



HIDEOUT, UTAH TOWN COUNCIL REGULAR MEETING AND PUBLIC HEARING

March 9, 2023

Agenda

PUBLIC NOTICE IS HEREBY GIVEN that the Town Council of Hideout, Utah will hold its regularly scheduled meeting and public hearing electronically for the purposes and at the times as described below on Thursday, March 9, 2023.

This meeting will be an electronic meeting without an anchor location pursuant to Mayor Rubin's February 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/>

Regular Meeting and Public Hearing
6:00 PM

I. Call to Order

- [1.](#) No Anchor Site Determination Letter

II. Roll Call

III. Approval of Council Minutes

- [1.](#) December 8, 2022 Town Council Meeting Minutes DRAFT

IV. Follow Up Items from Approved Minutes

V. Update on Golden Eagle Subdivision

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

VII. Public Hearing

- [1.](#) Discussion and consideration of amending the Town's Annexation Policy Plan to include additional acreage in Wasatch County, southeast of Hideout

VIII. Agenda Items

1. Consideration to appoint alternate Planning Commissioner Rachel Cooper as a regular voting member of the Planning Commission
- [2.](#) Consideration of approving Ordinance 2023-O-XX amending Hideout Municipal Code regarding noxious weeds
- [3.](#) Consideration of an approval of Resolution 2023-R-XX granting a one-time extension for the recordation of the KLAIM Phase 4 subdivision
- [4.](#) Consideration of an approval of Resolution 2023-R-XX granting a one-time extension for the recordation of Overlook Village Lots 38 and 39 Driveway Amendment
- [5.](#) Consideration of adopting Resolution 2023-R-XX authorizing Town Treasurer Jake McHargue access to the Town's Public Treasurer's Investment Fund (PTIF) account
6. Discussion and follow up of action items discussed at the Council Retreat

IX. Committee Updates

1. Planning Commission - Planning Commission Chair Tony Matyszczyk
2. Design Review Committee (DRC) - Thomas Eddington
3. Community Engagement Committee - Council Member Jacobs
4. Parks, Open Space and Trails (POST) Committee - Council Member Baier
5. Transportation Committee - Council Member Haselton

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

XI. 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.



February 13, 2023

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

The Mayor 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 14.72% of those tested since February 3, 2023. The seven-day number of positive cases has been, on average, 194.7 per day since February 8, 2023.

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

Interested parties may join by dialing in as follows:

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

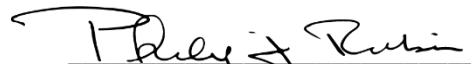
To join by telephone dial: US: +1 408-638-0986

Meeting ID: 4356594739

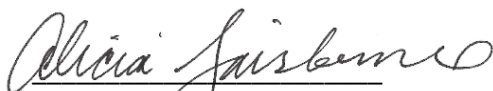
Additionally, comments may be emailed to hideoututah@hideoututah.gov. Emailed comments received prior to the scheduled meeting will be considered by Council and entered into public record.

This determination will expire in 30 days on March 15, 2023.

BY:


Phil Rubin, Mayor

ATTEST:


Alicia Fairbourne, Town Clerk



Minutes
Town of Hideout
Town Council Regular Meeting
December 08, 2022

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on December 08, 2022 at 6:00 p.m. electronically via Zoom due to the ongoing COVID-19 health crisis.

Regular Meeting

I. Call to Order

1. No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 6:06 p.m. and reminded participants there was no physical anchor location for the meeting.

II. Roll Call

Present: Mayor Phil Rubin
Council Member Chris Baier
Council Member Carol Haselton
Council Member Sheri Jacobs
Council Member Ralph Severini

Excused: Council Member Bob Nadelberg

Staff Present: Town Attorney Polly McLean
Town Administrator Jan McCosh
Town Planner Thomas Eddington
Director of Engineering Timm Dixon
Director of Public Works Daniel Allen
Recorder for Hideout Alicia Fairbourne
Deputy Recorder for Hideout Kathleen Hopkins

Others Present: Cambria Owens, Jared Fields, Damian Taitano, Lori Weston, Si Hutt, Katie Shepley, John Blamer, Randy Larsen, Sheriff Jared Rigby, Planning Commissioner Donna Turner and others who may have logged in using a partial name or using only a phone number.

III. Update on Golden Eagle Subdivision

Mayor Rubin stated he would not take public input for Golden Eagle during this meeting. Although progress had been made, he stated the infrastructure still needed to be completed to the state standard before the Town could issue building permits.

Regarding the court case, Hideout presented closing arguments on December 2, 2022 as did Mustang Development. The judge would take all arguments into consideration and was scheduled to make a ruling on January 13, 2023. Mayor Rubin noted if work was completed prior to that date, building permits could be issued. He explained the full water system had not been completed and turned over to the Town.

Director of Engineering Timm Dixon stated the developer had continued to make progress on the roads. He was under the impression the developer had requested Rocky Mountain Power to install the final requirements on the pump station but had not set a date as of yet. Mayor Rubin stated once the power was fully hooked up and the water was tested and approved, the Town could move forward.

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

At 6:17 p.m. Mayor Rubin opened the floor to members of the public wishing to speak on items not listed on the agenda. He reiterated Council would not hear comments related to the Golden Eagle Subdivision.

Council Member Severini noted the recycling pickups from Recyclops had been missed and a number of residents had expressed their concern. He asked if there was a contract between the Town and Recyclops. Mayor Rubin stated the contract was between Recyclops and the homeowner but could reach out to Recyclops and inform them there were some complaints from residents. Council Member Baier added she had received a text message from Recyclops stating there was an additional surcharge for excess materials although the company had missed several weeks of pickup services. She would discuss the complaints from residents to the company when she discussed her matter with them.

Golden Eagle Lot Owner Damian Taitano – wanted to share publicly that the Hideout Local District 1 monthly meeting was scheduled for 10:00 a.m. on Monday, December 12. He understood it to be a virtual meeting and hoped to attend.

Golden Eagle Lot Owner John Blamer – wanted to discuss evidence received that the water had been tested and was deemed safe for consumption. Town Attorney Polly McLean reminded Mr. Blamer he was represented by legal counsel and she and Mr. Dixon would set up a call when his legal counsel was present.

There being no further public comment, Mayor Rubin closed the public input portion of the meeting at 6:24 p.m. and moved to the agenda items for discussion.

V. Agenda Items

1. Discussion and consideration of approving additional funds for the renewal of the contract between Hideout and the Wasatch County Sheriff's Office

Mayor Rubin informed Council the Sheriff's Office contract ran from January 1 through December 31 of each year although the municipal fiscal year ran from July 1 through June 30 each year.

Katie Shepley noted the contract increased approximately seven percent (7%) from the previous year but did not include the month of July because it was paid in prior years. Because the Town did not factor in the increased cost during the current fiscal year, the budget would be short approximately \$2000. Ms. Shepley stated there were enough funds to cover the cost and Mayor Rubin added the additional funds could be factored into Fiscal Year 2023.

Mayor Rubin noted there were reports and dispatch logs included in the council materials which justified the cost. He mentioned he had asked the Sheriff's Office if there were steps the Town could take to increase public safety and would discuss those findings with the Sheriff in the near future.

Mayor Rubin asked Council if service should continue with the Sheriff's Office and if the work had been performed at a satisfactory level. Council Member Baier and Council Member Severini supported continuing the services but would like to see if a report could be obtained detailing areas with higher crime activity.

2. Presentation by IHC regarding services provided and projects and initiatives at Park City and Heber Valley Hospitals

Lori Weston (Park City Hospital) and Si Hutt (Heber Valley Hospital) presented the 2022 Report to the Community from the Park City and Heber Valley Intermountain Health Care (IHC) Hospitals. Ms. Weston described statistics for the Park City Hospital, including the number of babies delivered, surgeries performed, and emergency room visits. She noted the statistics increased significantly during 2022 in part due to increased recreational activities and new residents.

Mr. Hutt described the statistics from Heber Valley Hospital. He anticipated significantly more emergency room visits in 2023 due to the amount of growth in the Heber Valley. He noted approximately \$3.8 million was allocated to improvements and equipment at both hospitals. He pointed out how the community benefited by having the hospitals nearby, including no-cost education to the community, and working with and donating to various nonprofit organizations and charities.

The services provided at each hospital were described, which included board-certified emergency room physicians, surgical services, intensive care, inpatient services, labor and delivery, respiratory therapists, sleep studies, intravenous (IV) infusion therapy, chemo infusions, sports medicine physicians, cardiology testing, oncology, behavioral health services, crisis care, and pediatric care.

Ms. Weston described several initiatives in process for 2023 at the Park City Hospital, which included an expansion of the first floor involving the emergency imaging and lab. Also included was adding cardiac and pulmonary rehabilitation, Parkinson's rehabilitation program, and opening the Park City Surgery Center. The Sports Medicine Live Well program and physical therapy was to be expanded, as well as adding robotics for surgeons to perform less invasive procedures on patients.

Mr. Hutt described several initiatives in process for 2023 at the Heber Valley Hospital, which included an expansion of the specialty clinic and replacing the Magnetic Resonance Imaging (MRI) machine. An outpatient pharmacy consultation would be added as well as additional primary care providers, family practice physician, and an internal medicine physician.

Council Member Severini asked what the newer building in the Park City area was. Ms. Weston explained it was the new Orthopedic Surgery Center which was to open in January, 2023. She further explained all the outpatient or under 24-hour stay surgeries would be performed at that facility in the future.

Mayor Rubin thanked Ms. Weston and Mr. Hutt for the presentation and stated he had visited the Park City Hospital and was pleased with the level of service and was grateful for the advanced technology.

Ms. Weston asked Council to inform either her or Mr. Hutt if there was anything the community may need that could be improved, and thanked Council for the opportunity to present the information.

3. Discussion of expansion of Annexation Declaration Area (ADA)

Mayor Rubin wanted to share with Council that the Town was approached by the developers of Benloch Ranch, which was a property on the south end of Jordanelle Reservoir, who inquired if the Town would be interested in annexing the land. There were some potential items of interest to the Town as it related to the General Plan. The developers presented a preliminary concept plan at a Planning Commission meeting held on December 1, 2022. Mayor Rubin reiterated this was in the very early stages but wanted to inform Council of the discussion and process.

Mr. Eddington presented a map of the proposed expansion of the Annexation Declaration Area (ADA) to include Benloch Ranch. Mayor Rubin noted there was an overlap of the proposed area with Heber City's ADA, and therefore, the process would take some time. Ms. McLean added that the intent of including this discussion to the agenda was to make Council aware of it and get support prior to spending additional resources and moving forward with the project. Council Member Baier expressed her support with the knowledge the Town was limited in resources and felt that expanding the ADA was necessary. Council Member Jacobs also expressed her support and disclosed her company represented Benloch Ranch. She had visited the property on several occasions and thought it would be a good addition to Hideout. Council Member Severini gave his support to continue the dialogue, noting the Economic Development Committee (EDC) had researched some potential financial opportunities for the Town.

Council Member Haselton suggested a site visit be arranged for Council and Planning Commission.

Council Member Baier inquired how the ADA could be expanded with Jordanelle Reservoir separating Hideout from Benloch Ranch. Mr. Eddington explained there were some potential connections along some of the Bureau of Reclamation (BOR) land as well as some of the State lands. Ms. McLean added with the connection of the land it would be contiguous and would be within the threshold requirements.

Mayor Rubin stated there was enough support from Council to move forward with researching the expansion. Ms. McLean explained the Planning Commission would hold meetings to expand the ADA and make a recommendation to Council.

4. Presentation regarding the creation of CRA and Bonding next steps for MIDA cash flows

Mayor Rubin explained because Hideout was a portion of the Military Installation Development Authority (MIDA), income was granted to the Town by MIDA. He introduced Randy Larsen, who worked with the law firm of Gilmore and Bell in the Salt Lake office. Mr. Larsen explained he would represent Hideout as the bond counsel.

Mr. Larsen explained the purpose of a Community Renewal Agency (CRA) was to create a mechanism to collect an increase in property taxes from a particular area or project area. The Town would be the Board of the CRA and would serve as a reporting entity when assets or obligations were present and necessary for an audit.

1 A CRA was an increase in property tax from a development in a project area which could be
2 shared with public improvements, or vertical infrastructure. It also had some ability to be flexible
3 when selling city assets. The approval of the Board was sufficient to sometimes sell assets at a
4 reduced cost to incentivize development activities in particular.

5 A CRA had certain rights the Town did not have, but once the entity was created and the project
6 area was defined, the CRA would be enabled to, with the agreement of the Town, create a taxing
7 boundary. The other taxing entities could, at their own discretion, decide whether or not to share
8 their own tax increment for purposes of the project area. Mr. Larsen suggested creating the CRA,
9 especially given the development projects the Town was facing. He stated the CRA could attract
10 development by providing a mechanism between the School District, Wasatch County, and the
11 Town to volunteer or share any tax increment. He also noted the Town could pledge the MIDA
12 revenue to a bond of the CRA. The CRA could then magnify the bond with its own Tax Increment
13 Financing (TIF), or a Public Improvement District (PID) could magnify the tax with the consent
14 of the property owner.

15 Council Member Severini inquired what the benefit of using the CRA with the MIDA funds was
16 as opposed to working with MIDA directly. Mr. Larsen explained a CRA would act as a facilitator
17 because the Town would retain control over the CRA, but the CRA had more flexibility. He
18 provided an example that if the Town wanted to acquire land, or pay for some public
19 improvement, or develop vertical infrastructure, the Town was not entitled to lend its credit
20 toward private development. A CRA had an exception in that it could incentivize and even assist
21 in paying for things that might benefit the entities that fit within the desired development, which
22 the Town could not do by itself. Legislatures intentionally created CRA's to enhance development
23 activities the Town could not otherwise do. A CRA could use revenues which belonged to the
24 Town through a pledge to the CRA.

25 Council Member Severini asked if there were any CRA's that Council could research to assist in
26 the decision-making process. Mr. Larsen stated Salt Lake City had a long-standing CRA with
27 project areas that included affordable housing, theaters, convention centers, et cetera. Park City
28 was also noted as holding CRA projects for development. Mr. Larsen offered to send documents
29 of information to Council.

30 Ms. McCosh asked Mr. Larson to discuss what Hideout would need to do to bond on the MIDA
31 cash flows. Mr. Larsen explained the Town could bond against the MIDA revenue without a CRA
32 in place. However, a CRA would offer more flexibility in how the funds were used. He suggested
33 engaging with an investment banker who could offer insight on rates and terms based upon the
34 projected revenues expected from MIDA.

35 There were no further questions for Mr. Larsen. Mayor Rubin thanked Mr. Larsen for taking time
36 to explain the risks and benefits of creating a CRA.

37 **5. Update from Wasatch County Sheriff's Office regarding service during 2022**

38 Sheriff Rigby joined the meeting and discussed some of the issues present in Hideout in the
39 previous year. He stated the majority of service calls were from the growing number of alarm
40 systems installed because of the increased residential growth and popularity of security systems.
41 A number of calls were received for non-criminal questions, such as: hunting rights, the legality
42 of firearms within the Town, and issues with property disputes. He noted the aforementioned calls
43 were part of the regular service the Sheriff's Office provided.

Sheriff Rigby mentioned if Deputies were to respond three times to a false alarm, any subsequent false alarms would be charged to the homeowner. He stated there was a service in place for homeowners to report a false alarm prior to Deputies being dispatched. He offered to prepare an informational summary to be included in the Town newsletter.

Mayor Rubin noted the Sheriff's Office assisted in enforcing the Town's parking ordinances. Sheriff Rigby explained Deputies would attempt to contact the vehicle owner prior to towing the vehicle when it was in violation of the parking ordinance.

Sheriff Rigby discussed an increased number of calls related to fraud. This included credit card fraud, identity theft, package theft, or a caller stating a relative had a warrant that could be paid for over the phone with a credit card.

Council Member Baier asked how the parking ordinance was enforced when construction workers were parked on both sides of the road making the road impassable. Sheriff Rigby stated the Deputy would make contact with the contractor and instruct them to park on only one side of the road. He stated if there were any particular areas which were in violation, residents should contact the non-emergency dispatch line.

Sheriff Rigby mentioned there was new technology in the Deputy's vehicles which would accurately log what time the Deputies were in which area at any given time. He offered a ride-along with the Deputies for any of the Council Members who wished to do so, or if there were reports the Council Members wanted to discuss one-on-one to contact the Sheriff's Office for a discussion.

Mayor Rubin reminded Council the Sheriff's Office would be scheduled to provide updates once per quarter, and if there were any questions or concerns, they could also bring those up during those regularly scheduled meetings.

Sheriff Rigby thanked Council for the opportunity to work with the Town.

6. Possible approval of Resolution 2022-R-XX to update the Hideout Fee and Rate Schedule for re-inspections

Mr. Dixon explained there were approximately three thousand (3000) inspection requests in the year 2022, with a failure rate of approximately ten to twenty percent (10-20%). He noted most of the failed inspections were regarding building permits. Each time an inspection failed, Staff was required to re-inspect the same issues which may not have been corrected from the previous inspection. He asked for consideration to approve a re-inspection fee of three-hundred seventy dollars (\$370).

Council Member Baier supported the fee and reiterated costs should be covered and correct behaviors should be encouraged.

There being no further questions from Council, Mayor Rubin asked for a motion to approve the change.

Motion: Council Member Baier moved to approve Resolution 2022-R-16 to amend the Hideout Fee and Rate Schedule as described to include a re-inspection fee. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. The motion carried.

7. Consideration of adopting Resolution 2022-R-XX to update Hideout's Electronic Meeting Policy

Ms. McLean explained the Electronic Meeting Policy was outdated and needed to be updated per state law requirements. The Resolution would allow for electronic meetings to be held and a quorum of the Council could be made using electronic meetings.

Roll call voting was discussed. Ms. McLean explained the state law required all votes be recorded in the meeting minutes as a roll call vote.

There being no questions from Council, Mayor Rubin asked for a motion to adopt the Resolution.

Motion: Council Member Jacobs moved to adopt Resolution 2022-R-17 regarding electronic meeting participation. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. The motion carried.

8. Possible approval of Ordinance 2022-O-XX setting the Hideout Town Council Regular Meeting schedule for 2023

Mayor Rubin presented the 2023 Council Regular Meeting Schedule and noted it was to remain on the second Thursday of each month. He noted one exception for the meeting on November 9th which fell on an observed holiday. That meeting would be held on Wednesday, November 8.

There being no questions from Council, Mayor Rubin asked for a motion to adopt the Ordinance.

Motion: Council Member Haselton moved to adopt Ordinance 2022-O-08 establishing a 2023 Regular Meeting Schedule for the Town Council of Hideout, Utah. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. The motion carried.

9. Consideration and possible approval of Holidays observed and Town Hall closure schedule for 2023

Mayor Rubin presented the proposed observed holiday schedule for Town Hall closure. He noted the regular office hours were Monday through Thursday and on some occasions the holiday fell on a Friday or weekend. He asked Recorder Alicia Fairbourne to add a column showing the date of the actual holiday so it could be compared to the observed holiday.

Council Member Baier felt comfortable with the holiday schedule. There were no further comments or questions.

10. Consideration of setting a date for a retreat for all Council Members to discuss and set goals for the upcoming year

Mayor Rubin stated a Council Work Session had been held in previous years to discuss what had been accomplished and to set goals for the upcoming year. He asked Council if they would prefer to meet in person, or to conduct the meeting fully electronic, or to conduct a hybrid meeting which would include in-person and electronic attendees. Council agreed the meeting should be conducted in-person and at an off-site location to allow for social distancing.

Mayor Rubin reminded Council and meeting participants it would be an open meeting to the public, although no public comment or public input would be taken. He stated it would be streamed via YouTube Live and/or Zoom.

Several potential meeting locations were discussed, as well as a date that would accommodate all Council Members. Ms. McCosh would explore possible venues and finalize the date with the Council Members.

VI. Approval of Council Minutes

1. August 11, 2022 Truth in Taxation Meeting Minutes DRAFT

There were no corrections.

2. August 11, 2022 Town Council Meeting Minutes DRAFT

Ms. Fairbourne had a question regarding who the trails map was emailed to. Mr. Eddington stated he would email the names to Ms. Fairbourne to include in the minutes.

3. September 8, 2022 Town Council Meeting Minutes DRAFT

Council Member Haselton asked for lines 4/5 on page 6 to be reworded.

4. October 13, 2022 Town Council Meeting Minutes DRAFT

Council Member Haselton noted two corrections. The first being on page 4, line 33. She stated it should read, "... *she was concerned about the lighting...*".

The second correction on page 7, line 31, which should be corrected to "*Skyridge*".

There being no further corrections, Mayor Rubin asked for a motion to approve the minutes.

Motion: Council Member Haselton moved to approve the Council Minutes of the August 11, 2022 Truth in Taxation Meeting, August 11, 2022 Regular Meeting, September 8, 2022 Regular Meeting, and October 13, 2022 Regular Meeting minutes with the aforementioned corrections. Council Member Jacobs made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. The motion carried.

VII. Follow up of Items Related to Council Minutes

Mayor Rubin noted the water situation which was discussed in the September meeting would be followed-up with in the January meeting. He stated a meeting was to be held with JSSD to provide clarification on several discrepancies regarding the amount of water available.

Council Member Severini asked about the discussion during the August 11 meeting regarding resident Carol Tomas' suggestion of leaving the lot where the bike path crossed as an open lot. Mr. Eddington stated he had an initial conversation with Ms. Tomas and the developer and noted the bike path would be constructed where it was platted in front of Ms. Tomas' house. However, there was a potential alternative opportunity which he would discuss with the developer.

Council Member Severini asked about the discussion during the August 11 meeting regarding the water consumption data. Mayor Rubin stated the water consumption data would be reviewed during the discussion of available water in January.

Council Member Severini asked if any resolution was found in creating a definition around a possible mid-term rental being between thirty-one (31) and eighty-nine (89) days as discussed in the September meeting. Ms. McCosh noted there were complications surrounding that term because state law was specific in its format.

VIII. Committee Updates

1. Community Engagement Committee - Sheri

Council Member Jacobs stated the Community Engagement Committee held a meeting the previous week. She stated several creative ideas were discussed, some of which focused on a fundraising event and additional opportunities for grant money. An additional meeting would be held in the following month to get further details. She noted she would discuss some possible winter activities with the Parks, Open Space and Trails (POST) Committee.

Mayor Rubin noted the Committee had created articles of clothing for residents to purchase and felt further communication was needed to make residents aware it was available. Council Member Jacobs would order additional items in order to offer a variety of sizes to residents. She would also discuss with Staff members to ensure it was advertised in the community newsletter and website.

2. Parks, Open Space and Trails (POST) Committee - Chris

The POST Committee did not meet in November. However, Deputy Recorder for Hideout Kathleen Hopkins had a discussion with Jason Whittaker who confirmed the construction project had started at the Ross Creek Day-use area. He mentioned a trail groom would be completed in the Ross Creek area in the coming months.

3. Transportation Committee - Carol

Council Member Haselton stated the new Park City Transit silver line schedule was complete. The bus schedule showed transportation would begin to take passengers to the Old Town Transit Center from Richardson Flat at 5:45 a.m.

4. Hideout Design Review Committee (DRC) - Thomas

Mr. Eddington stated the DRC had met and reviewed Deer Springs Phases 2A and 2B, and focused specifically on the fourplexes within those developments. The review regarding footings and foundations was complete; however, final colors and design components would continue to be discussed.

Council Member Baier inquired if dark-sky compliant lighting was discussed, to which Mr. Eddington replied it had, and the DRC was awaiting final lighting fixtures, colors, and material components from the developer. Mr. Dixon also noted the new streetlights which were ordered and were to be installed by the developers would be dark-sky compliant as well.

5. Planning Commission - Donna Turner

Planning Commissioner Donna Turner stated the Planning Commission discussed the potential annexation of Benloch Ranch which consisted of approximately two-thousand, three hundred (2300) acres outside of Hideout. The Planning Commission also heard a concept plan from a developer who was interested in annexing the Creekside area near Deer Springs and Deer Waters,

1 which consisted of approximately seven (7) acres. Mr. Eddington noted the Creekside annexation
2 had been discussed approximately two (2) years prior and the applicant had withdrawn the
3 application. This was a re-submission of the same area. Commissioner Turner stated the applicant
4 desired to build ten (10) single-family homes in the area; however, Mr. Eddington noted there
5 were a number of issues with the development due to the sensitive lands, wetlands, duck ponds
6 and slopes. The Planning Commission made several recommendations to the applicant, including
7 reducing the number of houses and alternating the homes to avoid a monotonous aesthetic. She
8 mentioned the applicant stated studies had been conducted to preserve the wetlands. Mr.
9 Eddington added the Planning Commission had asked the applicant to conduct a slope analysis
10 and environmental analysis before presenting the concept to the Planning Commission again.

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

13 There was no need for a Closed Executive Session.

14 **X. Meeting Adjournment**

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

16 *Motion: Council Member Baier moved to adjourn the meeting. Council Member Haselton*
17 *made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council*
18 *Member Jacobs, Council Member Severini. Absent from voting: Council Member Nadelberg.*
19 *None opposed. Motion carried.*

20 The meeting adjourned at 8:48 p.m.

21
22
23
24
25 _____
26 Alicia Fairbourne, Recorder for Hideout
27

Staff Review for Proposed ADA Expansion for Town Council

To: Mayor Philip Rubin
Town Council for Hideout

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

Re: Annexation Declaration Area (ADA) – Proposed Expansion

Date: March 9, 2023 Town Council Meeting

Submittals: An updated map prepared by Integrated Planning & Design based upon an updated map provided by the Benloch Ranch planning team on February 2, 2023

Project Background

Town Council is requested to review a proposed expansion of the Annexation Declaration Area (ADA) that was favorably recommended by the Planning Commission on February 9, 2023. The proposal to expand the ADA began after representatives from Benloch Ranch approached Hideout in late 2022 regarding possible annexation from Wasatch County into the Town of Hideout. Representatives from Benloch Ranch initially presented the project to the Planning Commission at its regularly scheduled meeting on December 1, 2022.

The Planning Commission held the first public hearing for the Annexation Declaration Area (ADA) expansion on January 19, 2023. The second public hearing for the Planning Commission to consider the ADA expansion was held on February 9, 2023 and the Planning Commission voted to send a favorable recommendation to the Town Council.

The staff reports and associated attachments presented to the Planning Commission are attached to this Town Council staff report.

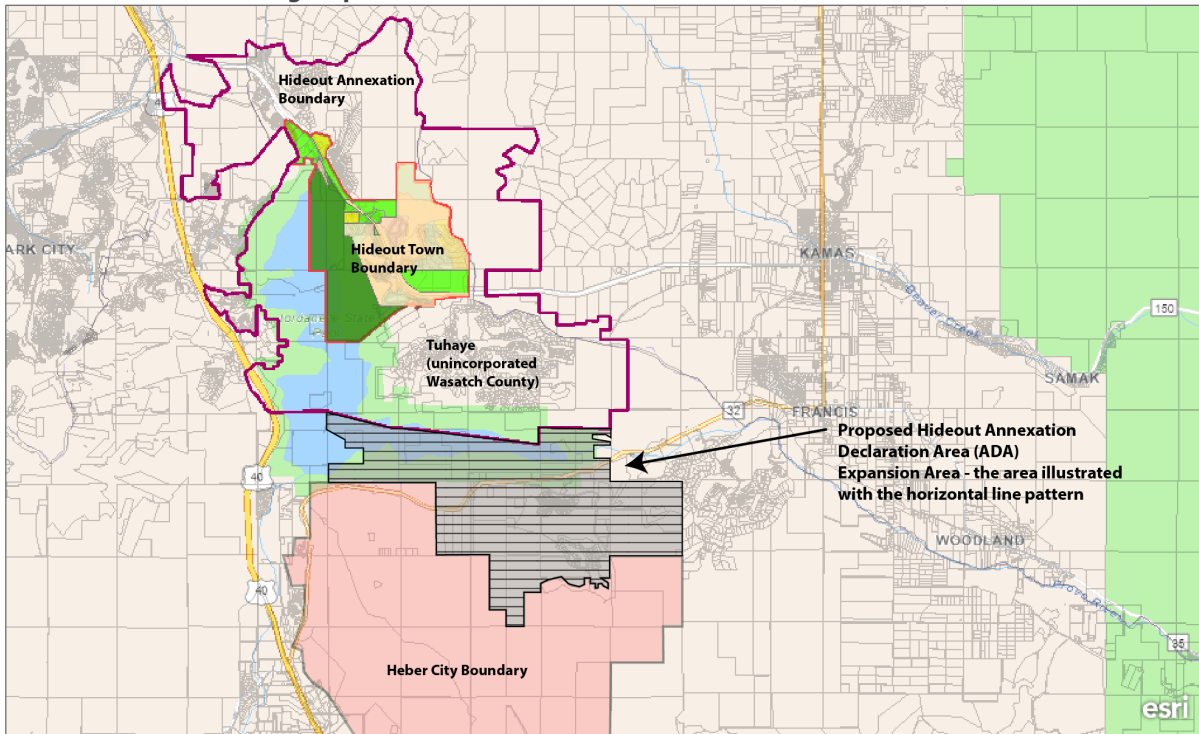
Review to Date by the Planning Commission

The Planning Commission reviewed the proposed ADA expansion in the context of both the 2019 General Plan and the Hideout Annexation Declaration Area (ADA) Plan.

The impetus for the proposed ADA expansion is the Benloch Ranch. The map of the proposed ADA expansion area and the concept plan for Benloch Ranch that were presented to the Planning Commission on December 1, 2022 are on the following page.

Context Map Including the Proposed ADA Boundary Expansion Area

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

General Concept Plan for Benloch Ranch

DEVELOPMENT SUMMARY



RESIDENTIAL:

- 776 Single Family Homes
- 350 TH/Condo/Casitas (1,000sf)
- 550 TH/Condo/Casitas (1,500sf)

HOSPITALITY:

- 145-unit Fireside Resort (cabins)
- 200-key Luxury Hotel (golf & spa)

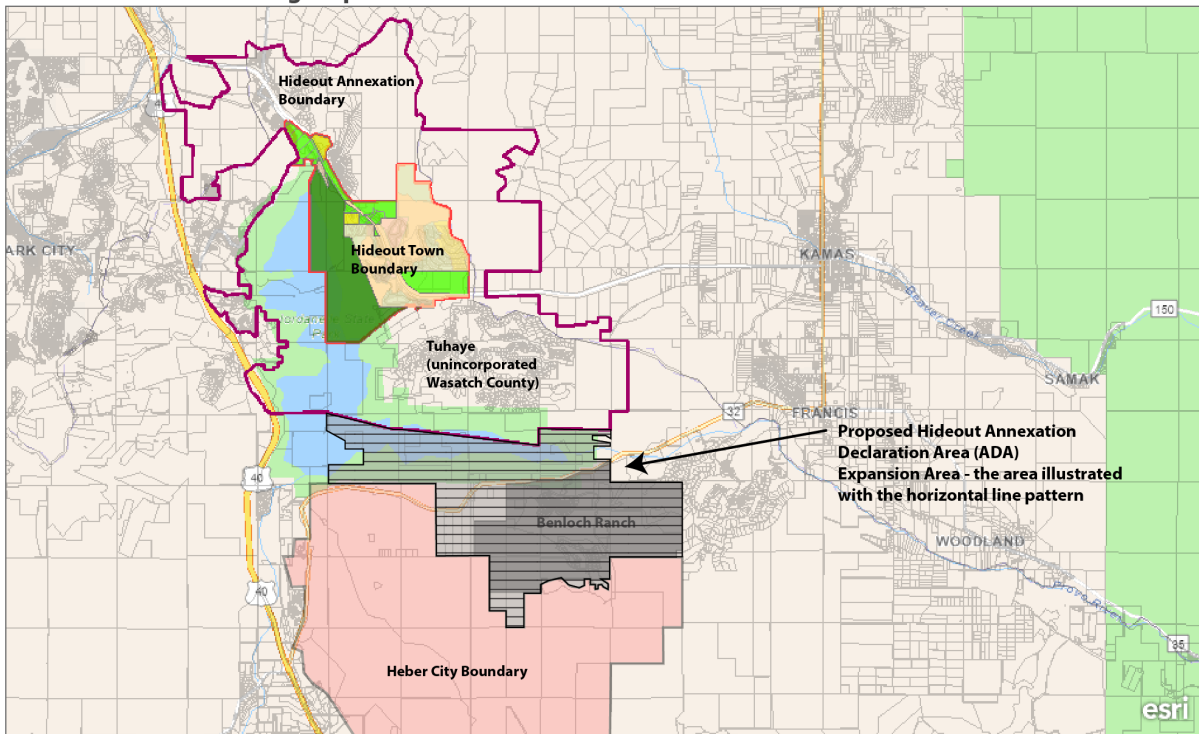
COMMERCIAL:

- Golf Course & Lodge (30k sf lodge)
- Non-golf community lodge (30k sf)
- Boutique Grocery (6k sf)
- Community Retail (café, gear rental, workout studio, etc. totaling 35k sf)
- Storage Units
- Kids' Ranch (tow rope, ski hill, daycare facility, etc.)
- Paddleboarding Barn (7.5k sf)
- Equestrian Center (20k sf)



**Map Illustrating the Location of Benloch Ranch Within the Proposed ADA Expansion Area
(A Combination of the Prior Two Maps/Plans)**

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 following was an initial assessment of the proposed concept plan relative to the goals laid out in the General Plan that was presented to and reviewed by the Planning Commission and is copied here for ease of reference by the Town Council members:

2019 General Plan

Annexation Goals:

- Pursue fiscally responsible annexations – As part of any annexation petition, the Hideout Town Code requires an in-depth fiscal analysis to ensure any annexation is a financial benefit to the community. A detailed analysis shall be submitted by the Applicant. This is in addition 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 Town Council 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 and the Town Council 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 and the Town Council 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 and the Town Council 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.

Utility Provider Input

JSSD submitted a letter (see attached in the staff report to the Planning Commission dated February 16, 2023) that had a question about potential density allowances within the proposed ADA expansion area. The Planning Commission discussed this issue at their February 9, 2023 meeting and requested that staff work with the Applicant to better understand the requested densities for the Benloch Ranch project, the driver behind this proposed ADA expansion. This coordination with JSSD is important and is further reinforced by the Town's Annexation Declaration Area (ADA) Plan.

The following density was presented to the Planning Commission by the representatives for Benloch Ranch on December 1, 2022:

- > 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

Staff recommends the approved density per Wasatch County's initial approval for the Benloch Ranch project remain in place. These numbers will be confirmed at the time of the Benloch Ranch petition for annexation, a process that cannot begin until the ADA has been expanded. It is worth noting that an expansion of the ADA does not bind the Town Council to automatically approve any subsequent petitions to annex into the Town of Hideout. The process to annex requires a significant amount of land use review, zoning district mapping and designations, and a thorough review of a financial impact analysis, an annexation agreement, among many other analyses.

Recommendation

The Planning Commission reviewed the proposed ADA expansion area and forwarded a favorable recommendation to the Town Council. Staff recommends the Town Council review the proposed ADA expansion, discuss issues and concerns, and determine if additional information is necessary prior to a vote to approve the proposed ADA expansion area.

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: February 16, 2023 Planning Commission Meeting

Submittals: An updated map prepared by Integrated Planning & Design based upon an updated map provided by the Benloch Ranch planning team on February 2, 2023

Project Background

Consideration of a possible expansion of the ADA began after representatives from Benloch Ranch approached Hideout in late 2022 regarding possible annexation from Wasatch County into the Town of Hideout. Representatives from Benloch Ranch presented the project to the Planning Commission at its regularly scheduled meeting on December 1, 2022.

The Planning Commission held the first public hearing for the Annexation Declaration Area (ADA) expansion on January 19, 2023. This is the second public hearing for the Planning Commission to consider the ADA expansion and a vote to send a favorable or negative recommendation to the Town Council may be made at this meeting.

An updated map that includes some parcels that were left out (circled in red on the map). The area illustrated in grey with the horizontal line pattern is the proposed expansion area for the Annexation Declaration Area (ADA).

Utility Provider Input

JSSD submitted a letter (see attached) that had a question about potential density allowances within the proposed ADA expansion area. The Planning Commission should be prepared to discuss the density proposed by Benloch Ranch, the driver behind this proposed ADA expansion. The following density was presented to the Planning Commission by the representatives for Benloch Ranch on December 1, 2022:

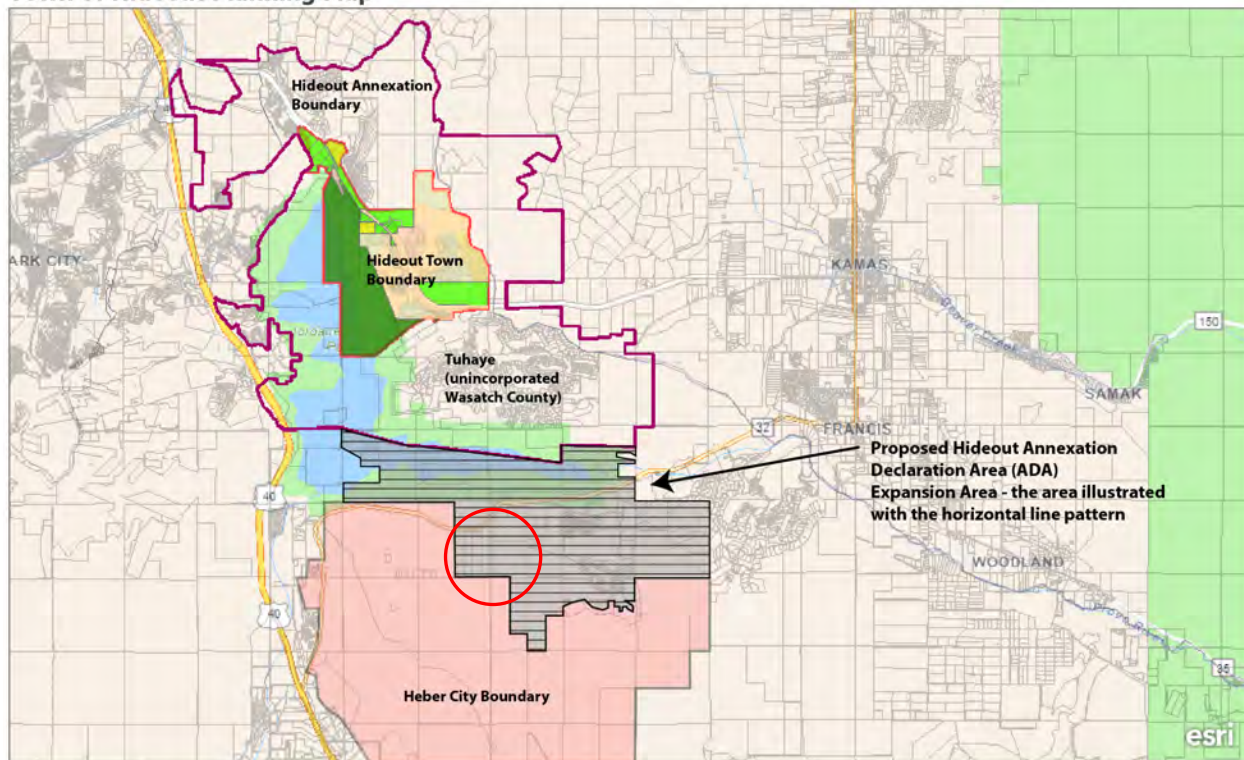
- > 1,500 Single-family units/Townhouse/Condo/Casitas
- > 300 hotel rooms and/or cabins for rent (nightly rentals)
- Golf Course and Lodge
- Community Lodge
- Kid's Ranch (recreation and daycare facility)
- > 65,000 SF of commercial development

Staff recommends the approved density per Wasatch County's initial approval for the Benloch Ranch project remain in place. These numbers will be confirmed at the time of the Benloch Ranch petition for annexation, a process that cannot begin until the ADA has been expanded. Again, an expansion of the ADA does not bind the Planning Commission or Town Council to automatically approve any subsequent petitions to annex into the Town of Hideout. The process to annex requires a significant amount of land use review, zoning district mapping and designations, and a thorough review of a financial impact analysis, an annexation agreement, among many other analyses.

Staff has calls scheduled this week with the representatives of Benloch Ranch to better understand density allowances per project approvals in Wasatch County and JSSD to gain some additional detail regarding density concerns they may have.

Context Map Including the Proposed ADA Boundary Expansion Area

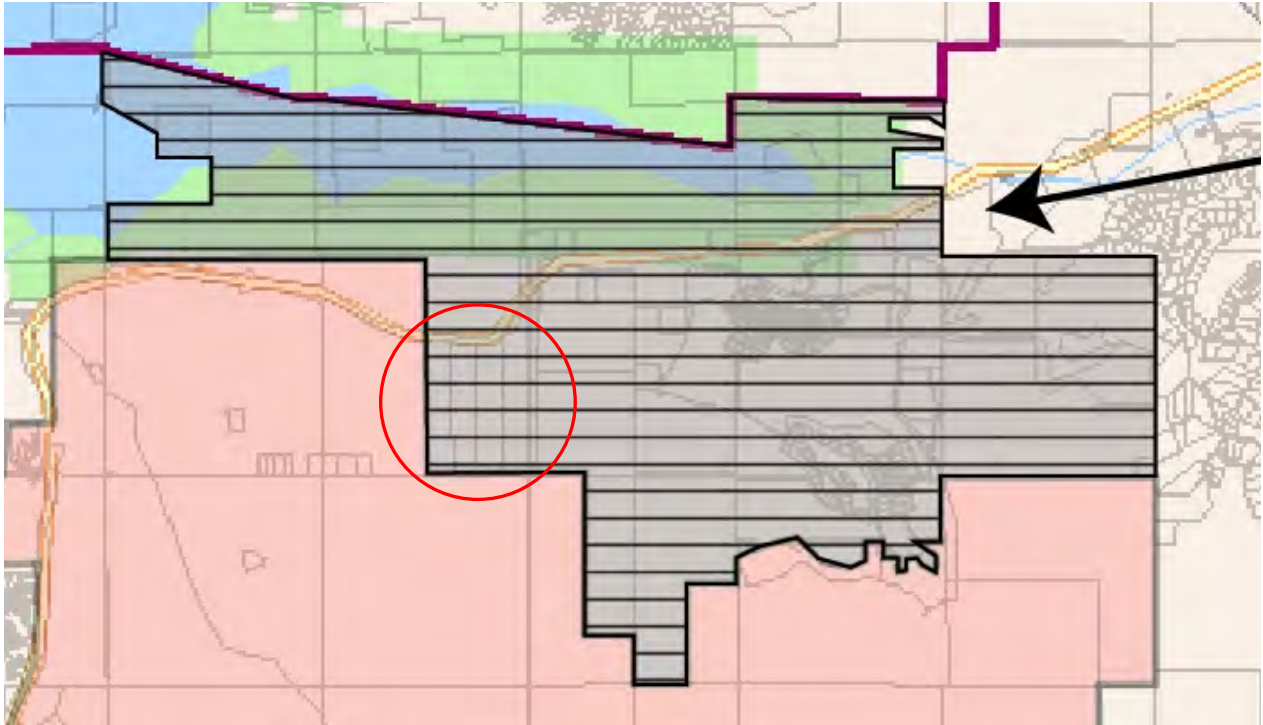
Town of Hideout Planning Map



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

ADA Expansion Area (zoomed in)



Recommendation

Staff recommends the Planning Commission review the proposed ADA expansion, discuss issues and concerns, and consider forwarding a recommendation to the Town Council.

Exhibit A – Letter from JSSD

(see following pages)



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:

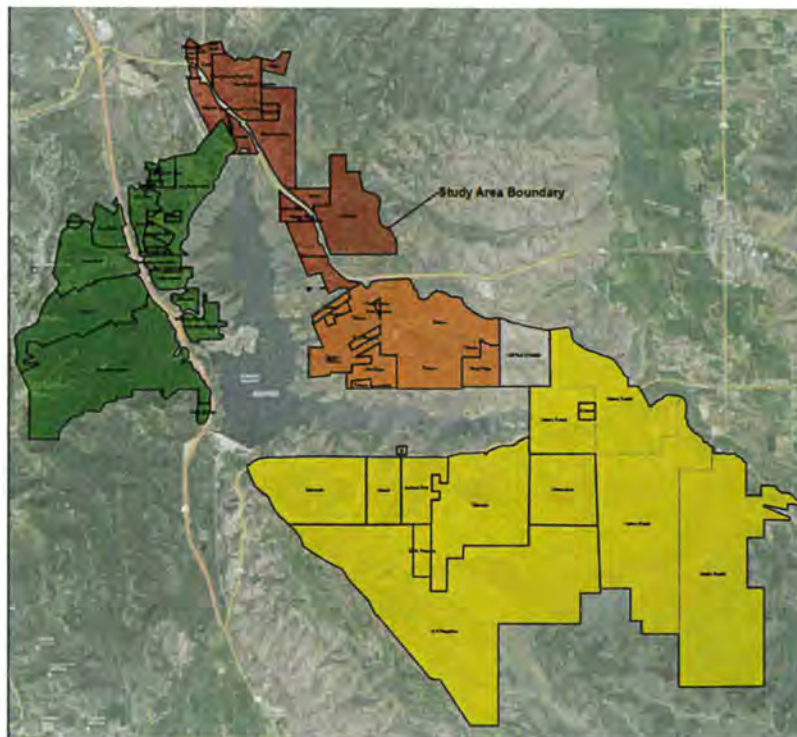


Figure 1: JSSD's service area. "Area C" is shown in yellow.

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.

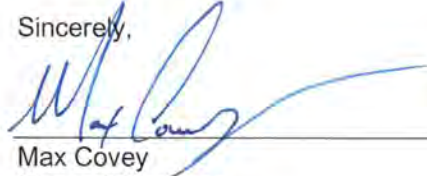
Another concern arises from the location of the land identified in the Annexation Amendment, which is separated from the Town's current boundaries by both unincorporated land on the south border of the Town, and by the east arm of the Jordanelle Reservoir. I'm sure you understand that the Town can only 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,



Max Covey
General Manager



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

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.

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:

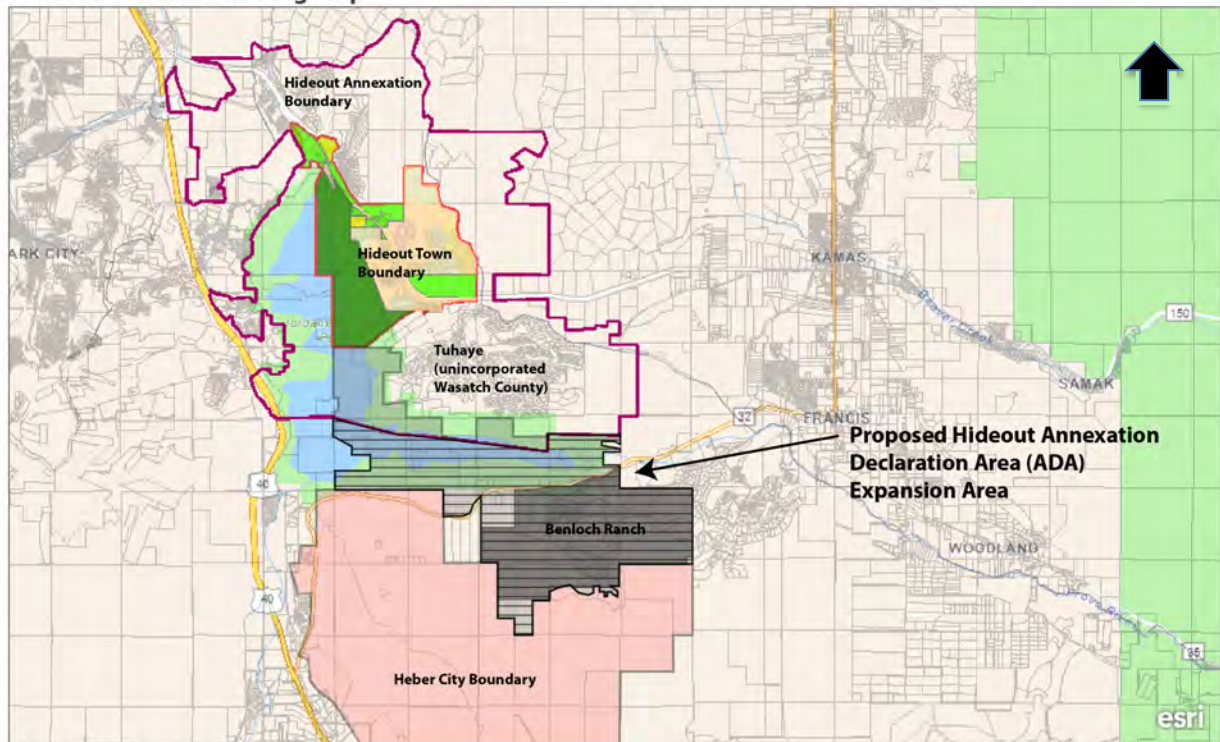
"Affected entity" means:

- . . . (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.



Even if Hideout chooses to expand the ADA area based on the policies above, it is not obligated to annex the Benloch Ranch area. That petition will be reviewed on its own merits and pursuant to a different section of State Code. If the area is brought into the ADA, it will be part of the ADA whether or not Benloch is annexed.

The Benloch Ranch proposal that was presented to the Planning Commission at the December 1st Planning Commission meeting included the following concept plan:

General Concept Plan for Benloch Ranch

DEVELOPMENT SUMMARY

BR BENLOCH RANCH

RESIDENTIAL:

- 776 Single Family Homes
- 350 TH/Condo/Casitas (1,000sf)
- 550 TH/Condo/Casitas (1,500sf)

HOSPITALITY:

- 145-unit Fireside Resort (cabins)
- 200-key Luxury Hotel (golf & spa)

COMMERCIAL:

- Golf Course & Lodge (30k sf lodge)
- Non-golf community lodge (30k sf)
- Boutique Grocery (6k sf)
- Community Retail (café, gear rental, workout studio, etc. totaling 35k sf)
- Storage Units
- Kids' Ranch (tow rope, ski hill, daycare facility, etc.)
- Paddleboarding Barn (7.5k sf)
- Equestrian Center (20k sf)



The following is a quick assessment of the proposed concept plan relative to the goals laid out in the General Plan. This list is not fully inclusive but is rather a starting point for the Planning Commission to begin review of as part of the proposed ADA expansion:

Annexation Goals:

- Pursue fiscally responsible annexations – As part of any annexation petition, the Hideout Town Code requires an in-depth fiscal analysis to ensure any annexation is a financial benefit to the community. A detailed analysis shall be submitted by the Applicant. This is in addition



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
TOTAL	0.007668

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.

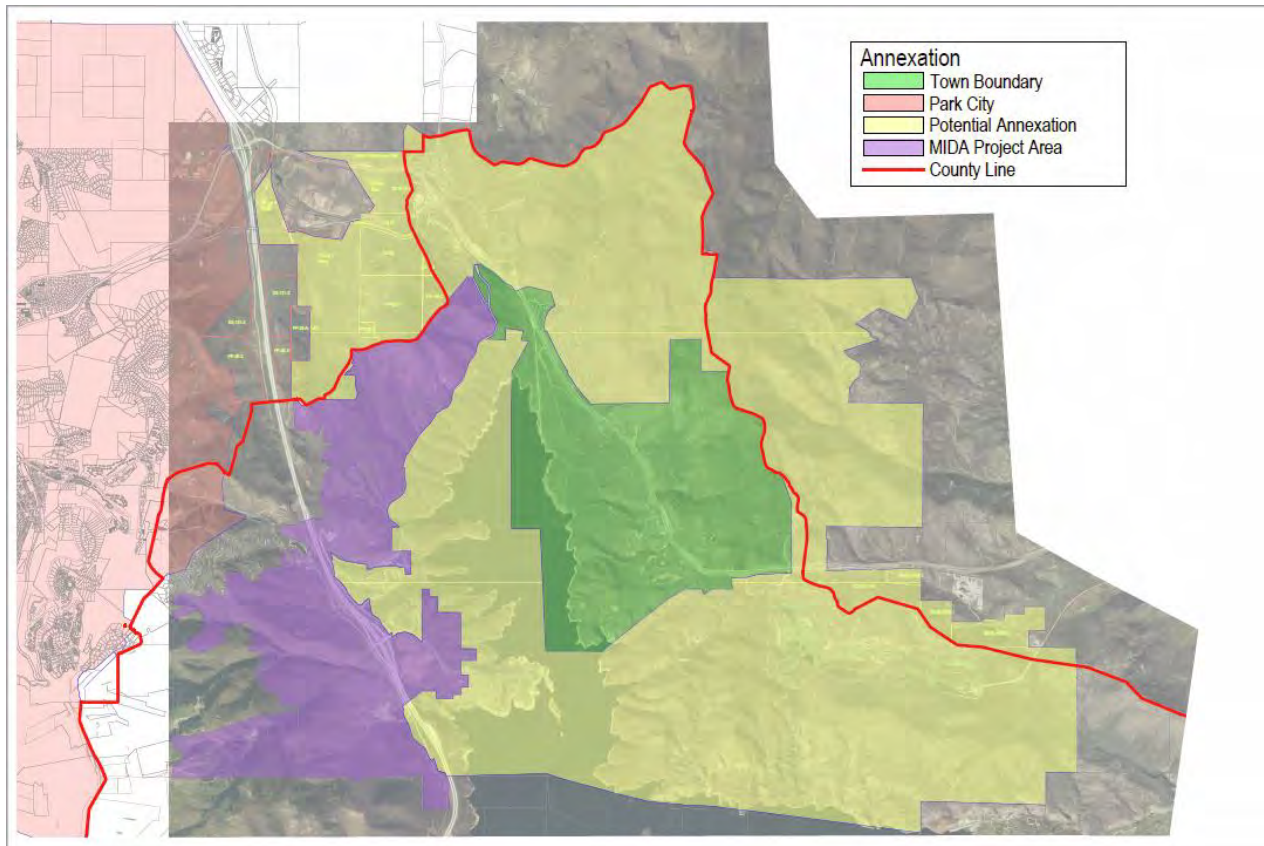
INCLUSION OF AGRICULTURAL LANDS, FORESTS, RECREATION AREAS, AND WILDLIFE MANAGEMENT AREAS

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.



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

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.

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:

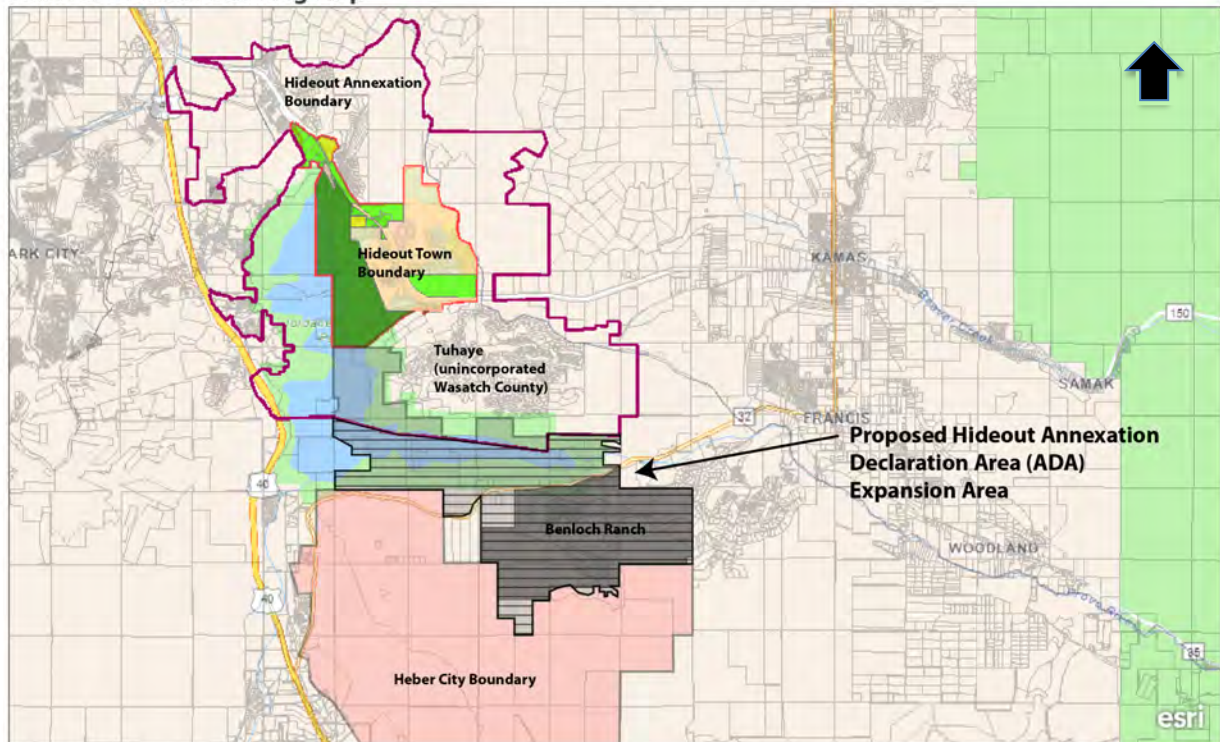
"Affected entity" means:

- . . . (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.



Even if Hideout chooses to expand the ADA area based on the policies above, it is not obligated to annex the Benloch Ranch area. That petition will be reviewed on its own merits and pursuant to a different section of State Code. If the area is brought into the ADA, it will be part of the ADA whether or not Benloch is annexed.

The Benloch Ranch proposal that was presented to the Planning Commission at the December 1st Planning Commission meeting included the following concept plan:

General Concept Plan for Benloch Ranch

DEVELOPMENT SUMMARY

BR BENLOCH RANCH

RESIDENTIAL:

- 776 Single Family Homes
- 350 TH/Condo/Casitas (1,000sf)
- 550 TH/Condo/Casitas (1,500sf)

HOSPITALITY:

- 145-unit Fireside Resort (cabins)
- 200-key Luxury Hotel (golf & spa)

COMMERCIAL:

- Golf Course & Lodge (30k sf lodge)
- Non-golf community lodge (30k sf)
- Boutique Grocery (6k sf)
- Community Retail (café, gear rental, workout studio, etc. totaling 35k sf)
- Storage Units
- Kids' Ranch (tow rope, ski hill, daycare facility, etc.)
- Paddleboarding Barn (7.5k sf)
- Equestrian Center (20k sf)



The following is a quick assessment of the proposed concept plan relative to the goals laid out in the General Plan. This list is not fully inclusive but is rather a starting point for the Planning Commission to begin review of as part of the proposed ADA expansion:

Annexation Goals:

- Pursue fiscally responsible annexations – As part of any annexation petition, the Hideout Town Code requires an in-depth fiscal analysis to ensure any annexation is a financial benefit to the community. A detailed analysis shall be submitted by the Applicant. This is in addition



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
TOTAL	0.007668

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.

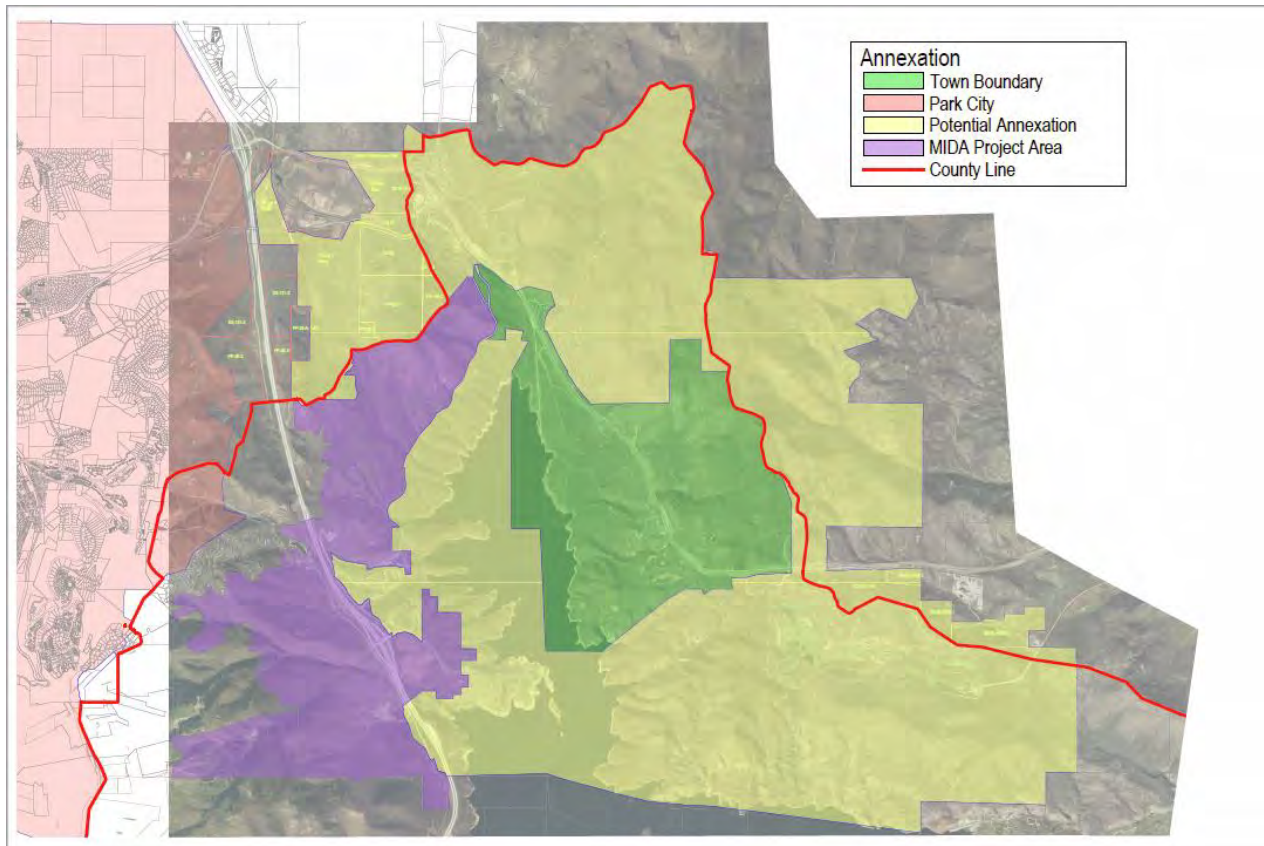
INCLUSION OF AGRICULTURAL LANDS, FORESTS, RECREATION AREAS, AND WILDLIFE MANAGEMENT AREAS

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.

Resolution No. 2023-R-02

TOWN OF HIDEOUT, UTAH**A RESOLUTION ADOPTING A REVISED ANNEXATION POLICY MAP**

WHEREAS, State Law provides for the Town to adopt an annexation policy plan;
and

WHEREAS, the Town adopted a Revised Annexation Policy Plan with
Resolution 2019-07;

WHEREAS, the Town Council desires to revise and modify the annexation map,
Figure 9.1 of the Revised Annexation Policy Plan; and

WHEREAS, the Town Council finds that the amendments to the map continue to
meet the Revised Annexation Policy Plan as adopted in Resolution 2019-07 and that
Plan continues to apply; and

WHEREAS, the Town has published notice, as required by law, of its intent to
adopt a revised annexation policy map; and

WHEREAS, the Planning Commission held meetings and hearings to discuss the
annexation policy map on January 19, 2023 and February 16, 2023; and

WHEREAS, the Town Council held meetings to discuss the amended annexation
policy map on March 9, 2023; and

WHEREAS, the Planning Commission and the Town Council received and
considered feedback from one affected entity, specifically JSSD whose comments
expressed similar concerns as were included in Appendix A of the Revised Policy Plan;
and

WHEREAS, the Town Council finds good cause for adopting a revised
annexation policy map as provided herein.

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of
Hideout, Utah, as follows:

Section 1 - Recitals Incorporated. The foregoing recitals are hereby
incorporated into this Resolution as findings of fact.

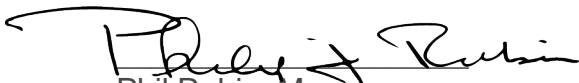
Section 2 - Revised Annexation Policy Map. The revised annexation policy
map attached hereto as **Exhibit A** is hereby adopted and replaces Figure 9.1 of the
Revised Annexation Policy Plan

Section 3 - Distribution. Pursuant to Utah Code § 10-2-401.5(5), within thirty (30) days after the date of this resolution, the Clerk is directed to forward a copy of the revised annexation policy plan to the legislative bodies of Summit County and Wasatch County.

Section 4 - Effective Date. This Resolution will be effective upon adoption.

WHEREFORE, Resolution 2023-R-02 has been **Passed** and **Adopted** on this 9th day of March in the year 2023 by the Town of Hideout.

TOWN OF HIDEOUT


Phil Rubin, Mayor

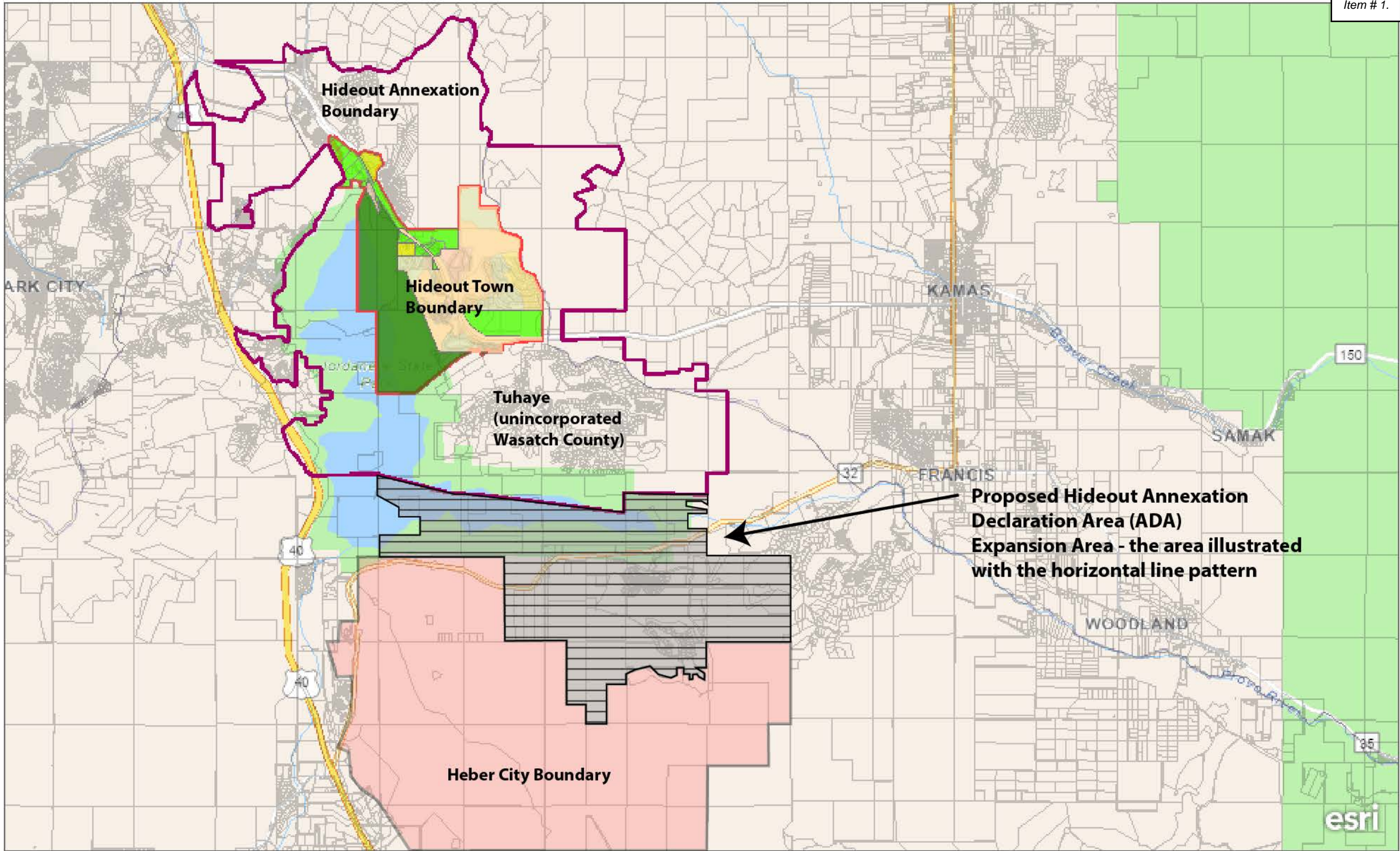
Attest:


Alicia Fairbourne, Recorder for Hideout



Town of Hideout Planning Map

Item # 1.



Planning map for the Town Of Hideout

ORDINANCE #2023-O-03

ORDINANCE AMENDING TITLE 5, CHAPTER 4, SECTION 110 "STANDARDS FOR WEED CONTROL" TO REQUIRE PROPERTY OWNERS TO REPORT INSPECTION AND REMOVAL OF NOXIOUS WEEDS

WHEREAS, the Hideout Council ("Council") previously enacted ordinances to control noxious weeds and vegetation throughout in the municipality; and

WHEREAS, Hideout continues to experience significant growth of noxious weeds when all property owners do not control noxious weeds; and

WHEREAS, inspecting and abating all properties within Hideout uses significant personnel time and resources and has not been effective in mitigating noxious weeds in Hideout.

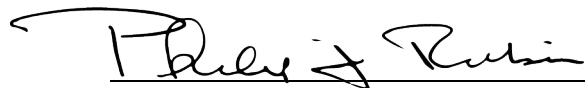
NOW, THEREFORE, BE IT ORDAINED BY THE HIDEOUT COUNCIL OF HIDEOUT, UTAH, THAT:

SECTION I: Amendment. Title 5, Chapter 4, Section 110 "Standards for Weed Control" of the Hideout Code is hereby amended as redlined (Exhibit 1).


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

PASSED AND ADOPTED by the Town Council of Hideout, Utah, this 9th day of March in the year 2023.

TOWN OF HIDEOUT


Phil Rubin, Mayor

ATTEST:


Alicia Fairbourne, Recorder for Hideout



5.04.110 STANDARDS FOR WEED CONTROL

~~The preservation of natural and native vegetation is strongly encouraged for all residential and commercial properties, other than approved landscaping. Weeds shall be maintained at a height of not more than six inches (6") at all times and cuttings must be promptly cleared and removed from the property.~~

1. ~~Noxious~~ Weeds must be eradicated by chemicals, ~~removing and disposing the entire root system and plant before the flowers bloom, cutting~~ or other acceptable means ~~so that they do not exceed six inches (6") in height.~~
2. Throughout the growing season lot owners are responsible for evaluating their lot(s) and/or parcel(s) for Noxious Weeds as published by the Wasatch County Weed Control Board required by the Utah Noxious Weed Act, Utah Code Title 4, Chapter 17, Section 109 and Utah Administrative Code Rule R68-09. ~~Weeds that are rototilled, disked, or removed by the root must be buried under the soil, removed from the property, or composted.~~
3. Lot owners must report to the Enforcement Officer in writing by no later than May 15th (unless otherwise notified) annually the following:
 1. The presence or absence of the noxious weed condition of their lot(s) and/or parcels, and
 2. The measures taken to abate the noxious weeds
- ~~2.4.~~ Noxious weeds that continue to emerge during the growing season must be treated or removed as described in Section 5.04.110.A and treatment/removal reported to the Enforcement Officer.
- ~~3.5.~~ After the reporting deadline, the The Enforcement Officer shall survey properties within the Town and identify those needing abatement and then serve notice in writing upon the owner or occupant my mailing notice, postage prepaid, addressed to the owner or occupant at the last known post office address as indicated by records of the County Assessor. The notice shall require the owner to abate the noxious weeds by a specific time, which shall not be less than ten (10) days from the date of service of such notice. One notice shall be deemed sufficient on any lot or parcel of property for the entire season of weed growth during that year.
- ~~4.6.~~ If any owner of land described in the notice shall fail or neglect to eradicate or destroy and remove weeds, or growth, in accordance with such notice, the Town may employ the necessary assistance and cause such weeds to be removed or destroyed. The Town shall prepare an itemized statement of all expenses incurred in their removal and destruction, and shall mail a copy thereof to the owner demanding payment within twenty (20) days of the date of the mailing. The notice shall be deemed delivered when mailed by registered mail addressed to the property owner's last known address.
- ~~5.7.~~ In the event the owner fails to make payment of the amount set forth in the statement to the Town within the twenty (20) days, the Town may cause suit to be brought in an appropriate court of law. In the event collection of the costs are pursued through the courts, the Town may sue for and receive judgment upon all of the costs of removal and destruction together

with reasonable attorney's fees, interest and court costs. The Town may execute on such judgment in the manner provide by law.

- ~~6.8.~~ If the Enforcement Officer determines that the large size of the property makes the eradication of all weeds impractical, the enforcement officer may limit the required eradication of weeds to create a firebreak of not less than twenty five feet (25') in width around any structures and around the complete perimeter of the property. Weeds shall be maintained at a height of not more than six inches (6") at all times in the firebreak and cuttings must be promptly cleared and removed from the property.
9. Property which is not in close proximity to buildings or does not create a serious nuisance or fire hazard may be exempted by the Enforcement Officer from the weed control requirements described in this section. The Enforcement Officer shall issue any such exemption in writing and shall review all exemptions under this subsection annually.
- ~~7.10.~~ Individual home owners whose property is located in common area and the common area is owned and managed by the Home Owners Association are exempted from this section. The Home Owners Association is responsible for abiding by this section.



Staff Report for KLAIM (Phase 4) - Updates to Resolution for Final Subdivision Approval

To: Mayor Philip Rubin
Hideout Town Council

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

Re: KLAIM – Phase 4 Subdivision

Date: March 5, 2023

Request for Council to Review and Approve an Updated Resolution for the Extension to Record the Approved Subdivision Plat for KLAIM (Phase 4)

Background

The KLAIM (Phase 4) subdivision received Final Subdivision Approval on August 11, 2022.

The Hideout Town Code allows the Applicant six (6) months to get the final approved subdivision recorded with Wasatch County. The Town Council, on February 9, 2023, approved an extension for the Applicant to record based on some delays encountered in the recording process.

A Resolution referencing these updates to the original Resolution is attached. Two typos in the Conclusions of Law are also corrected with this updated Resolution (from plural to singular tense):

1. The subdivision plats, as conditioned, comply with Hideout Municipal Code, Title 12 and the 2019 Master Development Agreement.
2. The subdivision plats, as conditioned, are consistent with the applicable State law regarding subdivision plats.

Recommendation

Staff recommends the Town Council review the updated Resolution and approve as presented. The extension approved on February 9, 2022 granted a six-month extension (to August 11, 2023) to



ensure the Applicant has enough time to address the required revisions to the plat and have it recorded with the Wasatch County Recorder's office.

Resolution 2022-R-11**AN RESOLUTION APPROVING THE KLAIM PHASE 4 SUBDIVISION
LOCATED IN HIDEOUT, UTAH**

WHEREAS, owners of the property known as KLAIM Phase 4 Subdivision, located in Hideout, Utah, have petitioned the Town Council for approval of a final subdivision plat; and

WHEREAS, legal notice of the public hearing was published on the Town of Hideout's website on June 2, 2022 and August 1, 2022 according to the requirements of the Hideout Municipal Code; and

WHEREAS, the Planning Commission held a public hearing on June 16, 2022 to receive input on the proposed subdivision plat; and

WHEREAS, the Planning Commission, on June 16th conducted a public hearing and forwarded a positive recommendation to the Town Council; and

WHEREAS, on August 11th, 2022 the Town Council held a public hearing on the subdivision plat; and

WHEREAS, it is in the best interest of Hideout, Utah to approve the KLAIM Phase 4 Phase Subdivision plat in that this subdivision plat is intended to comply with the Hideout Municipal Code, the 2019 Master Development Agreement (MDA), and the Technical Reports prepared by the Town Staff as well as all other recorded agreements.

NOW, THEREFORE BE IT RESOLVED by the Town Council of Hideout, Utah as follows:

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The subdivision plats as shown in Exhibit A is approved subject to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. The Phase 4 plat, as currently presented, is the fourth of four total phases for the overall KLAIM subdivision that received Final Subdivision approval on December 14, 2017.
2. That approval should have been for Preliminary Subdivision approval since no formal subdivision was presented, only an overall site plan was presented and approved by the Town Council on December 14, 2017.
3. The Town Attorney, recommends this phase be reviewed and approved by the Planning Commission and Town Council for Final Subdivision approval.
4. The property is located within the Town of Hideout along SR248, the east side about midway through Town.
5. For all KLAIM phases, as proposed, the total plat area is approximately 58.95 acres. 42.73 acres will be preserved open space. 16.22 acres will be developed.
6. The total number of units permitted for all phases of KLAIM is 88 units (or attached lots).
7. For Phase 4, the total number of units (attached lots) is 22.
8. Zoning for the property is Mountain (M) – Residential.
9. The Town of Hideout entered into a Master Development Agreement (MDA) with the developer on June 27, 2019. The MDA has an allowance for up to 88 units.

10. No changes are proposed to the existing road alignment or uses associated with this plat.
11. Each Phase of KLAIM will have a separate Final Subdivision plat associated with it.

Conclusions of Law

1. The subdivision plats, as conditioned, comply with Hideout Municipal Code, Title 12 and the 2019 Master Development Agreement.
2. The subdivision plats, as conditioned, are consistent with the applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured as a result of approval of the proposed subdivision plat as conditioned.
4. Approval of the subdivision plat, subject to the conditions stated herein, will not adversely affect the health, safety and welfare of the citizens of Hideout.
5. If the Applicant requests an extension for the subdivision plats, the Hideout Municipal Code requires that these submittals "satisfy[ies] any new Town requirements pertaining to the public health, safety and welfare."

Conditions of Approval

1. The Town Attorney, Town Planner and Town Engineer will review and approve the final form and content of the subdivision plat for compliance with State law, the Hideout Municipal Code, the Master Development Agreement and these conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at Wasatch County within six (6) months from the date of Town Council approval. If recordation has not occurred within six (6) months' time, this approval for the plat will be void unless a written request for an extension is submitted to the Town prior to the expiration date and the Town Council grants an extension.
3. A financial guarantee, in a form and amount acceptable to the Town and in conformance with these conditions of approvals, for the value of any required public improvements, such as water, sewer, landscaping, fire hydrants, etc. shall be provided to the Town prior to building permit issuance for new construction. All public improvements shall be completed according to Town standards prior to release of this guarantee. An additional ten (10) percent of the public improvement value shall be held by the Town for the warranty period and until such improvements are accepted by the Town.
4. The Applicant shall provide a complete set of updated construction plans, and address all engineering and planning comments prior to approval.
5. The Applicant agrees to complete the subdivision construction permit, pay all required fees and post all required bonds before starting construction.
6. All existing and required easements will be shown on the plat prior to recordation, including utilities, storm drainage, access, trails, snow storage, etc.
7. The recorded plat shall include, but is not limited to, the following plat notes:
 - a. These plats are subject to the conditions of approval in Resolution 2022-R-11.
 - b. Non-exclusive public utility easements shall be indicated on the plats prior to recordation as approved by the Town Engineer and JSSD and consistent with the utility plan, including drainage easements. All existing and required easements, based on review by the Town Engineer and JSSD will be shown and recorded on the plat, including utilities, storm drainage, access (public, utility and emergency), snow storage, trails and trailhead parking, etc. All existing recorded easements and agreements shall be referenced on the plats, including entry number, book and page.
 - c. All approved public trails, consistent with the Master Development Agreement and the Parks Open Space & Trails (POST) Plan, shall be shown on the plats or include a note indicating that 'all trails are open to the public and all trails can be

- located on any common area or open space area or within the dedicated public utility easement per review and approval by the Town Planner and Town Engineer.'
- d. All trails must be maintained by the HOA.
 - e. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on the lots and not within public right of way.
 - f. A fire protection and emergency access plan shall be submitted and approved by the Wasatch County Fire District and Emergency Management Services (EMS) prior to the issuance of any building permits.
 - g. The property is located within a water source protection zone. All sewer construction must comply with State of Utah drinking water regulations.
 - h. This development is part of a common plan development and a MS4 storm water permit is required for all land disturbance activities for each separate phase of construction, prior to building permit issuance.
8. The Applicant agreed to meet the current Town Code requirements (26'-0" of asphalt plus curb and gutter) for road construction; and a paved bike lane shall be incorporated into all new streets per Town code.
 9. The Applicant will work with the Town Planner and Town Engineer to incorporate an appropriate amount of visitor parking throughout each Phase of the proposed subdivision.
 10. The construction plan set should be updated to include all retaining wall locations and sizes (including top of wall/TW and bottom of wall/BW elevation points).
 - a. The Applicant shall adhere to the Town's code and provide a detailed retaining wall plan set that must be approved by the Town Planner and Town Engineer.
 - b. A structural analysis of these walls must be provided once a final retaining wall plan is accepted by the Town Planner and Town Engineer.
 - c. A section of a typical tiered wall must be provided including materials, planting in the horizontal breaks, etc.
 11. Per the Planning Commission's recommendations, the Applicant shall ensure a variety of architectural designs (primarily color variation where applicable) for the remaining phases of the project to meet the intent of the Town's monotony clause (10.08.06). The Applicant shall also work with the Town Planner to ensure color variation for various buildings and phases of the project. With almost half the project complete, the Applicant will not be able to meet the requirements of the monotony clause and will have to request a variance from the Town's Administrative Law Judge.
 12. Snow storage areas must be delineated on the plats.
 13. The secondary road access must be completed prior to the final Certificate of Occupancy issuance for the final fifteen (15) units/lots of Phase 4 of KLAIM. This road must have four-season access.
 14. Trails: Proposed trails (and surface type) to be designed and submitted for approval by the Town Planner. This submittal shall include all outdoor recreational amenities. Trails and associated outdoor recreational amenities shall be completed as part of Phase 4 and prior to Certificates of Occupancy issued for the final fifteen units/lots of Phase 4 by Town Hall.
 15. Streetscape amenities; lighting, signage, etc. shall be provided – construction details, sign type (if proposed), and materials/colors.
 16. A final Site Plan with the overall street network, trail network, location of structures, etc. must be submitted prior to recordation of the Phase 4 plat.
 17. A Landscape Plan shall be provided for all of phases prior to commencement of any construction (and prior to issuance of any Building Permits). This plan shall include street trees, common area and yard landscaping, entry features, and slope stabilization plantings where necessary – slopes greater than 50%. This plan must be approved by the Town Planner.

18. The dedicated soil repository located to the north of the KLAIM subdivision shall meet the following conditions prior to issuance of any building permits for Phase 4 (unless noted otherwise below):
 - a. A SWPP Plan shall be submitted for Phase 4. This shall include protective measures for the creek located to the north of the repository site.
 - b. A site plan illustrating the existing soil repository to date and the proposed, or final, size and location upon completion of the final phase of the KLAIM subdivision.
 - c. No slopes shall exceed a 1:1 grade.
 - d. No structures shall be located on or near the soil repository.
 - e. A cross section of the soil repository (east-west and north-south) with dimensions and slopes of existing and final proposed repository shall be submitted to the Town Planner and Town Engineer.
 - f. A final proposed landscape plan shall be submitted for review and approval by the Town Planner prior to issuance of any Certificate of Occupancy for Phase 4. This plan shall include all plantings and erosion control measures for the soil repository and shall ensure the site is planted with native vegetation to ensure it is integrated into the surrounding landscape – aesthetically it must blend in with the local landscape.
 - g. A soils analysis shall be submitted prior to issuance of any Certificate of Occupancy for Phase 4.
19. The Applicant shall submit a Construction Mitigation Plan (CMP) that will be approved by the Town Planner and Town Engineer.
20. A subdivision construction permit, improvement agreement, and all fees and bonds will be required prior to any construction.
21. The final plat (mylar) is subject to review may require additional notes and corrections.
22. Recording of the subdivision will require a performance bond in accordance with current Town code, or formal acceptance of all improvements prior to recordation.
23. The exact language of the plat notes shall be finalized by the Town Attorney, Town Planner and Town Engineer as necessary to implement these conditions of approval and applicable provisions of the Hideout Municipal Code or State Code prior to Mylar signatures by the Town.
24. All exterior lighting within the KLAIM project, all phases, must be 'dark skies' compliant – meet the requirements of the International Dark Skies Association – and adhere to future Dark Skies Ordinance language as adopted by the Town of Hideout.
25. The 2019 Master Development Agreement (MDA), Addendum No. 1, section 4, shall be amended to clearly state that all trails on the KLAIM HOA property shall be maintained by the HOA, not the Town.
26. The 43 acres of undeveloped land within the KLAIM subdivision shall remain undisturbed – no grubbing, grading, removal of existing vegetation. This shall be noted on the final plat.
27. On or before the date when this Phase 4 plat is recorded, Developer will be required to dedicate to the Town or to JSSD, as applicable, all water rights, water shares, or other water credits required by the applicable ordinances, regulations, or rules of the Town or JSSD in force as of the date of the recordation of such plat.
28. Developer shall provide to the Town written confirmation from JSSD that water provided is adequate for the number of units.
29. Developer shall provide to the Town in writing from JSSD showing proof of payment for water and sewer impact fees.
30. CCRs shall be recorded along with the Mylar.

31. When the Town takes over the roads (accepted by the Town), the developer will help with the costs until that phase is 50% occupied. The Town is only responsible for the phase under construction.
32. The Council encouraged the Developer to look at additional trailhead parking.
33. The elevations must come to the Town's Design Review Committee (DRC) for final review and approval.
34. The Developer shall confirm whether a Conservation Easement is proposed to protect these 42 acres. At minimum, the Plat must indicate that no improvements (other than trails) will take place on these acres. This open space should be noted on the Plat for the final phase.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect upon publication.

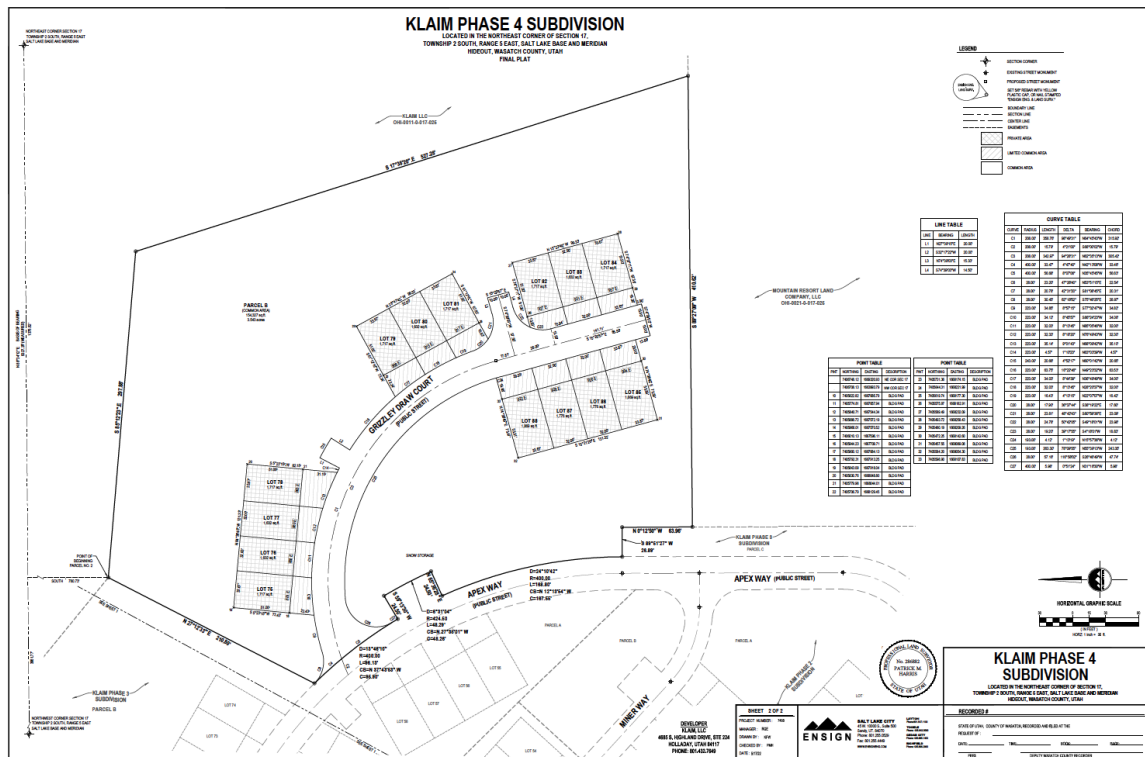
PASSED AND ADOPTED this 11th day of August, 2022

TOWN OF HIDEOUT

Phil Rubin, Mayor

ATTEST:

Alicia Fairbourne, Town Clerk



**A RESOLUTION APPROVING AN EXTENSION OF RESOLUTION 2022- R-11 FOR THE
KLAIM PHASE 4 SUBDIVISION LOCATED IN HIDEOUT, UTAH**

WHEREAS, owners of the property known as KLAIM Phase 4 Subdivision, located in Hideout, Utah, petitioned the Town Council for approval of a final subdivision plat which was approved on August 11, 2022; and

WHEREAS, the owners requested a six-month extension on February 9, 2023 due to delays associated with the review and preparation of the final subdivision documents and a variance request; and

WHEREAS, the Town Council approved a six-month extension for recordation with the Wasatch County Recorder's Office on February 9, 2023 and wishes to memorialize this extension with a resolution.

NOW, THEREFORE BE IT RESOLVED by the Town Council of Hideout, Utah as follows:

SECTION 1. EXTENSION. The expiration date of **RESOLUTION 2022- R-11 FOR THE KLAIM PHASE 4 SUBDIVISION** is hereby extended to August 11, 2023.

SECTION 2. AMENDMENT. Resolution 2022-R-11 is amended as follows:

Findings of Fact:
Unchanged

Conclusions of Law:

1. The subdivision plat, as conditioned, complies with Hideout Municipal Code, Title 12 and the 2019 Master Development Agreement.
2. The subdivision plat, as conditioned, is consistent with the applicable State law regarding subdivision plats.

Conditions of Approval:

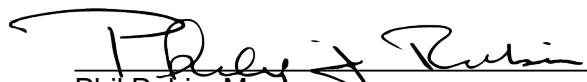
2. The applicant will record the plat at Wasatch County within six (6) months from the date of Town Council extension. If recordation has not occurred within six (6) months' time, this approval for the plat will be void. The extension to record, granted by the Town Council on February 9, 2023, requires the plat to be recorded on or before August 11, 2023.

All other findings, conclusions of law and conditions of approval shall remain the same.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect upon publication.

PASSED AND ADOPTED this 9th day of March, 2023.

TOWN OF HIDEOUT


Phil Rubin, Mayor

ATTEST:


Alicia Fairbourne, Recorder for Hideout





Staff Report for Overlook Village (Lots 38 and 39) - Updates to Resolution for Final Subdivision Amendment Approval

To: Mayor Philip Rubin
Hideout Town Council

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

Re: Overlook Village (Hideout Canyon) – Lots 38 and 39

Date: March 5, 2023

Request for Council to Review and Approve an Updated Resolution for the Extension to Record the Approved Subdivision Amendment Plat for Overlook Village (Lots 38 and 39)

Background

The amendment to the Overlook Subdivision (Hideout Canyon) for Lots 38 and 39 received Final Subdivision Approval on September 8, 2022.

The Hideout Town Code allows the Applicant six (6) months to get the final approved subdivision recorded with Wasatch County. The Town Council, on February 9, 2023, approved an extension for the Applicant to record based on some delays encountered in the recording process.

A Resolution referencing these updates to the original Resolution is attached. The following typos in the original Resolution are also updated:

- Correction of two typos in the Resolution (#1 and #2 in the Findings of Fact) – where it reads 'Soaring Hawk,' it should be corrected to read 'Hideout Canyon.'

All findings of fact, conclusions of law, and conditions of approval remain unchanged.

Recommendation

Staff recommends the Town Council review the updated Resolution and approve as presented. The extension approved on February 9, 2022 granted a six-month extension (to September 8, 2023) to ensure the Applicant has enough time to address the required revisions to the plat and have it recorded with the Wasatch County Recorder's office.



Resolution 2022-R-12**AN RESOLUTION APPROVING A SUBDIVISION AMENDMENT FOR LOTS 38 & 39 IN THE HIDEOUT CANYON AMENDED PHASE 1 POD 9 SUBDIVISION LOCATED IN HIDEOUT, UTAH**

WHEREAS, owners of the property known as Lots 38 and 39 in The Hideout Canyon Amended Phase 1 Pod 9 Subdivision Plat, located in Hideout, Utah, have petitioned the Town Council for approval of a subdivision amendment; and

WHEREAS, legal notice of the public hearing was published on the Town of Hideout's website on August 8, 2022 for the Planning Commission meeting and August 22, 2022 for the Town Council meeting according to the requirements of the Hideout Municipal Code; and

WHEREAS, the Planning Commission held a public hearing on August 18, 2022 to receive input on the proposed subdivision amendment for a lot combination; and

WHEREAS, the Planning Commission, on April 18th conducted a public hearing and forwarded a positive recommendation to the Town Council; and

WHEREAS, on September 8, 2022 the Town Council held a public hearing on the subdivision amendment; and

WHEREAS, it is in the best interest of Hideout, Utah to approve the proposed driveway reconfiguration in the Hideout Canyon Subdivision given that this subdivision amendment is intended to comply with the Hideout Municipal Code, the 2010 Master Development Agreement (MDA), and the Technical Reports prepared by the Town Staff as well as all other recorded agreements.

NOW, THEREFORE BE IT RESOLVED by the Town Council of Hideout, Utah as follows:

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The subdivision plats illustrating the revised driveway configuration (w/common and limited common space altered) as shown in Exhibit A is approved subject to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. Soaring Hawk, Phase 2, was recorded on February 6, 2008.
2. Soaring Hawk, Phase 2, was comprised of four (4) lots – Lots 36 – 39.
3. The property is located within the Town of Hideout along SR248, the west side about midway through Town.
4. Zoning for the property is RSPA – Resort Specially Planned Area.
5. The new driveway (limited common area) will provide for access to Lots 38 and 39 with the ingress/egress to Longview Road moved slightly to the south.
6. The Town of Hideout entered into a Master Development Agreement (MDA) with the developer on March 11, 2010.
7. All existing and required easements will be shown on the plat prior to recordation, including utilities, storm drainage, access, trails, snow storage, etc.
8. No changes are proposed to the existing road alignment or uses associated with this plat.

Conclusions of Law

1. The subdivision amendment, as conditioned, complies with Hideout Municipal Code.
2. The subdivision amendment as conditioned, is consistent with the applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured as a result of approval of the proposed subdivision amendment as conditioned.
4. Approval of the subdivision amendment, subject to the conditions stated herein, will not adversely affect the health, safety and welfare of the citizens of Hideout.
5. If the Applicant requests an extension for the subdivision amendment, the Hideout Municipal Code requires that these submittals "satisfy[ies] any new Town requirements pertaining to the public health, safety and welfare."

Conditions of Approval

1. The Town Attorney, Town Planner and Town Engineer will review and approve the final form and content of the subdivision amendment for compliance with State law, the Hideout Municipal Code, the Master Development Agreement and these conditions of approval, prior to recordation of the plat.
2. The applicant will record the subdivision amendment at Wasatch County within six (6) months from the date of Town Council approval. If recordation has not occurred within six (6) months' time, this approval for the plat will be void unless a written request for an extension is submitted to the Town prior to the expiration date and the Town Council grants an extension.
3. Non-exclusive public utility easements shall be indicated on the plats prior to recordation as approved by the Town Engineer and JSSD and consistent with the utility plan, including drainage easements.
4. The Applicant must adhere to all requirements of the Master HOA, including Design Review Committee (DRC) requirements.
5. The slope on the driveway cannot exceed 12% in any location.
6. The single retaining wall will not exceed 4'-0" in height and shall be constructed of natural stacked stone.
7. All JSSD water and sewer impact fees must be paid in full.
8. The easement for the trail/walkway must not be disturbed, impacted, or altered in any way and Lots 38 and 39 shall ensure that it can be constructed as originally envisioned.
9. The final plat (mylar) is subject to review may require additional notes and corrections.
10. The exact language of the plat notes shall be finalized by the Town Attorney, Town Planner and Town Engineer as necessary to implement these conditions of approval and applicable provisions of the Hideout Municipal Code or State Code prior to Mylar signatures by the Town.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect upon publication.

PASSED AND ADOPTED this 8th day of September, 2022

TOWN OF HIDEOUT

Phil Rubin, Mayor

ATTEST:

Alicia Fairbourne, Town Clerk

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A RESOLUTION APPROVING AN EXTENSION OF RESOLUTION 2022-R-12 FOR THE SUBDIVISION AMENDMENT FOR LOTS 38 & 39 IN THE HIDEOUT CANYON (OVERLOOK VILLAGE) AMENDED PHASE 1 POD 9 SUBDIVISION LOCATED IN HIDEOUT, UTAH

WHEREAS, owners of the property known as Lots 38 and 39 in the Hideout Canyon Amended Phase 1 Pod 9 of Subdivision Plat, located in Hideout, Utah, petitioned the Town Council for approval of a subdivision amendment which was approved on September 8, 2022; and

WHEREAS, the owners requested a six-month extension on February 9, 2023 due to associated with the review and preparation of the final subdivision documents; and

WHEREAS, the Town Council approved a six-month extension for recordation with the Wasatch County Recorder's Office on February 9, 2023 and wishes to memorialize this extension with a resolution.

NOW, THEREFORE BE IT RESOLVED by the Town Council of Hideout, Utah as follows:

SECTION 1. EXTENSION. The expiration date of **RESOLUTION 2022- R-12 FOR LOTS 38 & 39 IN THE HIDEOUT AMENDED PHASE 1 POD 9 SUBDIVISION** is hereby extended to September 8, 2023.

SECTION 2. AMENDMENT. Resolution 2022-R-12 is amended as follows:

Findings of Fact:

1. Hideout Canyon (Overlook Village), Phase 2, was recorded on February 6, 2008.
2. Hideout Canyon (Overlook Village), Phase 2, was comprised of four (4) lots – Lots 36 – 39.

Conclusions of Law:

Unchanged

Conditions of Approval:

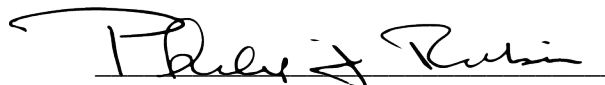
2. The applicant will record the plat at Wasatch County within six (6) months from the date of Town Council extension. If recordation has not occurred within six (6) months' time, this approval for the plat will be void. The extension to record, granted by the Town Council on February 9, 2023, requires the plat to be recorded on or before September 8, 2023.

All other findings, conclusions of law and conditions of approval shall remain the same.


SECTION 3. EFFECTIVE DATE. This Resolution shall take effect upon publication.

PASSED AND ADOPTED this 9th day of March, 2023.

TOWN OF HIDEOUT


Phil Rubin, Mayor

ATTEST:


Alicia Fairbourne, Recorder for Hideout



Resolution 2023-R-05

**A Resolution to Engage the Utah Public Treasurers' Investment Fund (PTIF)
for the Town of Hideout**

WHEREAS, the Utah Public Treasurers' Investment Fund (hereinafter called PTIF) is available to serve local towns as a short-term cash investment vehicle; and

WHEREAS, the PTIF keeps a regular and accurate accounting of revenue; and

WHEREAS, the PTIF invests in investment-grade corporate notes, top tier commercial paper, money market mutual funds, and US government agency obligations; and

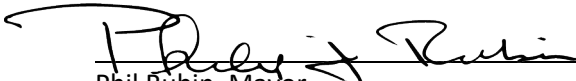
WHEREAS, the PTIF invests only in securities authorized by the Utah Money Management Act; and

WHEREAS, the PTIF's primary objective is safety of investment principal;

NOW, THEREFORE, BE IT RESOLVED THAT:

The Town of Hideout shall engage with the Utah Public Treasurers' Investment Fund to assist with management and safety of its financial processes.

PASSED AND APPROVED this 9th day of March in the year 2023 by the Hideout Town Council.


Phil Rubin, Mayor

Attest:


Alicia Fairbourne, Recorder for Hideout





Office of the State Treasurer

Public Entity Resolution

1. Certification of Authorized Individuals

I, Philip Rubin (Name) hereby certify that the following are authorized: to add or delete users to access and/or transact with PTIF accounts; to add, delete, or make changes to bank accounts tied to PTIF accounts; to open or close PTIF accounts; and to execute any necessary forms in connection with such changes on behalf of Town of Hideout (Name of Legal Entity). Please list at least two individuals. Each individual must have a unique email.

Name	Title	Email	Signature(s)
Jake McHargue	Treasurer	jtmchargue@gmail.com	
Philip Rubin	Mayor	mayor@hideoututah.gov	

The authority of the named individuals to act on behalf of Town of Hideout (Name of Legal Entity) shall remain in full force and effect until written revocation from Town of Hideout (Name of Legal Entity) is delivered to the Office of the State Treasurer.

2. Signature of Authorization

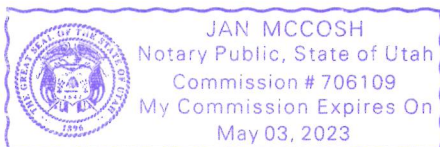
I, the undersigned, Mayor (Title) of the above named entity, do hereby certify that the forgoing is a true copy of a resolution adopted by the governing body for banking and investments of said entity on the 9th day of March, 2023, at which a quorum was present and voted; that said resolution is now in full force and effect; and that the signatures as shown above are genuine.

Signature	Date	Printed Name	Title
	<u>3/21/23</u>	Philip Rubin	Mayor

STATE OF UTAH)
COUNTY OF WASATCH) §

Subscribed and sworn to me on this 9th day of March, 2023, by Philip Rubin (Name), as Mayor (Title) of Town of Hideout (Name of Entity), proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

(seal)



Signature