.

Signature of the Applicant:

Name of Applicant (Print): Tim Schoen

Mailing Address: 1215 Walnut Hill Farm Drive, Chesterfield, MO 63005

Phone: 314.816.7419

Email Address: tschoen@brewhub.com

6. AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

Name of Applicant (Print): Tim Schoen

Mailing Address: 1215 Walnut Hill Farm Drive, Chesterfield, MO 63005

Street Address/Legal Description of Subject Property:
Parcel # 00-0020-8614

Signature: _____ Date: 11-8-24

1. If you are not the fee owner, attach another copy of this form that has been completed by the fee owner, or a copy of your authorization to pursue this action.
2. If a corporation is fee title holder, attach a copy of the resolution of the Board of Directors authorizing this action.
3. If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.

Please note: This affirmation is not submitted in lieu of sufficient title evidence. You will be required to submit a title opinion, certificate of title, or title insurance policy showing your interest in the property prior to final action.

Town of Hideout-Change of Zoning Application

Zoning Analysis: 11/7/2024

Existing Zoning: Mountain

Proposed Zoning: Neigborhood Commercial

	N. Commercial Zoning Requirements			Proposed Plan	
Density					
	Max. Unit Density (ENU's)	10	>	Proposed ENU's	9
	Min. Open Space	25%	<	Proposed Open Space	50.2%
Frontage/Lot Size					
	Min. Lot Size	.5 acres	<	Proposed Lot Size	2.54 acres
	Min. Lot Frontage	100 ft	<	Proposed Lot Frontage	624.94 ft
	Min. Lot Width	100 ft	<	Proposed Lot Width	624.94 ft
	Min. Lot Depth	100 ft	<	Proposed Lot Depth	approx. 200 ft
	Max. Lot Coverage	70%	≥	Proposed Lot Coverage	49.8%
Setbacks					
	Min. FY Setback: road edge	25 ft	=	Proposed FY Setback: road edge	25 ft
	Min. Setback:Highway ROW	50 ft	<	Proposed Setback: Highway ROW	150 ft
	Min. RY Setback	30 ft	=	Proposed RY Setback	30 ft
	Min. SY Setback	30 ft	=	Proposed SY Setback	30 ft
Building					
	Max. Building Height	45 ft	>	Proposed Building Height	20 ft
	Max. Units per Building	20		N/A	
Driveway/Garage					
	Min. Parking (non-residential per 1000 sq ft)	2	=	Proposed Parking per 1000 sq ft	2
	Min. Driveway Width	20 ft	<	Proposed Driveway Width	23 ft
	Max. Driveway Width	26 ft	>	Proposed Driveway Width	23 ft
	Max. Driveways per Frontage	2	=	Proposed Driveway per Frontage	2

parking area including roads = 34822 sq ft approx. ,
including building area and decks = 50510 sq ft

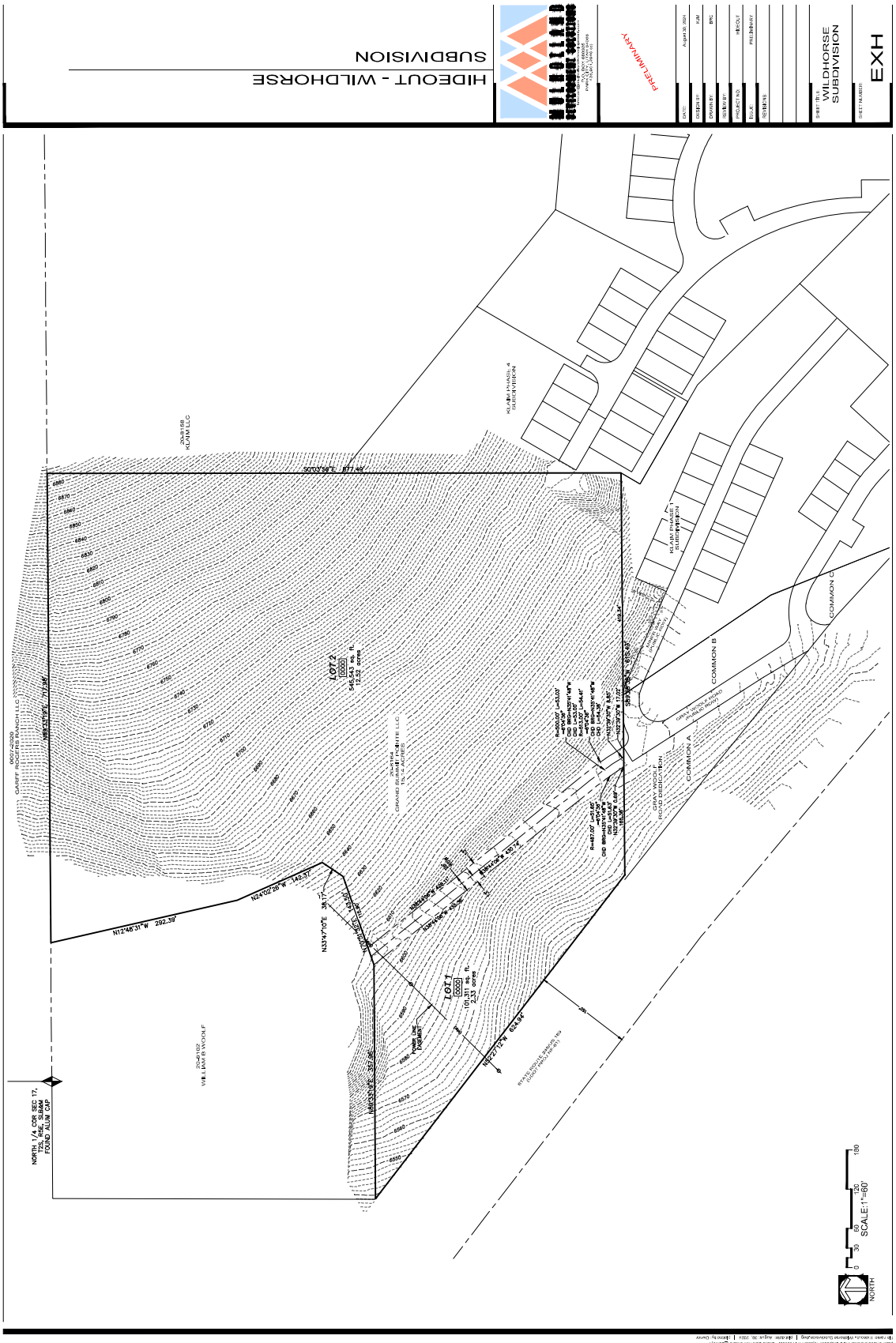
101495 total site

0.49766 % lot coverage

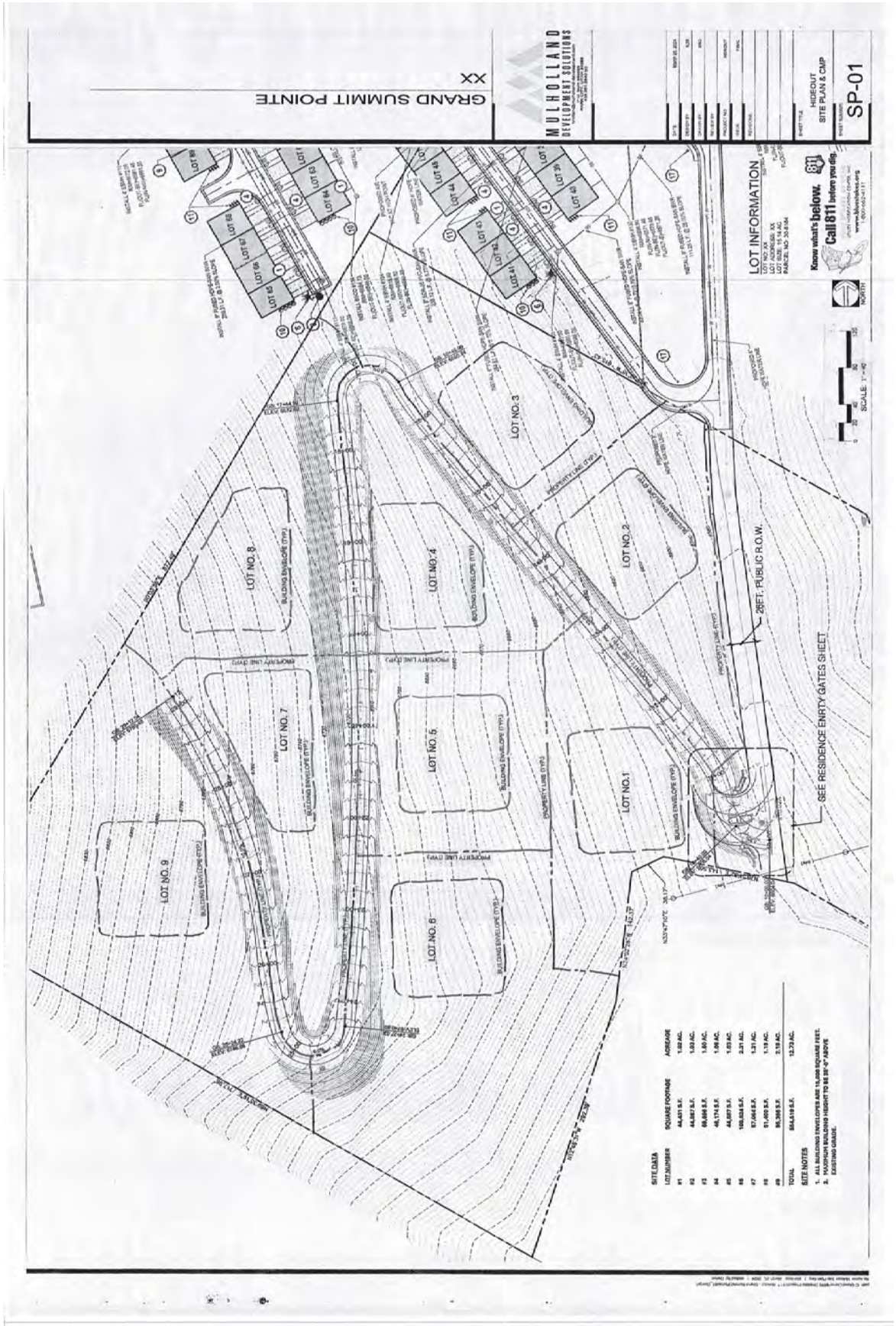
0.502339036 % open space

ZONING ANALYSIS

SITE CIVIL/SURVEY



PROPOSED RESIDENTIAL PLAN AND ENTRY GATEWAY



RESIDENTIAL ENTRY GATES

Floor Plan

RESIDENCE ENTRY GATES

WILDHORSE

TOWN OF HIDEOUT, UTAH

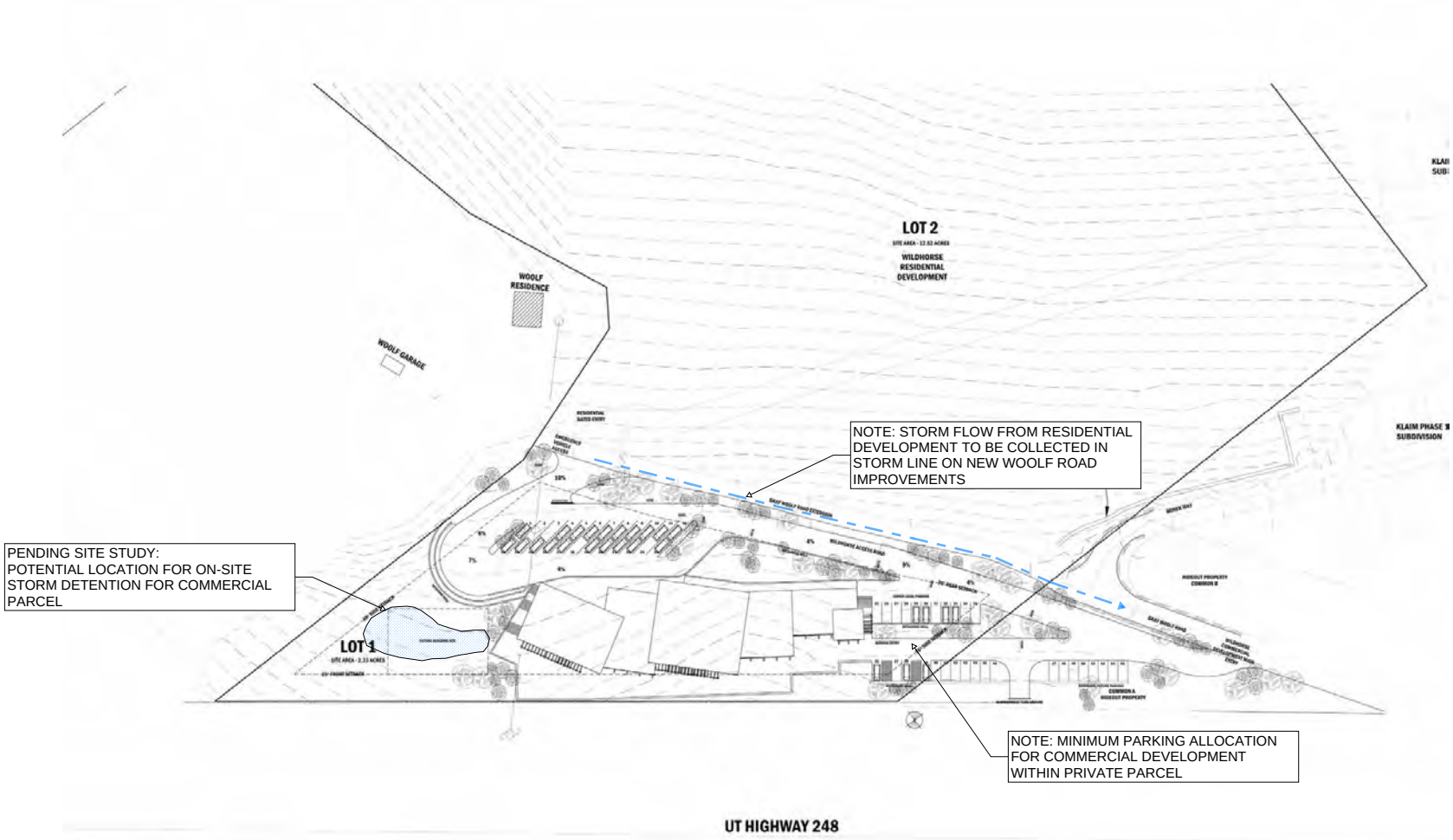
SCALE: 1/8" = 1'-0" DATE: 8/23/2024 NORTH

OTTO WALKER architects

PROPOSED RESIDENTIAL PLAN AND ENTRY GATEWAY

PROPOSED RESIDENTIAL PLAN AND ENTRY GATEWAY

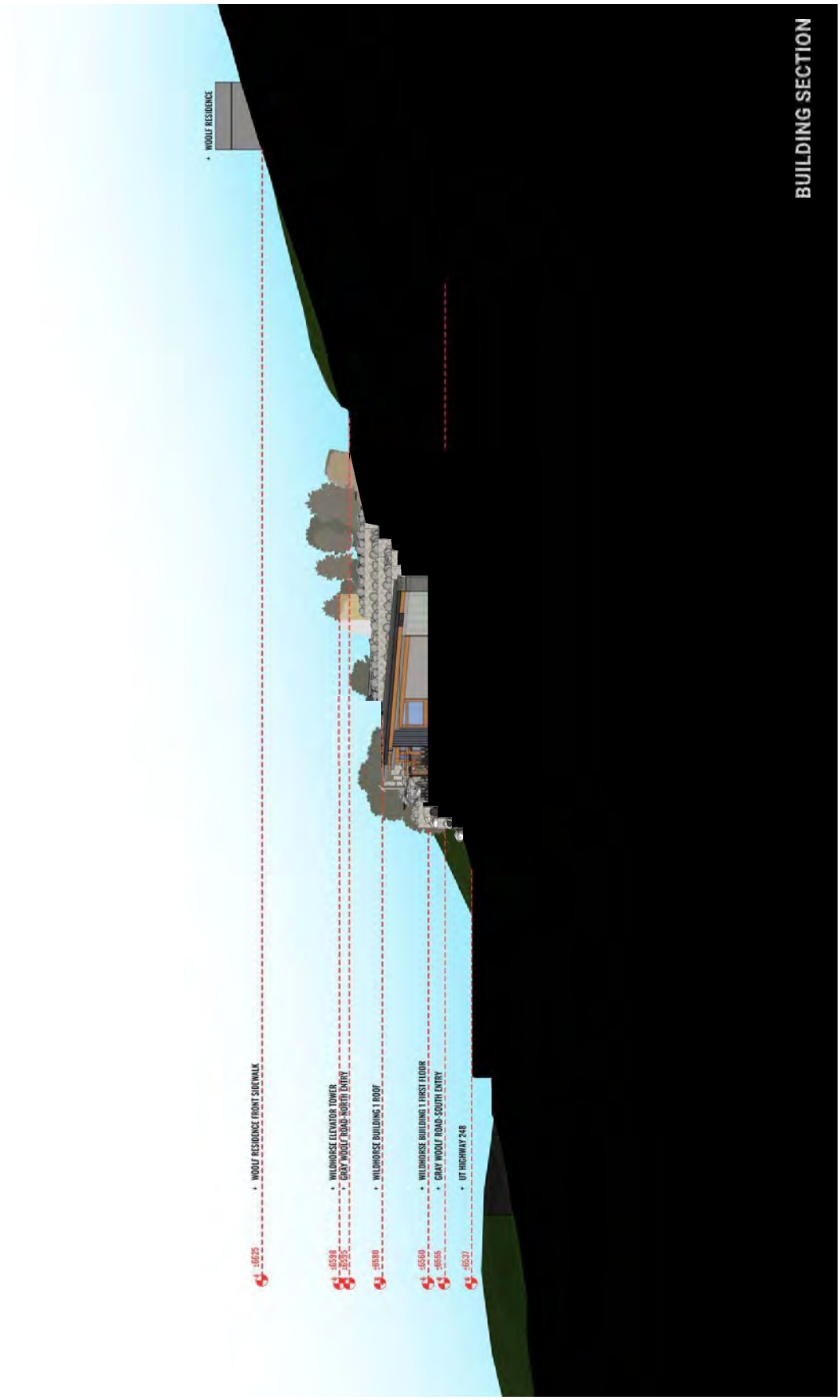


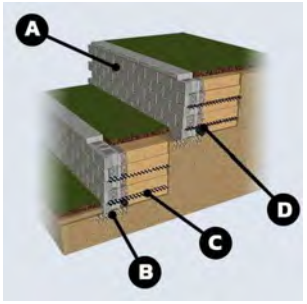


OPTION 1

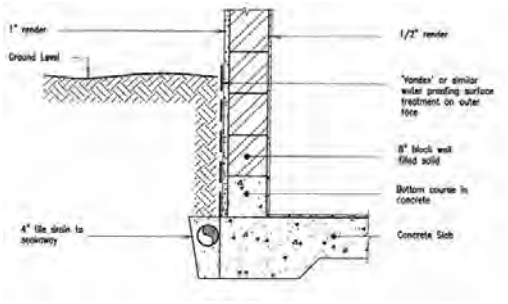
Stantec

08/20/2024

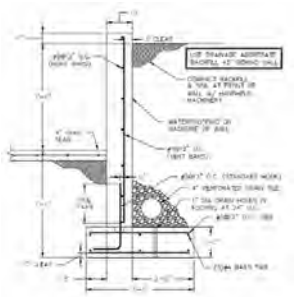

BUILDING SECTION
+ WOOLF RESIDENCE
+ WOOLF RESIDENCE FRONT SIDEWALK
+ WILDHORSE ELEVATOR TOWER
+ GRAY WOOLF ROAD- NORTH ENTRY
+ WILDHORSE BUILDING 1 ROOF
+ WILDHORSE BUILDING 1 FIRST FLOOR
+ GRAY WOOLF ROAD- SOUTH ENTRY
+ UT HIGHWAY 248
6635
6598
6595
6588
6560
6556
6537



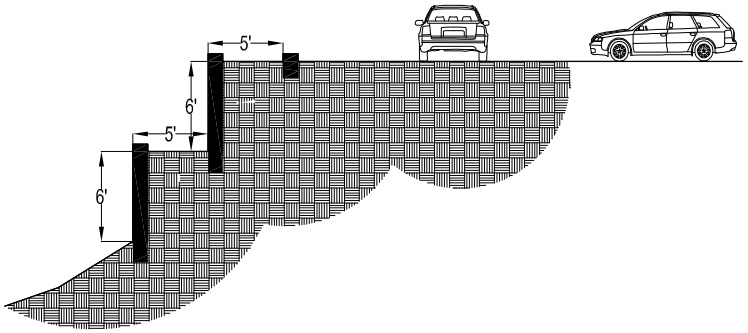
PRECEDENT 1



PRECEDENT 2

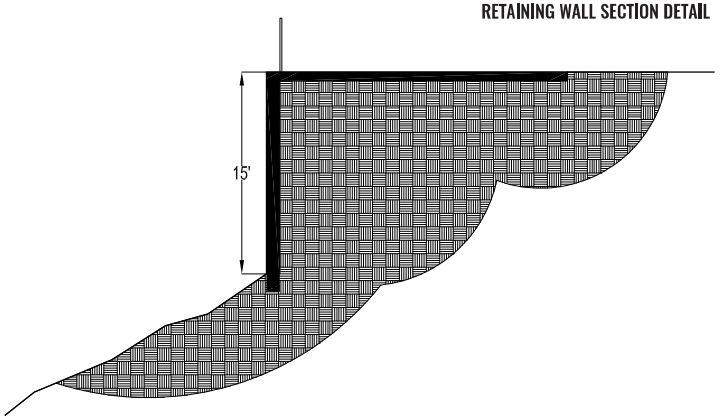


PRECEDENT 3

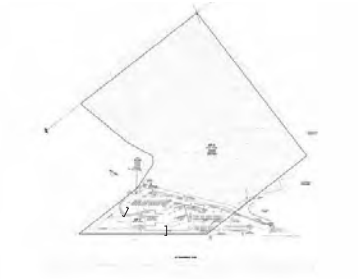


RETAINING WALL NEAR WILDHORSE ACCESS ROAD

RETAINING WALL SECTION DETAIL



RETAINING WALL AT THE FRONT OF THE BUILDING



KEY PLAN

PRECEDENT IMAGES










VIEW FROM THE UNBUILT ROAD

VIEW FROM THE HIGHWAY

VIEW FROM WEST

VIEW FROM HIGHWAY



File Attachments for Item:

1. Presentation and discussion of a concept plan for the Elk Horn Springs Development on parcels 00-0020-8182 and 00-0020-8184 ("the Salzman Property").

INTEGRATED planning & design

Staff Report for Concept Plan Review (East and West Half of the Salzman Property) – Elk Horn Springs

To: Chairman Tony Matyszczyk
Town of Hideout Planning Commission

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

Re: Elk Horn Springs Concept Plan for the Salzman Property

Date: Prepared for the November 21, 2024 Planning Commission Meeting

---

Submittals: *Updated Concept Plan Application and Concept Plan dated November 6, 2024*

Background

The Planning Commission has seen two site plan concepts for the east portion of the Salzman property. The Planning Commission last heard a presentation was on September 4, 2024 where the Planning Commission expressed some concerns regarding the conceptual layout. Since that time, additional concerns have been expressed to staff:

- The amount of grading associated with the road network and proposed road grades as well as roadside slopes created
- The removal of the knoll to allow for additional lots with views of the Jordanelle Lake
- An understanding of what areas of the property's +/-70 acres (east portion) would remain untouched
- The extent of retaining walls proposed for the public rights-of-way and private lots
- The recommended stormwater plan and consideration of best practices

The Applicant now has an additional option to purchase the west portion of the Salzman property and has been working with their engineering team to develop an updated conceptual site plan that includes the entire property's +/-115 acres.

Staff recommends the Planning Commission only focus on the conceptual layout, density, road network, grading, commercial development, etc. – the physical components of the plan that will define the character of the Town's largest undeveloped and unentitled parcel. The MDA and rezoning requests/applications are scheduled for a hearing at the Planning Commission's next meeting on December 19, 2024.

Existing Site Characteristics

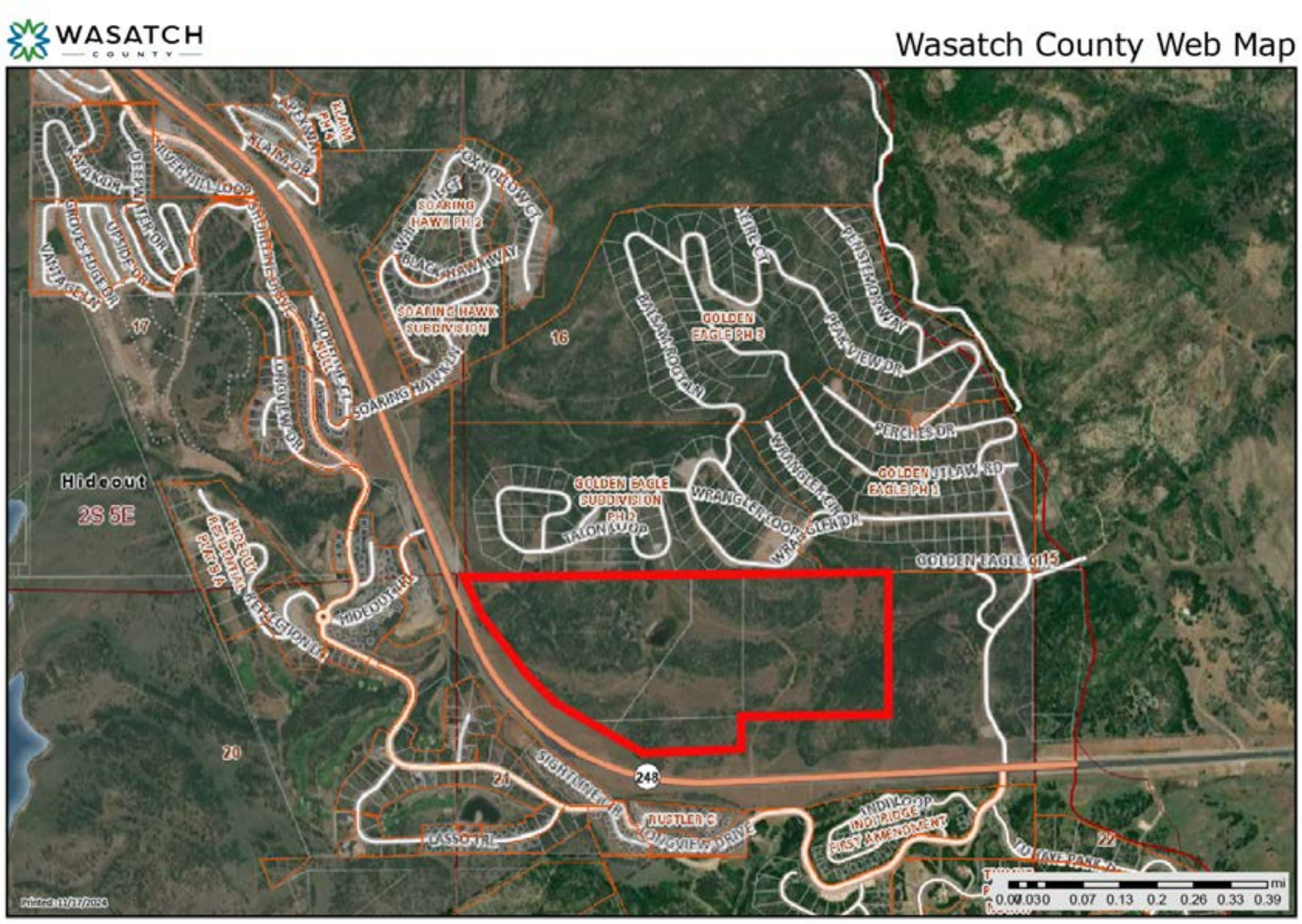
Total Acres of Site:	+/-115 Acres
Current Zoning:	Mountain (M) (per the Former Town Code)
Allowed Density:	One (1) unit per acre

Proposed Concept Plan Density

The updated Concept Plan includes the following density requests:

• Townhomes:	58 units
• Single-Family Lots:	150 lots
• Neighborhood Commercial:	4 Parcels (SF / building footprint to be clarified)

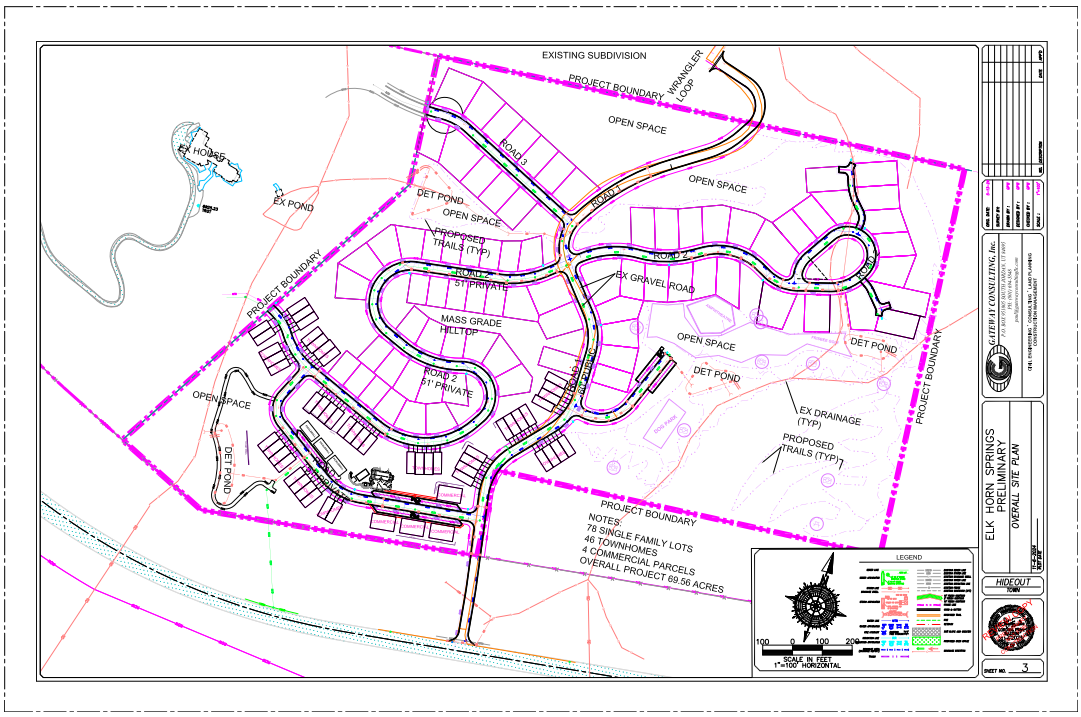
Town Map Illustrating Site in Context



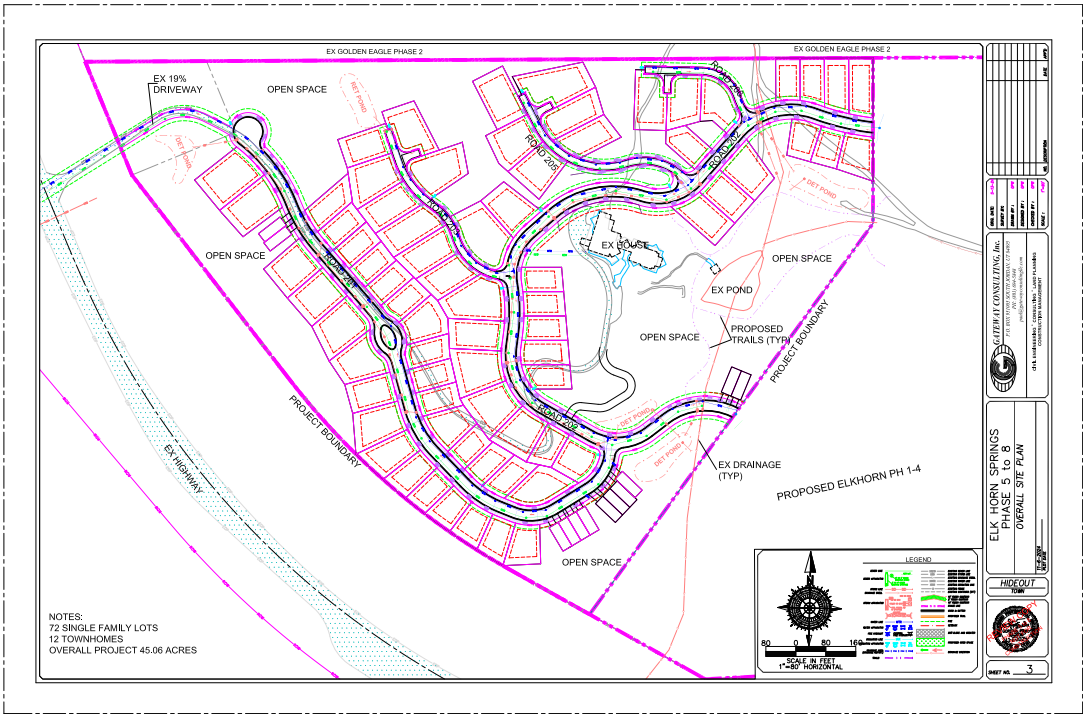
The boundary lines shown here have been generated for the internal use of Wasatch County and should only be used for general reference purposes.

Questions concerning ownership boundary locations should be directed to a title company, attorney, or licensed land surveyor. Wasatch County makes no warranty as to the accuracy or usefulness of this information. The end user of this information assumes all responsibility concerning this information's appropriate use.

Elk Horn Springs Concept Plan (East Side)
+/- 70 acres w/ 78 SF Lots = 48 Townhomes and 4 Commercial Lots



Elk Horn Springs Concept Plan (West Side)
+/- 45 acres w/ 72 SF Lots = 12 Townhomes



Planning Commission – Specific Conceptual Site Planning Input

The subject site is the largest undeveloped site within the Town's existing boundary/jurisdiction and offers significant opportunities for the Town in terms defining the character of the Town. Most of the Town of Hideout has a density of 1.5 units/acre. At 115 acres, and zoned Mountain (M) residential per the former Town Code, the site has a 20% open space requirement that stipulates the protection of existing and desirable vegetation, wildlife corridors, etc. This coupled with the Town's Sensitive Lands development standards (detailed below) that don't allow development on slopes greater than 30%, significantly limits what can be developed on this property.

The Applicant has not provided a base assessment of the density that can be built on this site by-right (per the current code restrictions) which include:

- 20% of the site must be dedicated open space (untouched)
- No build on slopes greater than 30%
- Minimum 1-acre lots (with limits of disturbance to protect existing vegetation)

This base assessment should be provided by the Applicant so that the Planning Commission fully understands what can be built by-right with no waivers or variances from the Town Code.

A simple "back-of-the-envelope" analysis by staff indicates the following (recognizing that staff has not formally analyzed the site in GIS, AutoCAD, or similar software):

Total Acres of Site:	115 acres
Open Space Requirement:	23 acres (20% of 115 acres)
Road and Infrastructure:	23 acres (typically roads, utility easements, stormwater management, etc. equate to approximately 20% of a development project)
	<u>Based on this assessment, and with a minimum code-required lot size of one (1) acre, the total number of lots that could be built on this site is 69.</u>

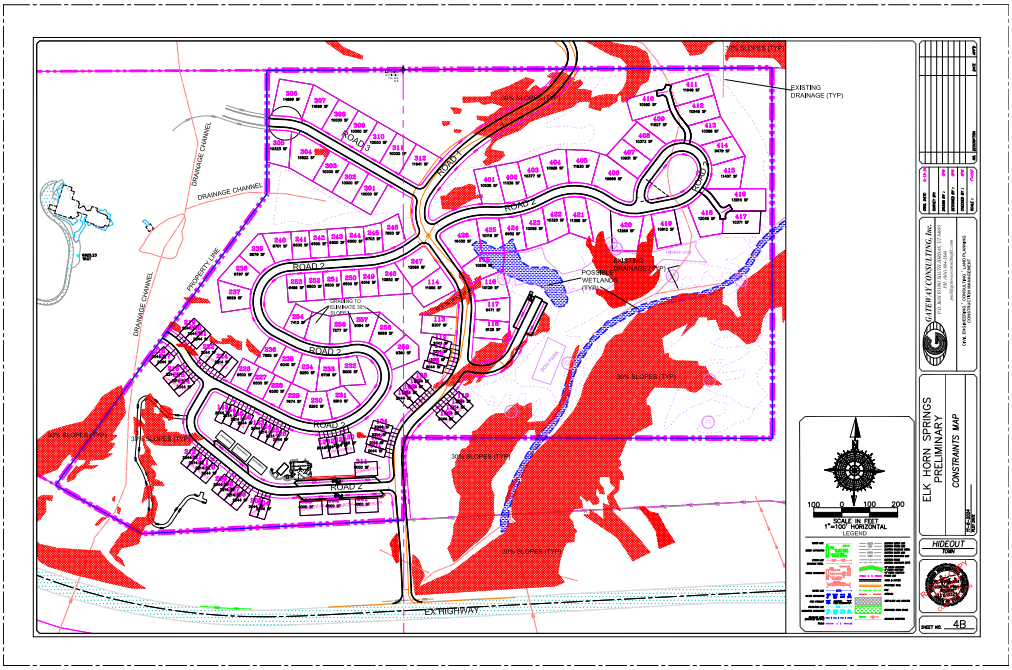
Also noteworthy, this is prior to the Sensitive Lands ordinance requirements that limit development on slopes greater than 30% and the Steep Slope ordinance that limits any grade change in excess of 5'-0" for cut/fill.

<u>Variances requested (if this project is approved, these would have to be detailed in a Master Development Agreement)</u>

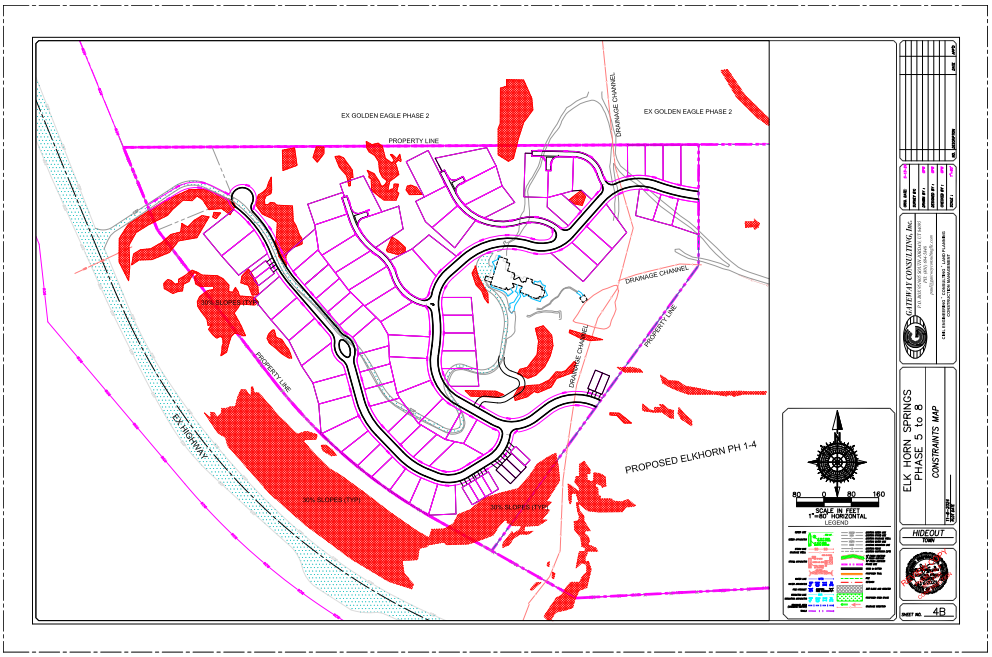
- The Hideout Municipal Code (HMC) Sensitive Lands ordinance (10.08.28) does not allow any development on slopes greater than 30%.

  Is the Planning Commission supportive of some minor areas of development on slopes greater than 30%? The red indicates slopes of greater than 30% on the east and west properties.

West Side (+/-70 aces)



East Side (+/-45 aces)



- Significant Grade Change Criteria (10.08.30): Any proposed subdivision that results in a significant change of grade – existing grade to proposed grade – that is greater than five feet (5'-0") and encompasses more than 10% of the total subdivision area is subject to additional restrictions and/or criteria for development, including reduced densities, requirement for a visual analysis, etc. This addresses two issues: grading/excavation and native vegetation removal.

The code reads as follows:

1. ***Criteria for Steep Slope and/or Significant Grade Change Subdivision Review and Approval.***

    1. *Subdivisions with steep slopes or with significant grade changes shall be subject to the following criteria:*

        1. ***LOCATION OF DEVELOPMENT.*** *Development shall be located and designed to reduce visual and environmental impacts of any structures that will be located on steep slopes or areas with significant grade change. Specifically, the location and massing of structures shall be designed to: reduce the amount of exposed foundation wall on the downslope side, mitigate shadow coverage on adjacent structures at lower elevations, and ensure slope stability via the use of native vegetation in areas where retaining walls are not required or allowed, etc.*

        2. ***VISUAL ANALYSIS.*** *The Applicant must provide the Planning Commission with a visual analysis of the lot built out to Zoning Standards (height and setbacks) from nearby vantage points including: internal project vantage point (the centerpoint of the proposed subdivision), a vantage point from the edge of the Jordanelle Lake (identified as the point on the edge of the lake measured by a straight line from the closest point of the proposed subdivision to the lake), a vantage point from Route 40 across the lake (measured at a 90 degree angle from the development to a corresponding point along Route 40), and any vantage points from Town-owned lands located within 300' of the boundary of the proposed subdivision) and requested by the Planning Commission. The visual analysis will be used to for the following purposes:*

            - *To determine potential impacts of the proposed access, and building mass and design; and*
            - *To identify the need for screening, slope stabilization, erosion mitigation, vegetation protection, and other subdivision design considerations*

The code also includes criteria such as:

1. ***ACCESS.*** *Access points and driveways must be designed to minimize grading of the natural topography and to reduce overall building scale and need for retaining walls.*
2. ***BUILDING LOCATION.*** *Buildings, access, and infrastructure must be located to minimize cut and fill that would alter the natural topography of the subdivision or site. The subdivision, proposed lots and building envelope must relate to adjacent properties to maximize opportunities for open areas and preservation of natural vegetation, to minimize driveway and parking areas, and to provide variation of the front yard.*

- The Applicant should provide an overlay on the proposed site plan that illustrates the percentage of the site that will be graded in any way – a basic cut and fill map.
- A second overlay illustrating those areas with grade changes more than 5'-0" – a more specific version of the prior requested overlay.
- A third map (essentially, the inverse of the first map) that illustrates those areas of the site that will not be disturbed in any way – areas where all vegetation will be preserved and protected in line with the Town's Limits of Disturbance (LOD) development standards – should be provided.
- The Applicant shall also provide information regarding how the soil to be removed (the excess "cut" from the prior requested maps) will be addressed. Is a soil repository proposed on site?

- The Applicant should explain the proposed removal of knoll to provide additional lots with views to the Jordanelle Lake. The graphic below was presented at the last Planning Commission meeting. The Planning Commission generally wanted to see a reduction of grading on the site, the knoll preserved, and vegetation preserved throughout the development site. Has this been revised to consider Planning Commission concerns expressed at the last meeting – specifically relative to the knoll?



- The conceptual site plan indicates five detention ponds scattered around the 70-acre site on the east and another five detention ponds on the 45-acre on the west side. The Applicant shall provide images of what these will look like upon completion, in terms of landscaping, depth, etc. and provide the size (area) of each and the estimated depth.

Planning Commission – Outstanding Issues (unrelated to conceptual site planning)

- Nightly Rentals: The Applicant should provide an economic analysis indicating projected revenue to the Town. Nightly rentals are not currently allowed in Hideout.

- Road Maintenance: The Applicant must clarify that an HOA will be created, the roads will be private, and the HOA will be responsible for the maintenance of the roads throughout the resort.

- Traffic Impact Study: A traffic impact study will be required as part of any subsequent application for preliminary subdivision application.

- Phasing: The Applicant should provide a phasing plan (timeline and map) for the entire project.

- Open Space/Park Land Dedication: The Applicant proposes to dedicate a +/-15-acre site to the Town for trails, park, undisturbed open space, or other…future use TBD by the Town. The Applicant shall provide a map that delineates this area.

- Community Impact Mitigation: Any rezone, or upzone that allows additional density and/or uses, will impact the community in a variety of ways – additional traffic, construction and noise, a greater amount of land disturbance and native landscape removal, loss of existing wildlife corridors, increased stormwater runoff downslope, etc.

  The Planning Commission must determine what measures are appropriate in terms of impact mitigation. The Planning Commission must take into consideration the increased density, the nightly rental and fractional ownership component, etc. While these allowances significantly increase the value of the project for the developer (a nightly rental allowance can increase the value of a unit by $100k - $200k), the impacts to the community are significant.

  The Planning Commission must weigh the impacts with mitigation recommendations. The following has been proposed by the Applicants:

  - Dedication of the +/-15 acres of open space. This is the steep sloped area that currently serves as the stormwater drainage valley for the Elk Horn Springs development, Golden Eagle and locations upslope. This area is also a frequently used wildlife corridor that should be preserved and protected.

  - Funds to cover soft (e.g., survey work, design, etc.) for the proposed SR248 spine trail (from PC Heights to Kamas or +/- 11 miles) as recommended in the POST plan.

  - Construction of a club house, pool, tennis courts and more to be dedicated to the Town to manage. The Applicant should update the Planning Commissioners so that they better understand the extent of this proposal. Does this also include a “community center” or additional space. Does the Elk Horn Springs HOA have access to this site that is different from other Hideout residents?

  - Entry signs for the Town of Hideout at the north and south entry points. The developer has committed funding as part of the Deer Springs development on the north side of Town, to

construct a new entry sign for the Town. Given this development on the south side of Town, a similar or matching sign should be included.

- The following have been discussed by the Planning Commission in the past regarding various proposed developments for this property:

  - Dedication of funds to the Town to construct a bridge over or tunnel under SR248 to connect the community across this asphalt divide. While a detailed estimate of costs has not been determined by the Town, either could cost between $2mn - $9mn. With the +/20,000 square feet of commercial and the community/recreation center, the need for a community connection is significant – many residents on the lakeside of SR248 could then easily access this area by foot or bike. Conversely, the resort population would be able to access the lake/State Park by foot or bike.

  - Affordable or workforce housing units that could be built on the second floor of the proposed commercial space allowing future employees in this commercial space to live within the Hideout community, while reducing traffic impacts associated with employees having to commute in from outside the community.

  - Contribution of funds for a new Town Hall or public works facility as the community continues to grow rapidly, thus outgrowing its current brick and mortar facilities.

  - Other input as recommended by the Planning Commission.

2019 Hideout General Plan

When the Planning Commission considers a concept plan or rezoning request, any recommendation must be in compliance with the General Plan. The vision statement for the General Plan indicates:





The General Plan recommends preservation of viewsheds, the natural environment, and land development at intensities appropriate to the site and respectful of the natural environment. The Planning Commission should review the proposed conceptual site plan and determine whether it complies with the General Plan.

Next Steps

The Planning Commission should review the proposed conceptual site plan and offer detailed feedback and guidance, particularly on design, planning, road layouts, grading, and related concerns. The Applicant is tentatively scheduled to submit the requested supplemental materials and present a rezoning plan along with the associated Master Development Agreement (MDA) at the next meeting on December 19, 2024.