



# HIDEOUT, UTAH PLANNING COMMISSION

## REGULAR MEETING

### January 19, 2023

### Agenda

PUBLIC NOTICE IS HEREBY GIVEN that the Planning Commission of Hideout, Utah will hold its regular meeting electronically for the purposes and at the times as described below on Thursday, January 19, 2023

This meeting will be an electronic meeting without an anchor location pursuant to Planning Commission Chair Anthony Matyszczyk's January 13, 2023 No Anchor Site determination letter.

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

Interested parties may join by dialing in as follows:

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

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Regular Meeting  
6:00 PM

I. Call to Order

1. [January 13, 2023 No Anchor Site Determination Letter](#)

II. Roll Call

III. Approval of Meeting Minutes

1. [December 1, 2022 Planning Commission Minutes DRAFT](#)

IV. Agenda Items

1. [Discussion and consideration of amending the Town's Annexation Policy Plan to include additional acreage in Wasatch County, southeast of Hideout. \*Input will be heard and considered from affected entities at this time.\*](#)

V. Meeting Adjournment

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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. January 13, 2023 No Anchor Site Determination Letter



January 13, 2023

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

The Planning Commission Chair of the Town of Hideout hereby determines that conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location pursuant to Utah Code section 52-4-207(5) and Hideout Town Resolution 2022-R-17. The facts upon which this determination is based include: The seven-day rolling percent and number of positive COVID-19 cases in Utah has been over 15.61% of those tested since January 4, 2023. The seven-day number of positive cases has been, on average, 302.9 per day since January 10, 2023.

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

Interested parties may join by dialing in as follows:

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

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

**Meeting ID:** 4356594739

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

This determination will expire in 30 days on February 12, 2023.

BY:

  
Anthony Matyszczyk,  
Planning Commission Chair

ATTEST:

  
Kathleen Hopkins, Deputy Town Clerk



**File Attachments for Item:**

1. December 1, 2022 Planning Commission Minutes DRAFT

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**Minutes**  
Town of Hideout  
Planning Commission Regular Meeting and Public Hearings  
December 1, 2022  
6:00 PM

The Planning Commission of Hideout, Wasatch County, Utah met in Regular Meeting and Public Hearing on December 1, 2022 at 6:00 PM electronically via Zoom meeting due to the ongoing COVID-19 pandemic.

Regular Meeting and Public Hearing

**I. Call to Order**

Chair Tony Matyszczyk called the meeting to order at 6:11 PM and referenced the current No Anchor Site letter which was included in the meeting materials. All attendees were present electronically.

**II. Roll Call**

**PRESENT:**

Chair Tony Matyszczyk  
Commissioner Rachel Cooper (alternate)  
Commissioner Glynnis Tihansky  
Commissioner Jonathan Gunn  
Commissioner Donna Turner

**EXCUSED:**

Commissioner Ryan Sapp

**STAFF PRESENT:**

Polly McLean, Town Attorney  
Thomas Eddington, Town Planner  
Jan McCosh, Town Administrator  
Timm Dixon, Head of Engineering and Public Works  
Alicia Fairbourne, Town Clerk  
Kathleen Hopkins, Deputy Town Clerk

**OTHERS IN ATTENDANCE:** Patrick McAlearney, Jason Boal, Kendall Crittenden, Jamie Mackay, Chris Ensign, Ralph Severini, Chris Baier Carol Tomas, Bart Warner, Kyle Ashworth and others who may not have signed in using proper names in Zoom.

**III. Approval of Meeting Minutes**

There was one small typographical error to the October 20, 2022 draft minutes which was corrected.

***Motion: Commissioner Tihansky made the motion to approve the October 20, 2022 Planning Commission Minutes. Commissioner Gunn made the second. Voting Yes: Commissioners Cooper, Gunn, Matyszczyk Tihansky, and Turner. Voting No: None. The motion carried.***

1 **IV. Agenda Items**

2 Chair Matyszczyk reported the discussion of Deer Springs Phase 3 approval was continued to a date  
3 uncertain and would be re-noticed.

4 **1. Presentation and discussion of an initial concept plan and potential Annexation of the Benloch**  
5 **Ranch property**

6 Town Planner Thomas Eddington provided an overview of the concept plan regarding potential  
7 annexation of the Benloch Ranch property which consisted of approximately 2,300 acres located  
8 outside of the Town’s current Annexation Declaration Area (ADA) boundary. He noted this discussion  
9 was preliminary and a number of technical and legal steps would be required to move forward and  
10 would need to be done in partnership with Wasatch County and other area partners.

11 Mr. Eddington introduced Messrs. Jamie Mackay, Patrick McAlearney and Jason Boal, representatives  
12 of the Benloch development who provided background on the property, its current development plan  
13 with Wasatch County and reasons they were interested in this potential annexation to Hideout. They  
14 discussed development plans for a resort community to include a variety of housing size and pricing  
15 options, fireside cabin and luxury hotel resort concepts, commercial development, and recreational  
16 amenities. They noted Phase 1 sales have been successful and the master infrastructure construction  
17 was underway.

18 The team responded to questions from the Planning Commissioners regarding status of sufficient water  
19 rights for the proposed development, public use of planned amenities, different lot sizes and housing  
20 types, planned commercial development and details on other development projects completed. In  
21 response to a question from Commissioner Jonathan Gunn on why the team was interested in working  
22 with Hideout rather than remaining part of unincorporated Wasatch County or Heber City, Mr.  
23 Mackay responded while the team had no specific issues with Wasatch County, they felt the pace for  
24 obtaining approvals was very slow and they hoped to work with a more dynamic municipality which  
25 would better embrace their vision and streamline the platting and permitting process. Mr. Mackay also  
26 discussed financing through a Public Infrastructure District (PID) development structure which the  
27 county did not seem to support. Commissioner Gunn asked about the amount of PID financing the  
28 developer would need; Mr. Mackay responded they were not sure at this stage. Commissioner Gunn  
29 asked about potential affordable housing options. Mr. Mackay responded that such options were under  
30 consideration as a component of smaller home size options and potential rental apartments which  
31 could accommodate work force housing.

32 Discussion ensued regarding potential location for fire and police facilities, public access to  
33 recreational amenities and the proposed golf course, potential music and event venue, open space  
34 requirements and status of water service through Jordanelle Special Services District.

35 Commissioner Rachel Cooper asked if there were any conflicts with Wasatch County and/or Heber  
36 City which should be considered. Town Attorney Polly McLean responded it was possible to overlap  
37 the ADA with another city’s ADA and initiate a potential annexation.

38 Mr. Eddington clarified this discussion was preliminary and did not require any public comment at  
39 this stage. If the Planning Commission indicated interest in pursuing the proposal further, the Benloch  
40 team would submit a formal annexation application which would require several public hearings after  
41 the ADA was expanded to include this development.

42 Commissioner Gunn requested more detail on any PID or other bond financing needs and asked the  
43 Benloch team what they would expect from the Town. Mr. Mackay responded they were hoping for a

1 forward-thinking partnership which would provide a streamlined working relationship and transparent  
2 approval process.

3 Commissioner Glynnis Tihansky asked if this potential annexation would result in doubling the  
4 acreage of the Town. Mr. Eddington responded the geographic area could double and add another  
5 2,300 housing units to the Town's current 2,600 entitled housing units. Mr. Boal clarified the details  
6 on the map presented and which parcels would be considered for the potential annexation.  
7 Commissioner Donna Turner asked if the main access roads from SR-32 had been constructed,  
8 whether roads would meet Town Code and whether the developer would comply with the Town's  
9 Dark Skies ordinances. Mr. Mackay responded the main road was constructed, UDOT approvals to  
10 access SR-32 were underway and the team would work with the Town to meet various Code  
11 requirements.

12 Mr. Eddington asked the Planning Commissioners if they were supportive of the concept and moving  
13 forward to explore next steps. Chair Matyszczyk stated it seemed like a valid concept. Commissioner  
14 Turner stated she was also supportive and would like to see public access for a golf course and  
15 inclusion of more affordable housing. Commissioner Gunn agreed and requested more information on  
16 the timing of a development plan. Commissioner Cooper suggested a site visit which Mr. Mackay  
17 offered to arrange. Commissioner Tihansky stated she liked the concept presented for smaller home  
18 options and open space.

19 There being no further questions from the Planning Commissioners, the Benloch team was excused  
20 and left the meeting at 7:37 PM.

21  
22 **2. Presentation and discussion of an initial concept plan and potential Annexation of**  
23 **parcel 00-0013-8250 (Creekside property)**

24 Mr. Eddington provided background on this property which he noted was 7.5 acres located within  
25 the existing ADA and had originally been presented for annexation to the Town in 2020. He noted  
26 the Applicant, Mr. Chris Ensign, had withdrawn his original application and was re-starting the  
27 annexation request process at this time. He noted the initial application process had raised questions  
28 regarding density and wetlands and noted the current development proposal was to build homes on  
29 ten 0.75 acre lots to be zoned as Residential 3.

30 Mr. Eddington discussed the Staff Report which was included in the meeting materials and  
31 highlighted questions regarding the location of the access road from Belaview Way, the steepness  
32 of the property, the proposed density and the new survey results. Ms. McLean asked if there were  
33 any changes to the original proposal. Mr. Eddington responded there were not, however the new  
34 survey had identified the wetlands which had been a matter of earlier concern.

35 Mr. Ensign was introduced and provided background on why he hoped to annex this parcel into  
36 Hideout as it was surrounded by other Town neighborhoods on three sides. He discussed the  
37 setback areas from waters edge noted on the map to address the wetland issues and noted the  
38 property owner, Bart Warner, no longer intended to build a home on the property. He noted 2/3 of  
39 the land would remain open space and the proposed development of 1.3 units per acres would be  
40 less dense than surrounding neighborhoods. He also noted the road would bisect an existing bike  
41 trail and he would work with the Town to consider a potential solution, possibly a tunnel.

42 Commissioner Cooper asked about the size of the proposed homes. Mr. Ensign responded this had  
43 not been determined yet, but he expected them to be high quality, medium-sized units with limited  
44 building envelopes to preserve existing vegetation. In response to a question from Mr. Eddington

1 regarding the current zoning, Mr. Ensign stated he was not sure but would confirm whether it was  
2 zoned Mountain.

3 Commissioner Gunn asked about the plans for sewer infrastructure and water rights. Mr. Timm  
4 Dixon, Head of Engineering, stated this would be run through the sewer model but he expected  
5 there was sufficient capacity for the proposed development within the existing infrastructure. Mr.  
6 Ensign stated he had obtained sufficient water rights for the proposed development. Mr. Dixon  
7 noted the road design may need to be modified to replace the hammerhead turn with a cul de sac.

8 Commissioner Tihansky suggested the building pads be staggered to avoid a monotonous  
9 appearance. Mr. Eddington stated a detailed slope analysis would be required and could impact the  
10 number and location of buildable sites. Commissioner Turner asked for clarification on the distance  
11 from the road and the existing vegetation. Mr. Ensign stated he expected the proposed density  
12 would be less than the surrounding neighborhoods.

13 Commissioner Tihansky asked about flood risk for some of the lots. Mr. Ensign responded that the  
14 soil analysis would dictate the specific lot locations.

15 Chair Matyszczuk asked for more details and options regarding the road bisecting the existing bike  
16 trail and noted the need to protect the sensitive wetlands. Mr. Ensign stated the wetlands would be  
17 protected and not impacted by the proposed development. Commissioner Gunn requested the  
18 wetlands study be shared with the Planning Commission.

19 Mr. Eddington thanked the Planning Commissioners for their input and agreed to continue working  
20 with Mr. Ensign's team on the annexation application taking their comments into consideration.  
21 There being no further questions from the Planning Commissioners, Mr. Ensign was excused and  
22 left the meeting at 8:19 PM.

### 23 24 **3. Consideration of establishing the 2023 Planning Commission Regular Meeting** 25 **schedule**

26 Chair Matyszczuk suggested the Planning Commission continue to meet on the 3<sup>rd</sup> Thursday of each  
27 month and referenced the proposed 2023 meeting dates included in the meeting materials.

28 ***Motion: Commissioner Gunn moved to adopt the 2023 Planning Commission meeting schedule as***  
29 ***presented. Commissioner Cooper made the second. Voting Aye: Commissioners Cooper, Gunn,***  
30 ***Matyszczuk, Tihansky and Turner. Voting Nay: None. The motion carried.***

### 31 32 **V. Meeting Adjournment**

33  
34 There being no further business, Chair Matyszczuk asked for a motion to adjourn.

35 ***Motion: Commissioner Tihansky moved to adjourn the meeting. Commissioner Turner made the***  
36 ***second. Voting Yes: Commissioners Cooper, Gunn, Matyszczuk, Tihansky and Turner. Voting No:***  
37 ***None. The motion carried.***

38 The meeting adjourned at 8:21 PM.

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Kathleen Hopkins, Deputy Town Clerk

**File Attachments for Item:**

1. Discussion and consideration of amending the Town's Annexation Policy Plan to include additional acreage in Wasatch County, southeast of Hideout. *Input will be heard and considered from affected entities at this time.*



## Staff Review for Planning Commission

To: Chairman Tony Matyszczyk  
Town of Hideout Planning Commission

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

Re: Annexation Declaration Area (ADA) – Proposed Expansion

Date: January 19, 2023 Planning Commission Meeting

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*Submittals: A map prepared by Integrated Planning & Design based upon a map provided as part of the Benloch Ranch Concept Plan submittals for the December 1, 2022 Planning Commission meeting.*

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### Project Background

Representatives from Benloch Ranch approached Hideout in late 2022 regarding possible annexation from Wasatch County into the Town of Hideout. The Applicant presented the project to the Planning Commission at its regularly scheduled meeting on December 1, 2022. The following land uses were generally presented:

- > 1,500 Single-family units/Townhouse/Condo/Casitas
- > 300 hotel rooms and/or cabins for rent (nightly rentals)
- Golf Course and Lodge
- Community Lodge
- Kid's Ranch (recreation and daycare facility)
- > 65,000 SF of commercial development

Before the Town of Hideout can consider or accept an application (a petition for annexation) from the Benloch Ranch, the Town has to formally go through the process to expand the Annexation Declaration Area (ADA) because the Benloch Ranch area is not in the current town ADA. The public meeting on January 19, 2023 with the Planning Commission is the first step of that process. After a minimum of a public meeting and a separate public hearing with the Planning Commission, a recommendation is forwarded to the Town Council who will hold a separate public hearing as required per state law.



The proposed scale of the area recommended for inclusion within Hideout's ADA is significant – it would more than double the size of Hideout. Some of the area proposed for inclusion in Hideout's ADA is currently within Heber's Annexation Declaration Area but state law allows ADA boundaries to overlap leaving the decision to the landowners regarding which jurisdiction they may wish to petition for annexation.

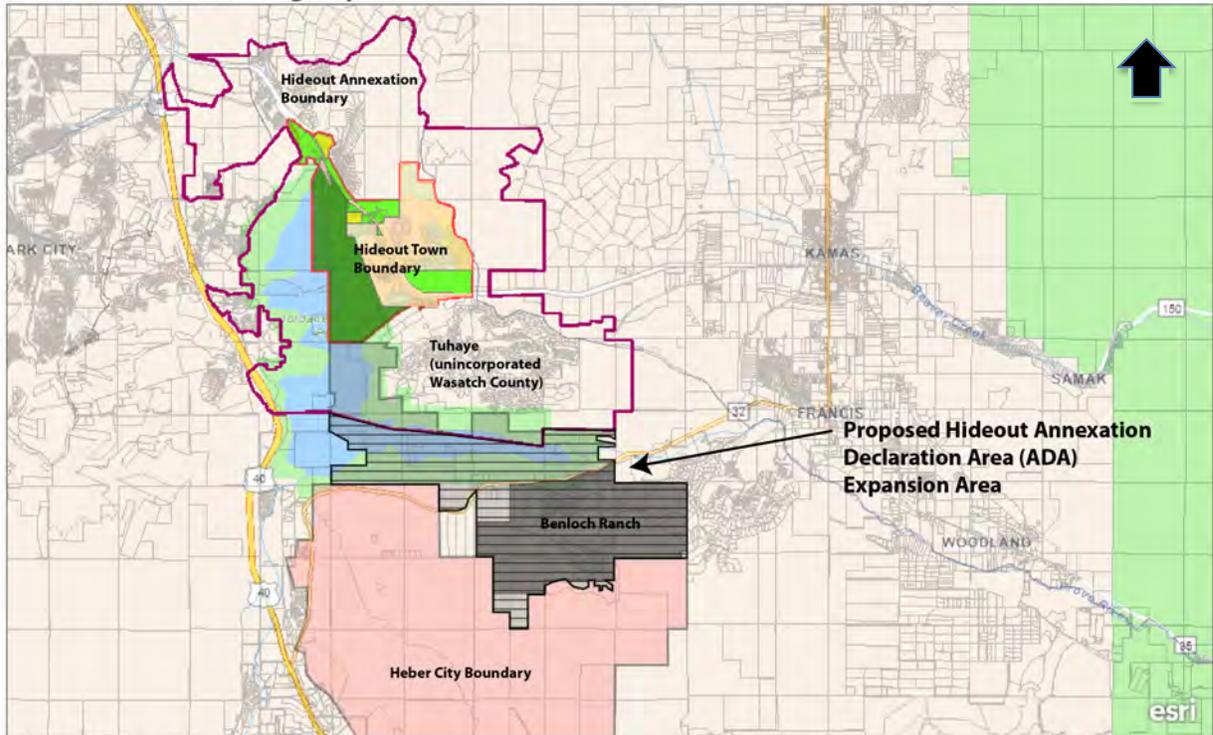
Today's public hearing, per state code, is to allow affected entities to comment on the expansion of the ADA area. "Affected Entities" are defined under Utah State Code Section 10-2-401 as:

"Affected entity" means:

- . . . (ii) a county of the third, fourth, fifth, or sixth class in whose unincorporated area the area proposed for annexation is located, if the area includes residents or commercial or industrial development;
- (iii) a local district under Title 17B, Limited Purpose Local Government Entities - Local Districts, or special service district under Title 17D, Chapter 1, Special Service District Act, whose boundary includes any part of an area proposed for annexation;
- (iv) a school district whose boundary includes any part of an area proposed for annexation, if the boundary is proposed to be adjusted as a result of the annexation; and
- (v) a municipality whose boundaries are within 1/2 mile of an area proposed for annexation.

**Context Map Including the Proposed ADA Boundary Expansion Area and  
Approximate Benloch Ranch Site in Relation to Hideout**

**Town of Hideout Planning Map**



Planning map for the Town Of Hideout

Utah AGRC | Utah Geospatial Resource Center, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA

\* *The proposed ADA expansion area is indicated by the black horizontal lines*

The map and boundaries indicated above must be reviewed and confirmed accurate, specifically the Heber City boundary. The ADA should attempt to avoid gaps between or overlaps with the expansion areas of other municipalities. Once proposed, any potential annexation cannot create any 'island' of property that would remain in unincorporated Wasatch County and fully surrounded by jurisdictional boundaries for Hideout and Heber City.

**General Plan Analysis**

Annexation Declaration Areas, new development proposals and pending requests for annexation can have significant impacts on the community. As such, they must conform to recommendations and requirements of the General Plan. The 2019 General Plan for Hideout (link here: <https://hideoututah.gov/wp-content/uploads/2019/09/2019.08.22-Annexation-Plan.pdf>) includes the following Vision Statement:

## 2.1 Vision Statement

Hideout, Utah is a community that treasures both its residents and its environment. As such, Hideout's vision is to:

1  
preserve  
outstanding  
views

2.1.1 To Preserve  
Outstanding  
Views,

All development will be intentionally designed around enhancing and accentuating the existing environment, recreational open space, and livability of the community.

2  
cultivate  
an inviting  
neighborhood  
atmosphere

2.1.2 To Cultivate an  
Inviting Neighborhood  
Atmosphere,

The intensity of land use will be managed to promote the design standards and environmental ideals laid out in the General Plan and other town documents.

3  
build a  
connected  
community

2.1.3 To Build  
a Connected  
Community,

Public gathering spaces and appropriate commercial growth will be accessible by a variety of transportation options.



The 2019 General Plan's Applicable Goals include:

### 3.4.1 Hideout's land use goals are to:

1. Preserve the viewsheds, green space, and unique topography by updating and enforcing a zoning code that reflects Hideout's Community Vision.
2. Maintain the unique character of Hideout by managing intensity of land use and promoting a mix of residential and commercial uses appropriate for the community.

### 9.4.1 Hideout's annexation goals are to:

1. Provide well-planned, fiscally responsible annexations based on Hideout's development needs.
2. Pursue annexation to ensure development aligned with the Community Vision and other goals outlined in the General Plan.

### 5.4.1 Hideout's economic development goals are to:

1. Increase the livability of Hideout by encouraging appropriate commercial uses to serve resident needs.
2. Coordinate with local developers to enhance public gathering spaces and community connectivity.
3. Encourage commercial uses that are financially beneficial to the Town to improve resident quality of life and generate revenue to expand and maintain public infrastructure.

### 4.5.1 Hideout's housing goals are to:

1. Create an inviting neighborhood atmosphere by implementing design standards to coordinate the aesthetic and cohesiveness of the built environment.
2. Encourage a balanced mix of housing types to provide desirable options for current and potential residents.

The Planning Commission must review the Town of Hideout's General Plan and determine if the proposed expansion of the Town's Annexation Declaration Area meets the goals and intent as outlined in the General Plan.





to the required fee to be paid by the Applicant for the Town to secure an independent third-party financial review of the proposed annexation.

- Align potential annexation with the Vision and goals outlined in the General Plan – essentially an assessment/review of the Vision statement and applicable goals.

#### Land Use Goals:

- Preserve viewsheds, greenspace, and topography – the proposed concept plan includes a significant percentage of greenspace including a golf course. Additional assessment should be coordinated with the Applicant to better understand which areas of the proposed concept plan will be preserved in their native condition vs. which areas will be created as new park/greenspaces.
- Promote a mix of commercial and residential districts – the plan includes a variety of residential development types as well as commercial development. Additional recreational amenities are also proposed. As the Planning Commission considers the ADA expansion, specific metrics for the Benloch Ranch should be incorporated into future annexation (or master development) agreement – metrics that define the exact number of Equivalent Residential Units (ERUs) and Equivalent Commercial Units (ECUs).

#### Housing Goals:

- Create a neighborhood sense of place by way of quality design standards – detailed designs for future housing have not been submitted but the Planning Commission should require a detailed set of design document submittals all housing (and commercial) development proposed for the Benloch Ranch. Quality architectural design, landscape standards, signage, etc. should be reviewed prior to annexation.
- Encourage a balanced mix of housing types – the Planning Commission should ensure a variety of housing types including cottage development, multi-family development, single-family housing, and possible du-plex and/or tri-plex opportunities.

#### Economic Goals:

- Increase access to commercial opportunities for day-to-day living – A detailed plan that outlines the type and proposed phasing for commercial development shall be provided by the Applicant. A small grocer, pharmacy, coffee shop, mix of restaurants, recreational/fitness facilities, etc. should be included in this commercial mix.
- Create and enhance public gathering spaces – The Applicant should detail the type of public gathering spaces, parks, trails, community center space, etc. for the Planning Commission to review. Public gathering spaces are those spaces freely available to all residents of Hideout, not just Benloch Ranch residents.
- Ensure commercial tax revenue to fund necessary infrastructure and other needs – As noted above, a fiscal analysis must be provided by the Applicant for Benloch Ranch in addition to the third-party consultant assessment selected by the Town Council.



## **Hideout Annexation Declaration Area Plan**

In addition to the General Plan goals, any proposed annexation must meet the following goals of the Hideout Annexation Declaration Area (ADA) Plan:

Goal 1. Increase livability and quality of life for Hideout residents by creating public spaces to congregate and recreate and by preserving the outstanding views around it.

Goal 2. Enhance and expand current utilities including water, electricity, sewage, parks and telecommunications to account for current and future population growth (in cooperation with service districts and utility providers where appropriate).

Goal 3. Establish the potential for additional schools within either the Wasatch or Summit School District so children can attend schools closer to Hideout and reduce their current commute time.

Goal 4. Providing adequate recreational facilities for the enjoyment of Town residents.

Goal 5. Protecting and enhancing, where possible, environmentally sensitive areas from inappropriate development.

Goal 6. Balancing the tax base of the Town between residential housing and other types of development, including commercial.

## **Recommendation and/or Next Steps**

The Planning Commission should review the proposed ADA boundary area and initial assessment included in this staff report and outline additional information to be provided by the Applicant. Affected entities will have the ability to make comments at today's meeting and for at least 10 days after today's public meeting. A public hearing will be held on February 16, 2023, prior to the Planning Commission making a formal recommendation to the Town Council. The Town Council will hold a public hearing on March 9, 2023 on this topic.



**Exhibit 1**  
**Annexation Declaration Area (ADA) Plan**



## **ANNEXATION DECLARATION**

### **INTRODUCTION**

Utah law requires each municipality to prepare an annexation policy or plan. This document is prepared for the Town of Hideout (“Town”) to satisfy that requirement.

This annexation policy, and other policies spelled out in the General Plan, provides policy guidelines to be used by the Town Council. The annexation policy allows the Town to balance the tax base of the community by anticipating future expansion of municipal and emergency services while protecting valuable open space and sensitive environmental areas.

The Town recognizes typical annexation procedures begin with landowners and their desire to have their property included within the municipal boundaries. In certain scenarios, the Town can be the instigator of an annexation petition. Therefore, while the Town and other municipalities can plan for future annexation, the timing of municipal expansion is primarily dependent upon landowners bringing petitions for annexation to the Town for approval.

The annexation policy is also incorporated as part of the General Plan. The terms and provision of this annexation policy provide the specific criteria that will guide the Town’s decision whether to grant future annexation petitions. The Town’s annexation policy is subject to change from time to time through normal municipal procedures.

### **BACKGROUND**

In the 2001 session of the Utah State Legislature, statutes governing municipal annexations were amended to include a requirement for an annexation policy or plan.

### **STATUTORY REQUIREMENTS**

This annexation policy plan was prepared and adopted by the Town pursuant to Utah Code §10-2-401.5. If any provision of this annexation policy plan is found to be inconsistent with state law, or any other provision of law or ordinance, that provision shall be severed and all remaining portions of this annexation policy plan shall remain in full force and effect.

### **PURPOSES AND OBJECTIVES**

In order to prepare for future expansion of municipal services, to further the goals of the General Plan, to identify public safety boundaries, to plan for an appropriate growth balance, and to preserve environmentally sensitive areas, the goals of the annexation policy plan include, without limitation:

- GOAL 1.** Increase livability and quality of life for Hideout residents by creating public spaces to congregate and recreate and by preserving the outstanding views around it.
- GOAL 2.** Enhance and expand current utilities including water, electricity, sewage, parks and telecommunications to account for current and future population growth (in cooperation with service districts and utility providers where appropriate).
- GOAL 3.** Establish the potential for additional schools within either the Wasatch or Summit School District so children can attend schools closer to Hideout and reduce their current commute time.
- GOAL 4.** Providing adequate recreational facilities for the enjoyment of Town residents.
- GOAL 5.** Protecting and enhancing, where possible, environmentally sensitive areas from inappropriate development.
- GOAL 6.** Balancing the tax base of the Town between residential housing and other types of development, including commercial.

## **PURPOSES FOR A WELL-DEFINED ANNEXATION POLICY PLAN**

The Town Council finds that a well-defined annexation policy plan serves to bring property owners and Town officials together to formulate a land use pattern that can improve the community while allowing property owners the ability to realize the economic benefit of their property. The Town Council strives to find a balance between private property rights and community values. Objectives of property owners and the Town may sometimes differ. An effective annexation procedure can mitigate the tension often associated with the development process.

The Town encourages annexations where proper planning of an area can be completed, and premature replacement of infrastructure and improper circulation patterns can be avoided. Annexation petitions should include a specific plan for each annexation; including zoning, land use patterns, density, required infrastructure, financial analysis and other design elements.

## **CHARACTER OF THE COMMUNITY**

Each community possesses unique characteristics that are important to protect. Such characteristics give a community a sense of place and help residents feel comfortable. A sense of pride can be established in the community by focusing on those amenities that residents value and find worthy of protection. The Town has many unique characteristics, such as its beautiful mountain views, feeling of spaciousness, peacefulness, and a sense of community. Such attributes should be protected as the Town grows.

## **HISTORICAL DEVELOPMENT PATTERN**

The Town of Hideout was originally developed as a residential community and as a place of peace and refuge for individuals and families. Hideout seeks to be a stable and well-functioning municipality focused on its residents and the environment.

## **ANTICIPATED FUTURE DEVELOPMENT PATTERN**

New development should be sustainable and be beneficial to the community. If development of an area of proposed annexation does not in some way further the goals of the Town, it should not occur.

## **MUNICIPAL SERVICES IN UNINCORPORATED AREAS**

Development in unincorporated areas may pose a future burden on Town resources if they are not annexed in an intelligent manner. The area covered by this annexation policy plan is an area primarily without urban development. There is no area containing urban development within ½ mile of the Town's boundary.

Thus, before any annexation petition is approved, the Town Council should consider the Town's ability to provide adequate municipal services to unincorporated areas that may become dependent on the Town and is in the interest of residents and property owners.

## **EXTENSION OF MUNICIPAL SERVICES**

Extension and expansion of municipal services into the Town and neighboring areas covered by this annexation policy plan may be accomplished in several ways, including, without limitation, the following:

1. **Culinary Water:** The region is currently serviced by JSSD (Jordanelle Special Service District) for culinary water. All growth and expansion should be done in coordination with, and in cooperation with JSSD. As the Town grows and annexation petitions are approved, additional water resources/delivery may be obtained by:

- 1.1 Extension of water-main lines through installation by developers. Some extensions of water-main lines may be eligible for reimbursement through impact fees. Any extension should be planned and coordinated with JSSD.
- 1.2 In cooperation with JSSD, plan and construct new water storage facilities through a mix of developer funds, impact fees and Town funds. New storage facilities may be needed as development occurs in the areas covered by this annexation policy plan.
- 1.3 Developers obtaining adequate water rights for their projects and then transferring those water rights to the Town for each new development (or JSSD as applicable).
- 1.4 The Town may require that maintenance of culinary water supply lines remain with the developer or property owners' association.

2. **Sewer:** The region is currently serviced by JSSD (Jordanelle Special Service District) for sewer services. All growth and expansion should be done in coordination with, and in cooperation with JSSD. Each new development in the Town is required to connect to a sanitary sewer system. As the Town grows and annexation petitions are approved, the creation/expansion of a sewer system may be required. Probable service/expansion plans include:

- 2.1 Developers, who will be responsible to coordinate with JSSD to extend the sewer lines and complete any necessary upgrades to provide sewer service to new developments. Some of the extensions and upgrades may be eligible for reimbursement through impact fees. (Because of topography, developers may be required to install lift stations to transport waste water to the treatment facility. The Town may require that ownership and maintenance of such lift stations remain with the developer or property owners' association.)

2.2 The Town may need to plan, and coordinate with JSSD to build additional capacity to serve areas that may be annexed.

2.3 The municipalities, which in the eastern part of Wasatch or Summit County may need to plan and coordinate with JSSD to construct a regional waste-water treatment facility. All new sewer facilities in the Town should work cooperatively with JSSD.

3. **Electricity:** The Town does not provide municipal electric service. As the Town grows and annexation petitions are approved, the expansion of the electric system within the Town will be the responsibility of the developers in cooperation with Rocky Mountain Power or successor electric delivery entities. The location and construction of all electric lines located above or below a public street; or within a public right-of-way must be approved by the Town.

4. **Public Safety:** The public safety services in all of Hideout including the area covered by this annexation policy plan are currently provided at the county level.

5. **Solid Waste Disposal:** As areas covered by this annexation policy plan are annexed by the Town, solid waste collection and disposal service will be provided in the same manner as is used in the remainder of the Town.

6. **Recreational Facilities:** Development results in an increased demand for recreational facilities. The Town Council has adopted an acceptable level of service in connection with imposition of recreation impact fees and may propose additional active recreation areas such as playing fields and parks and will improve existing facilities to provide service to the residents of areas annexed. The Town may also provide passive recreation facilities such as trails and nature parks. Developers may be given credit toward recreation impact fees for providing recreational facilities or the land for such facilities.

7. **Coordination with Other Entities:** As the boundaries of the Town of Hideout expand, other service providers will be affected. The Town will communicate and coordinate with the following entities, and others that may be affected, when appropriate:

7.1 Wasatch County

7.2 Wasatch School District

7.3 Rocky Mountain Power

7.4 Telecommunication Providers

7.4.1 Utopia Fiber

7.4.2 All West Communications

7.4.3 Qwest Communications (Century Link)

7.5 Dominion Energy

7.6 Jordanelle Special Service District (JSSD)

7.7 Wasatch County Fire District

7.8 Wasatch County Sheriff's Office

- 7.9 Jordanelle State Park
- 7.10 Kamas
- 7.11 Park City
- 7.12 Summit County
- 7.13 Utah Department of Transportation (UDOT)

## FINANCING OF SERVICES

Providing municipal services is expensive and is funded using many sources. Potential funding sources have been included in other parts of this annexation policy plan. In general, funding of extension and expansion of municipal services will include, without limitation, the following:

1. Installation of infrastructure by developers to serve new development projects.
2. Reimbursement for installation of some infrastructure from funds collected from impact fees.
3. Town sponsored improvement projects funded from Town general revenue.
4. Creation of special improvement districts.
5. Inter-jurisdictional projects in cooperation with state, county and other entities.

## TAX CONSIDERATIONS

Property taxes in the Town are higher than those in the area covered by this annexation policy plan. Property taxes imposed for general county purposes are the same whether the property is within or without the boundaries of the Town. The area covered by this annexation policy plan is within County Service Areas. A comparison of the property tax rates in the year 2018 is shown in the following table:

	Unincorporated Wasatch Co. Area	Town of Hideout
Wasatch County	.001445	.001445
Central Utah Water Conservancy	.000400	.000400
State Assess/Collection	.000121	.000121
Local Assess/Collection	.000210	.000210
County Bond	.000080	.000080
Multi County Assess/Collect	.000009	.000009
Basic ST School Levy	.001666	.001666
Wasatch School District	.004762	.004762
School District Bond	.001571	.001571
Charter School Levy	.000052	.000052
Library	.000174	.000174
Wasatch County Fire District	.000538	.000538

Health	.000101	.000101
Parks and Rec General	.000241	.000241
Town of Hideout		.000437
TOTAL	.011254	.011691

Source – Wasatch County Assessor’s Office

As an example of Summit County unincorporated 2018 tax rates, the Richardson Flat area taxes are shown in the table below:

	Unincorporated Summit Co. Area
Summit County	0.000831
Snyderville Basin Water	0
Local Assess/Collection	0.000169
Basin Bond	0.000291
Multi County Assess/Collect	0.000009
Basic ST School Levy	0.001666
Park City School District	0.002664
Park City Charter School	0.000039
Park City Fire District	0.000726
Mosquito	0.000030
Basin Recreation	0.000621
Municipal (County Provided Municipal Services)	0.000622
<b>TOTAL</b>	<b>0.007668</b>

Source – Summit County Auditor’s Office

While Hideout has one of the lowest property tax rates in Wasatch County, the property tax burden for existing residents will likely continue to increase as property taxes are used in part to fund Town services and the Town government.

## COMMENTS FROM AFFECTED ENTITIES

Representatives of affected entities as defined by state law are invited to attend public review sessions of this annexation policy plan and provide comments. Their attendance and any comments they have provided are or will be recorded in the minutes of the Planning Commission and/or Town Council and have been considered by the Planning Commission and Town Council in connection with adopting this annexation policy plan.

The affected entities have been informed they have opportunity to provide additional information for consideration by the Planning Commission and Town Council. State law allows affected entities to submit written comments to the Town for a period of ten days after the Planning Commission public hearing. A statement addressing comments made by affected entities, and others, is attached hereto as **Appendix A**, and incorporated herein.

## COMMENTS RECEIVED AT PUBLIC HEARINGS

Comments received by the Planning Commission have been recorded and filed with the minutes of any public hearing regarding the approval of this annexation policy plan and have been considered by the Planning Commission and Town Council in connection with adopting this annexation policy plan.

## **GAPS AND OVERLAPS WITH SURROUNDING MUNICIPALITIES**

There may be gaps and overlaps between the areas covered by this annexation policy plan and similar policies adopted by neighboring municipalities. A review of other annexation policies indicates that no other municipality has an overlap with the Town of Hideout. State law does not require the gaps or overlaps in annexation policies of adjacent municipalities be eliminated.

## **CURRENT POPULATIONS FOR THE TOWN OF HIDEOUT AND SURROUNDING COMMUNITIES**

In adopting this annexation policy plan, the Planning Commission and Town Council considered the current populations of cities in the area. Populations are expected to grow in the future, albeit at a slower rate over the next five years.

### *2020 ESTIMATED POPULATION*

Town of Hideout	1,253
Wasatch County	32,741
Summit County	45,491
Kamas	2,246
Park City	9,358
Heber City	15,387

2012 Baseline Projections – Utah Governor’s Office of Management and Budget

## **FACILITIES NECESSARY TO PROVIDE MUNICIPAL SERVICES**

The Planning Commission and Town Council are aware that additional facilities may be needed in order to provide municipal services to the areas covered by this annexation policy plan. The anticipated facilities have been included above under Extension of Municipal Services.

## **CONSIDERATION OF GENERAL PLAN**

The Town Council finds that the information contained in this annexation policy plan is consistent with the goals and objectives of the other sections of the Town General Plan. This annexation policy plan promotes several of the goals of the entire General Plan.

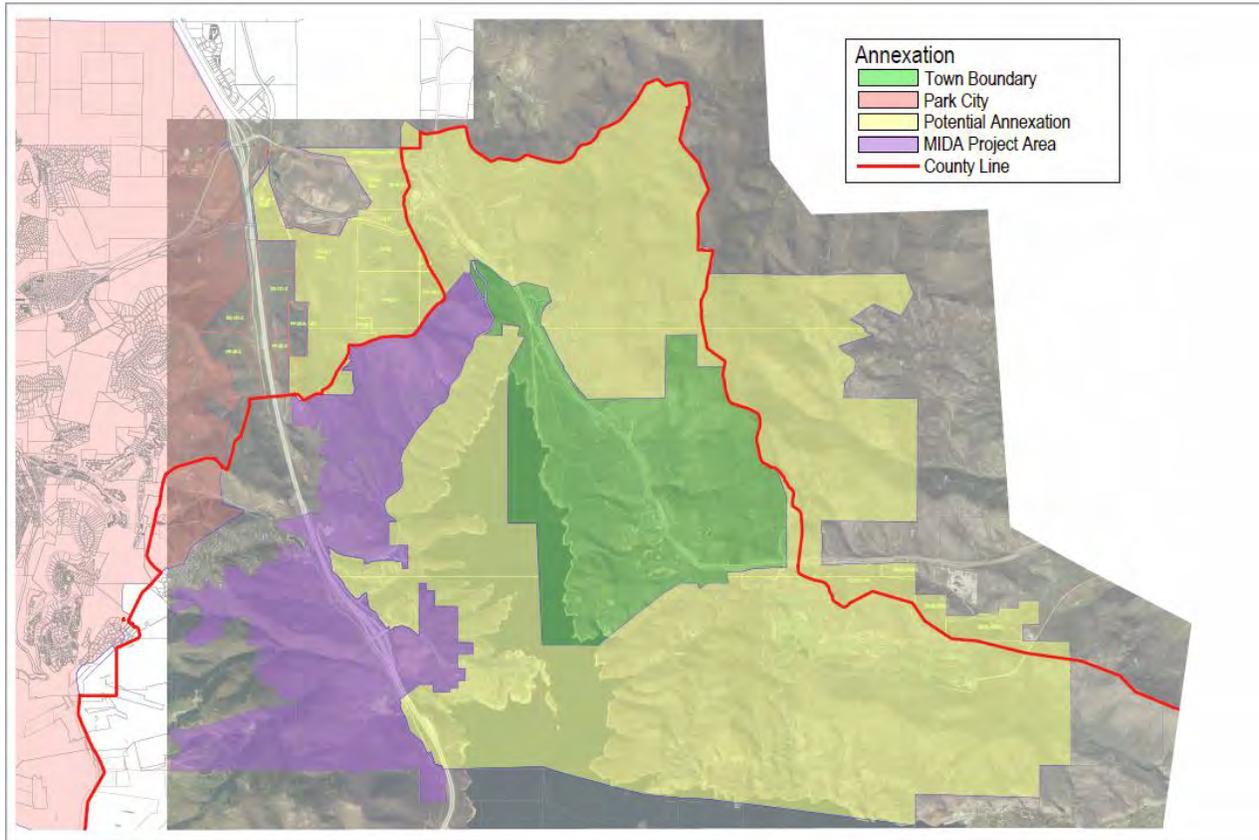
## **INCLUSION OF AGRICULTURAL LANDS, FORESTS, RECREATION AREAS, AND WILDLIFE MANAGEMENT AREAS**

The areas covered by this annexation policy plan are primarily intended for development. But where appropriate, the Town of Hideout is committed to preserving Open Space.

## **ANNEXATION POLICY MAP**

The area covered by this annexation policy plan showing the proposed expansion area is shown on the map in Figure 9.1. This map is an illustration of the Town of Hideout's *potential* annexation boundary and is not intended to establish precise dimensions and/or surveyed boundaries.

**FIGURE 9.1 – ANNEXATION MAP**



## APPENDIX A – PUBLIC COMMENT

The town received formal comments from the following entities:

- **Deer Vista, LLC**
  - *Deer Vista expressed a desire to not be annexed into Hideout and requested to be removed from the Annexation Map.*
  - Hideout acknowledges Deer Vista’s desire to not be annexed, and as Hideout has no interest in annexing property where the affected property owner(s) are not willing participants; we respect Deer Vista’s request. Hideout has no plans to initiate any annexation of Deer Vista without consent of the owner(s).
  - Deer Vista is already in Hideout’s previous Annexation Declaration (from 2008). An Annexation Map should not create islands of parcels that are not included; therefore, respectfully, Hideout will keep Deer Vista in the map. If in the future, Deer Vista’s circumstances and opinion alters, Hideout would welcome an annexation application from them.
  
- **Summit County**
  - *Summit County objected to any property in Summit County being included in the Annexation Map. Among other things, Summit County emphasized the planning that Summit County has already engaged in regrading certain areas with the proposed annexation area. Summit County expressed concern that the Town’s zoning ordinances may be inconsistent with Summit County’s vision for some of the affected areas. Summit County also expressed concern that some areas within the proposed annexation area are contaminated lands and/or owned by Park City. Summit County also expressed a concern about the consequences of growth and development, including impacts on traffic on Highway 248.*
  - Some of the parcels that are included are included at the request of property owners.
  - However, in response to Summit County’s request, Hideout has removed from the map some lands near Quinn’s Junction.
  - While recognizing that growth will impact traffic, Hideout is working with the Utah Department of Transportation (UDOT) on a corridor plan for Highway 248. The Town plans to continue to work with UDOT, Summit County, Wasatch County, and Park City regarding regional traffic plans.
  - The Town recognizes the importance of working with its neighbors regarding planning and zoning issues and if any properties within Summit County parcels are the subject of a future Annexation Action, Hideout looks forward to collaborating with Summit County to address compatible uses and region-wide zoning goals.
  - Hideout believes that increased dialogue with regional municipal governments, including Summit County, Wasatch County, and Park City will help to ensure quality future growth.
  
- **Wasatch County**
  - *Wasatch County objected to some of the stated goals of the Annexation Declaration. They also expressed concerns about the noticing effects to Wasatch County if these properties are included.*
  - Hideout agrees with some of Wasatch County’s comments regarding the goals of this annexation policy plan. Some of the goals are not specific to an annexation policy plan and have been removed in response to Wasatch County’s comments.
  - Like Wasatch County, the Town supports of reasonable, logical and manageable growth. Hideout welcomes a better partnership with Wasatch County, and will seek to partner with Wasatch County to help foster such a partnership.

- Hideout believes that increased dialogue with regional municipal governments, including Summit County, Wasatch County, and Park City will help to ensure quality future growth.
- **JSSD**
  - *JSSD expressed concerns that Hideout may be seeking water and sewer options outside of JSSD. Further, there were concerns that JSSD would not be including in any planning for growth and capacity.*
  - Hideout acknowledges that JSSD is the water and sewer provider for the region, and Hideout has no intention to circumvent JSSD or provide services that are duplicative to those provided by JSSD.
  - Hideout has made significant changes to the annexation policy plan in response to JSSD's comments to reflect the Town's desire to continue working cooperatively and collaboratively with JSSD as the Town grows.
  - The Town expects that JSSD will be an important voice in any future annexation actions.
- **Park City**
  - *Park City expressed concerns about Hideout's the process (including notice to affected entities) which the Town employed in connection with this annexation plan. Park City also objected to Park City owned parcels being included in the annexation map. Park City also raised concerns about the joint planning between Park City and Summit County with respect to certain properties include in the annexation policy plan.*
  - In response to Park City's objection, Hideout agreed to restart the statutory process for adopting this annexation policy plan to ensure that all affected entities had a chance to provide appropriate comment.
  - Hideout has invited all our regional partners to help establish a vehicle for better dialog and cooperation.
  - Hideout has removed all Park City owned parcels from the map and have removed the parcel where the Richardson Flats parking structure exists.
  - Hideout believes that increased dialogue with regional municipal governments, including Summit County, Wasatch County, and Park City will help to ensure quality future growth.
- **Extell Mayflower Developer, LLC**
  - *Extell objected to be included in the annexation map siting land-use and jurisdictional legalities.*
  - Hideout concurs that the law gives MIDA pseudo municipality authority, and as such is immune to annexation by a neighboring municipality. Hideout has removed all MIDA property outside of Hideout's current town boundaries.
- **SkyRidge Development, LLC and Jordanelle Land Investors, LLC**
  - *Both entities objected to be included in the annexation map.*
  - Hideout understands the nature of the request and as both properties exist within the MIDA project area (a municipality by definition), Hideout has removed these properties from the map.
- **Susan S. LeGlise, Ed.D – Private Resident of Deer Mountain**
  - *Dr. LeGlise expressed concerns about the value any annexation would bring to Deer Mountain and requested that Deer Mountain to be removed from the Annexation Map.*
  - Deer Mountain is already in Hideout's previous Annexation Declaration (from 2008). An Annexation Map should not create islands of parcels that are not included; therefore, respectfully, Hideout will keep Deer Mountain in the map.





## Jordanelle Special Service District

P.O. Box 519  
Heber City, UT 84032  
OFFICE: (435) 654-9233  
FAX: (435) 654-6396

January 30, 2023

Hideout Town Planning Commission  
Attn: Anthony Matyszczyk  
10860 North Hideout Trail  
Hideout, UT 84036

RE: Comments on the Proposed Amendment to Hideout Town Annexation Policy Plan

Mr. Matyszczyk:

Thank you for the opportunity to provide comments on the Town of Hideout's proposed Amendment to its Annexation Policy Plan (the "Annexation Amendment"). All of the land proposed for inclusion in the Town's Expansion Area is within the existing boundaries of the Jordanelle Special Service District ("JSSD"). Specifically, the area described in the Annexation Amendment comprises a large part of what JSSD has designated as "Area C" for infrastructure planning purposes, shown in yellow below:

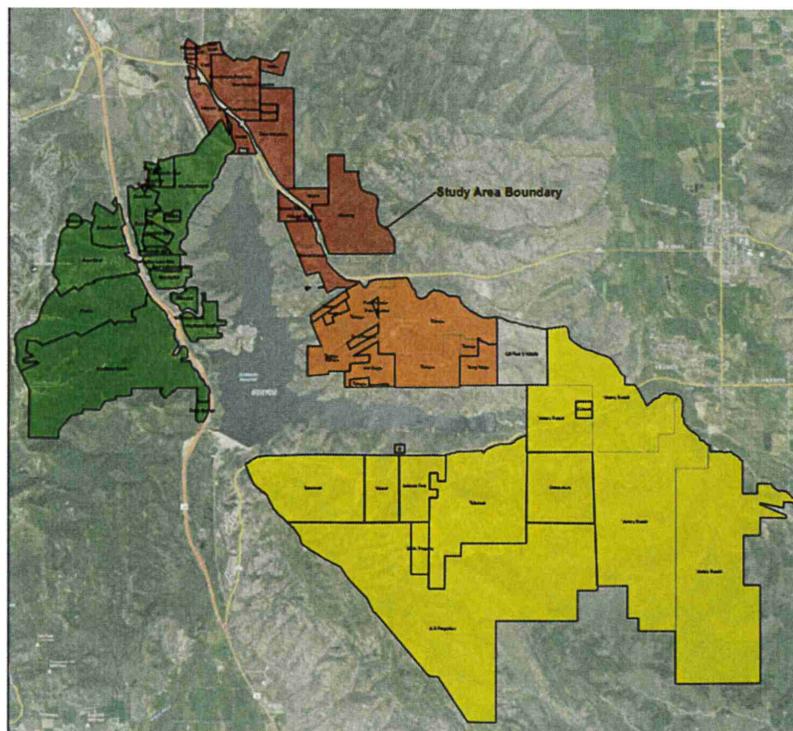


Figure 1: JSSD's service area. "Area C" is shown in yellow.

JSSD is the sole provider of culinary water and sanitary sewer services in Area C, and therefore JSSD is an "affected entity" as defined in the annexation statute. As you know, that statute requires the Town to address certain specific issues in its Annexation Policy Plan, including the interests of all affected entities such as JSSD.

JSSD has a strong interest in how land gets developed in its service area, and what entity approves those developments.

JSSD was created in the 1990s to provide water and sewer services in the Jordanelle basin. Bonds were issued and assessments levied on properties within the basin to fund the construction of system level improvements: a water treatment plant, sewer treatment plant, and pipelines and pump stations to collect and convey water and sewer. JSSD also acquired the water rights necessary to serve development in the Jordanelle basin.

The Town's current Annexation Policy Plan acknowledges JSSD's role as a water and sewer provider in the Expansion Area, and appropriately states that the Town intends to coordinate with JSSD on future expansions to the water and sewer systems. Nevertheless, neither the Annexation Policy Plan nor the Annexation Amendment are clear on whether the Town intends to expand its existing water and sewer systems — which were acquired from JSSD through an agreement in 2014 — as the Town annexes properties in the Expansion Area. While JSSD appreciates the Town's commitment to cooperating with JSSD, JSSD remains concerned about the potential for overlapping and inefficient systems, which increase the cost of water and sewer service for all residents in the Jordanelle basin.

JSSD wants to be explicit that it does not intend to convey any additional water or sewer infrastructure to the Town, or to give up its role as the primary water and sewer provider in Area C. On the contrary, the existing and planned infrastructure in Area C is crucial to JSSD's long-term plan to complete a full "loop" around the Jordanelle Reservoir, which will provide greater efficiencies for delivery of service throughout the Jordanelle basin.

Even if the Town ultimately decides not to construct duplicative water and sewer systems — and JSSD remains the sole provider of water and sewer services — annexation of the land in Area C is concerning to JSSD. JSSD has designed infrastructure based on anticipated densities in unincorporated areas. If the Town annexes land and then increases the allowable densities, JSSD may not have enough water infrastructure capacity to serve the increased densities.

Moreover, JSSD's current impact fees, which will be used to fund future infrastructure, are structured based on assumptions about development density in the Jordanelle basin, and on the assumption that JSSD will serve those new residents. The Town's Annexation Policy Plan, which raises questions about both future densities and the future provider of municipal services, threatens to upend the assumptions underpinning JSSD's impact fees.

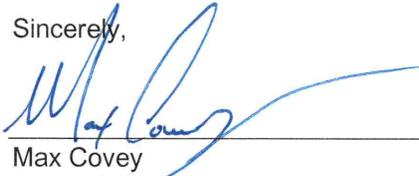
Another concern arises from the location of the land identified in the Annexation Amendment, which is separated from the Town's current boundaries by both unincorporated land on the south border of the Town, and by the east arm of the Jordanelle Reservoir. I'm sure you understand that the Town can only annex areas that are contiguous to the existing boundaries of the Town. That means it could be many decades before the Town could annex the area shown in the Annexation Amendment.

That is a problem because the inclusion of land in an Expansion Area has immediate effects on the development of unincorporated areas. Under state law, Wasatch County would have to provide the Town with notice of any proposed development within the Expansion Area and give the Town up to 90 days to provide comments. That will unnecessarily slow down the development process for land that the Town presently doesn't have any real interest in.

In short, JSSD owns extensive sanitary sewer and culinary water infrastructure in Area C, as well as extensive water rights necessary to serve that area. The Town's Annexation Amendment does not explain why it is necessary or prudent, in the Town's view, to annex areas that already have access to municipal services.

JSSD appreciates its positive working relationship with the Town, and credits the current administration with fostering that relationship. JSSD offers this letter to make clear that JSSD still has concerns about the Annexation Policy Plan generally, and about the potential annexation of land in Area C specifically. JSSD is hopeful that the recent positive interactions between the Town and JSSD will continue, and that we can work together as the Town grows, such that JSSD can continue to provide water and sewer services to this area in the most efficient manner and the lowest possible cost to residents of the Jordanelle basin.

Sincerely,



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Max Covey  
General Manager