



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

December 09, 2021

AMENDED Agenda

PUBLIC NOTICE IS HEREBY GIVEN that the Town Council of Hideout, Utah will hold its Regular Meeting and continued Public Hearing electronically for the purposes and at the times as described below on Thursday, December 9, 2021.

This meeting will be an electronic meeting without an anchor location pursuant to Mayor Rubin's December 8, 2021 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, Public Hearings and Continued Public Hearing
6:15 PM

- I. Call to Order
- II. Roll Call
- III. Approval of Council Minutes
 - [1.](#) October 16, 2020 Meeting Minutes DRAFT
 - [2.](#) May 13, 2021 Meeting Minutes DRAFT
 - [3.](#) June 02, 2021 Meeting Minutes DRAFT
 4. June 08, 2021 Silver Meadows Presentation Minutes DRAFT
 5. June 29, 2021 Board of Canvassers Meeting Minutes DRAFT
- IV. Public Hearings
 - [1.](#) Review and possible approval regarding the final Lakeview Estates Subdivision and Ordinance
 - [2.](#) Review and possible approval of the Deer Waters Phase 4 Subdivision and Ordinance
 - [3.](#) Review and possible adoption of the Parks, Open Space and Trails Plan as part of the General Plan
 - [4.](#) Continued discussion and possible approval of the Official Zoning Map of the Town of Hideout
- V. Public Input - Floor open for any attendee to speak on items not listed on the agenda
- VI. Agenda Items
 - [1.](#) Update from Wasatch County Sheriff's Office regarding first year of service
 2. Introductions of the Economic Development Committee and feedback from Council
 - [3.](#) Update on MIDA
 - [4.](#) Discussion regarding adoption of the 2016 Wildland/Urban Interface Code and Appendix C
 - [5.](#) Discussion and possible approval of an extension beyond the six-month timeline noted in Ordinance 2021-O-09 to record Shoreline Phases 2A (Amended) and 3 plat maps
 - [6.](#) Discussion and possible approval of changes to the deed restrictions for the Lakeview Estates Subdivision
 - [7.](#) Presentation of fiscal first quarter financials
 - [8.](#) Consideration and possible adoption of the Hideout Sewer Management Plan
 - [9.](#) Discussion and possible approval of Ordinance 2021-O-15 amendments made to Hideout Town Code Chapter 7.18, Winter Parking for Vehicles and Snow Removal from Streets
 10. Discussion on issuing a Request for Proposals regarding a fee study for water, sewer, storm drain, transportation, trails and community development fees
 - [11.](#) Adoption of Ordinance 2021-O-XX determining the 2022 Regular Town Council Meeting Schedule
- VII. Closed Executive Session - Discussion of pending or reasonably imminent litigation, personnel matters, and/or sale or acquisition of real property as needed
- VIII. Meeting Adjournment

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

File Attachments for Item:

1. Mayor Rubin's No Anchor Site Determination Letter



December 8, 2021

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 Ordinance 2020-03. The facts upon which this determination is based include: The seven-day rolling percent and number of positive COVID-19 cases in Utah has been over 15.72% of those tested since December 2, 2021. The seven-day average number of positive cases has been, on average, 1415 per day since December 7, 2021.

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>

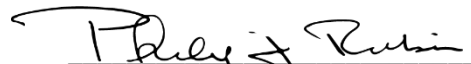
To join by telephone dial: US: +1 408-638-0986

Meeting ID: 4356594739

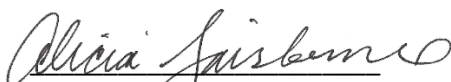
Additionally, comments may be emailed to hideoututah@hideoututah.gov. Emailed comments received prior to the scheduled meeting will be entered into public record.

This determination will expire in 30 days on January 7, 2022.

BY:


Phil Rubin, Mayor

ATTEST:


Alicia Fairbourne, Town Clerk



File Attachments for Item:

1. October 16, 2020 Meeting Minutes DRAFT

Minutes
Town of Hideout
Town Council Special Meeting
October 16, 2020

The Town Council of Hideout, Wasatch County, Utah met for a Special Meeting on October 16, 2020 at 7:00 p.m. All presenters and Council met electronically via Zoom meeting and viewers were invited to watch live via YouTube Live Stream due to the ongoing COVID-19 pandemic. No public comment was taken.

Special Meeting

I. Call to Order and Reading of Mayor Rubin's No Anchor Site Determination Letter

1. Mayor Rubin's No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 7:01 p.m. and read the No Anchor Site Determination Letter in its entirety.

II. Roll Call

Present: Mayor Phil Rubin
 Council Member Chris Baier
 Council Member Jerry Dwinell
 Council Member Carol Haselton
 Council Member Bob Nadelberg
 Council Member Ralph Severini

Staff Present: Town Attorney Polly McLean
 Town Planner Thomas Eddington
 Town Clerk Alicia Fairbourne

Others Present: Nate Brockbank (developer), Bruce Baird (legal counsel for the developer), and Rob Mansfield (legal counsel for annexation purposes)

III. Agenda Items

1. Continued Discussion and Possible Action on Ordinance 2020-10: An Ordinance Annexing the Silver Meadows Land which is described in Exhibit A.

Mayor Rubin reviewed the process of an AMDA (Annexation Master Development Agreement) and noted part of the process was to ensure all parties understood and were comfortable with the language of the AMDA, and to address the issues and concerns presented in previous meetings.

Mayor Rubin acknowledged Hideout had received two letters; one of which was sent by Summit County and the other which was sent by Park City (*Clerk's note: both letters were made public and attached in the meeting materials*).

Mayor Rubin presented the revised Concept Plan of the proposed annexation area and asked Town Planner, Thomas Eddington, to review changes made to the Concept Plan since the October 14, 2020 meeting. Mr. Eddington noted the following changes:

1. Concerns regarding the net square footage of the retail/commercial development were clarified and made consistent with the language in the AMDA.
2. The Hideout General Plan was reviewed, and the Town Center residential developments were made consistent with the General Plan to include varying heights of residential structures.
3. Residential parking concerns were addressed and made consistent with the General Plan to include 50 percent of residential parking as structured parking (podium, structured, garage, shared, underground, etc.) as to alleviate some of the need for asphalt or surface parking.
4. It was notated on the Concept Plan that twenty-one lots on the east side of Hideout could be relocated into the single-family lots located further to the south side or incorporated into the Town Center.

Mayor Rubin presented the Zoning Map and asked Mr. Eddington to explain what updates had been made from the October 14, 2020 meeting. Mr. Eddington noted the following changes:

1. Changes in zoning from R20 (Residential 20, which is the highest density) to R6 (Residential 6) as maximum zoning with cluster opportunities.
2. Some zoning of R6 became R3 (Residential 3) – a slightly lower density with a cluster component in the zoning.

Mayor Rubin presented the AMDA with updates made as a result of the October 14, 2020 meeting and described each change.

Section 2.2.6.1 was discussed; language was added to clarify intention of the Environmental Protection Agency (EPA) (~~Environmental Protection Agency~~) was to permanently cap the impoundments, which hold mine tailings, and long-term maintenance would be provided.

Mayor Rubin reviewed Section 3.3, which described Affordable/Workforce Housing. He explained the affordable housing units were to be built pursuant to the same schedule as the market rate Residential Dwelling Units and twenty percent (20%) of building permits for Residential Dwelling Units in each Phase must be for this type of housing.

Section 3.5 regarding the Phasing Plan, and Section 3.5.1 prioritizing the Town Center was noted as added per prior discussion.

Discussion regarding Section 3.8 involving limits on commercial projects ensued. Mayor Rubin reviewed language added regarding the subdivision of the commercial spaces and noted, with the exception of a grocery store, no single leasable space could exceed 10,000 square feet unless approved by the Administrator designated in Section 1.2.2.

Section 7.3 regarding Parks, Open Space and Trails, and Section 7.3.1 regarding charging a fee to access the chair lift was discussed. It was determined the Parks, Open Space and Trails would be open to the public and did not preclude charging a fee to access the chair lift.

Section 7.3.3.1 through Section 7.3.3.3 regarding the HOA (Homeowner's Association) fees on deed-restricted affordable housing units was discussed. It was noted the HOA fees may not increase on these units more than three percent (3%) per year, and only if the sixty-six percent (66%) of the full membership of the relevant HOA votes for the increase. Section 7.3.3.3 was added which described the limitations of the assessments against the affordable housing.

1 Discussion regarding Section 7.3.4.1 Alternatives to Chair Lift, ensued. It was determined Developer
2 Nate Brockbank would provide the Town six hundred fifty thousand dollars (\$650,000.00) in the
3 event a chair lift was either not feasible, or there was a better use of the anticipated costs of the chair
4 lift. The alternative would be selected by Mr. Brockbank and Council.

5 Regarding Section 7.7 Land for Public Service Facilities and Town Hall, Ms. McLean asked for the
6 language to be changed from “donate” to “dedicate” for consistency purposes, as well as change the
7 wording from “up to three acres” to “approximately three acres” and added clarifying language for
8 the use of the land.

9 Additional design standards were discussed, and language was added for clarification purposes.

10 At 8:33 p.m., Council Member Dwinell’s connection was lost. He was reconnected at 8:37 p.m.

11 Discussion regarding the designation of land for the school, community center, Town Hall, and
12 Police and Fire Stations ensued. It was noted the developer would dedicate the sites to the Town on
13 or before August 1, 2021 and limit the use of the land for which it was designated for, unless an
14 extension of the AMDA was granted as a result of any litigation or other statutory grounds.

15 Mr. Eddington noted an error on the Zoning Plan presented, which would replace “NC”
16 (Neighborhood Commercial) to “NMU” (Neighborhood Mixed Use). Mr. Baird noted the motion
17 should state the correction.

18 Section 16 was discussed. Mayor Rubin noted the duties and obligations of the AMDA would be in
19 effect for any future owner of the property.

20 Mr. Baird explained the AMDA was not “contract zoning” and was entered into by the Town as part
21 of the statutory permission and obligation to annex any property which the Town would zone. The
22 AMDA would not grant any zoning rights, but rather restrict zoning rights due to limits on what
23 would otherwise be allowed to be zoned. He further stated there may be argument it would
24 incentivize the zoning, which would be inaccurate due to the zoning being established during the
25 annexation process and not the MDA (Master Development Agreement).

26 After the changes to the AMDA were discussed and agreed upon, Mayor Rubin presented Ordinance
27 2020-10 and reviewed each section. Mr. Baird asked to make a change to Section 6 of the Ordinance,
28 noting the Ordinance shall take effect immediately upon passage.

29 Mayor Rubin opened the floor for Council discussion.

30 Council Member Nadelberg thanked Mr. Brockbank for his time and efforts on the development and
31 expressed his thoughts regarding how it would benefit the community. However, in reflecting on the
32 public comments made in the Public Hearing meeting on October 12, 2021, he felt as if the
33 constituents did not want a forced annexation. He spoke with residents who confirmed his theory.
34 He acknowledged the letters sent by Park City and Summit County recognizing the needs of Hideout
35 and noted their willingness to cooperate in regional development with the Town.

36 Council Member Dwinell extended his thanks to Mr. Brockbank and his team for not only this
37 project, but every development within the Town. Council Member Dwinell mentioned several
38 members of the staff had met with Summit County regarding regional development, which he felt
39 had been productive meetings. He expressed his thoughts and concerns regarding pushing the
40 annexation through during the shortened timeframe given by the legislature and would have liked to
41 have the completed EPA (~~Environmental Protection Agency~~) study by the experts contracted
42 through the Town prior to making his decision. He also expressed concern regarding the economic
43 study and was unsure if the right balance of residential and commercial had been met in order for
44 the development project to pay for itself. He discussed concerns of the traffic study and noted the

two new access points from SR-241 which were mentioned in a previous meeting were not guaranteed.

Council Member Dwinell mentioned the petition circulated by resident Kurt Shadle, which had over one hundred (100) signatures opposing the process of this annexation (*included in the October 12, 2020 meeting materials*). He stated Summit County had indicated their support in addressing the needs of the Town and felt as though the opportunity for regional planning within the community could be accomplished if the town were to postpone the annexation.

Council Member Haselton indicated her belief that Hideout needed to annex into its boundaries in order to develop needed commercial and community buildings and space, however the proposed annexation land had previously been dedicated as open space by both entities in Park City and Summit County. She felt the law which enabled Hideout to start the annexation process was misrepresented in both houses of the legislature and did not give Hideout enough time to conduct the proper studies prior to it being repealed. She felt it was irresponsible to rush the annexation process through without the proper studies being conducted and was concerned about the residential density proposed. She also stated the majority of the Town's constituents had clearly spoken out in opposition of the annexation which should be considered.

Council Member Severini addressed several topics of contention between the entities and expressed his thoughts. He agreed with Council Member Dwinell regarding the economic and environmental risks and felt the Town did not have enough time to conduct the appropriate studies. He also felt as though constituents did not support the annexation.

~~Council Member Baier expressed her appreciation to the Mayor and other members of the Council for the time and effort put into the annexation proposal. She also thanked Mr. Brockbank and other staff members for their efforts and feedback. She appreciated the various discussions, letters, and public input received, and took all the comments into consideration. She mentioned she had spoken with several legislators, who gave her differing opinions on whether the sixty (60) day window was left open intentionally or not. She did not feel as though Park City and Summit County would include Hideout in their regional planning, and therefore, felt as though Hideout should follow through with the annexation while the opportunity was available. She discussed the contaminated soil in other areas of development within Summit County and Park City and pointed out soil would have to be transported to an off-site repository as their own development progressed instead of depositing it on the Richardson Flat land. She also expressed her belief that, by developing the area, it could alleviate some traffic issues Park City was investigating solutions for by allowing visitors to park at the lot at Richardson Flat and riding public transit into Park City.~~

Council Member Baier expressed her appreciation to the Mayor and other members of the Council for the time and effort put into the annexation proposal. She also thanked Mr. Brockbank and other staff members for their efforts and feedback. She appreciated the various discussions, letters, and public input received, and took all comments into consideration. She stated she had spoken with several elected officials and legislators, and each legislator she spoke with had their own interpretation of the reason behind leaving the sixty (60)-day window open before the repeal took effect. Because of this, she allowed the law to guide her decision.

She expressed her concern Summit County would be true to their word and include Hideout in their regional planning. She was concerned Summit County had predetermined areas in which development would be allowed and if Hideout were to develop a residential or neighborhood mixed use development into the vicinity of the OUI/Richardson Flat Superfund Site, the EPA would close the site sooner than what Park City or Summit County wanted. She believed Park City and Summit County had an ongoing problem with contaminated soils and would have to remediate the

1 contaminated soil to another area. She stated if the soil were to be hauled to another site farther away,
2 it would cost millions of dollars. She felt if Hideout did not take the opportunity to annex while it
3 was legal, there would not be another chance.

4 She continued discussing her thoughts on the possible reason Park City was opposed to the
5 annexation, and felt it was due to the potential influx of traffic on SR-248. She argued by vitalizing
6 the Richardson Flat area, it could alleviate some of that traffic by enabling the use of the existing
7 Park and Ride lot by providing public transit into Park City from that lot.

8 She further expressed if a settlement agreement would have been reached between Hideout and
9 Summit County, Hideout would have taken the time to complete the due diligence and finish the
10 studies.

11 Council Member Dwinell agreed with Council Member Baier regarding the potential to alleviate
12 traffic, and He also agreed on the varying opinions by legislators regarding the intent of leaving the
13 sixty (60)-day window open for annexation, and stated he also had conversations with four other
14 legislators giving differing opinions. Regarding regional planning, he disagreed with Council
15 Member Baier and felt Park City and Summit County would uphold their public comments and
16 statements be true to their word and include Hideout in their planning and development process.

17 Mayor Rubin expressed his appreciation to everyone who worked on the process. He stated the Town
18 had a goal of offering solutions by alleviating traffic into Park City and providing housing at different
19 price points which were was needed for the area. He expressed his support for the annexation and
20 felt the project was valuable.

21 Mr. Brockbank gave comments regarding the Summit County's new development, Silver Creek
22 Village, by Park City east of SR-248, which included seventeen hundred homes and over one million
23 square feet of commercial property. He questioned why Summit County would be against the
24 annexation and development of Silver Meadows by Hideout if there was a much larger development
25 approved in an area close to Silver Meadows.

26 Mr. Brockbank He spoke personally with fifty (50) Town residents who were not opposed to the
27 annexation but were opposed to the process in which it was presented. He suggested Council pass
28 the Ordinance and allow a referendum to transpire in order for the citizens of Hideout to formally
29 make the decision.

30 Mr. Brockbank offered to build the Town Center, Town Hall, and Community Center as part of the
31 development. He asked Council to take advantage of the opportunity to annex while it was available
32 because the opportunity may not come available again. He expressed concern that Park City and
33 Summit County would not include Hideout in regional planning if the Ordinance was not passed.

34 Council Member Baier thanked Mr. Brockbank for his comments and agreed Hideout would not be
35 part of regional development without the annexation. She further noted the goals which were
36 discovered during the General Plan work effort with the community had not been met, and by
37 annexing this property and allowing commercial development, the goals could be met.

38 Council Member Dwinell reiterated the previous statements made regarding Summit County and
39 Park City's lack of attempt to include Hideout in any discussions until the declaration of intent to
40 annex was made by Hideout.

41 Mayor Rubin stated by passing the annexation ordinance, it would be an opportunity to start to have
42 a voice broader than just Hideout, and to begin to work on solutions with Mr. Brockbank, who had
43 shown himself to be highly responsive to the needs of the Town. He reiterated Mr. Brockbank's
44 comments regarding Hideout being excluded in Park City's and Summit County's regional
45 development and agreed the same kind of opportunity may not be available in the future.

1 Mr. Brockbank repeated his offer to build the Town Center, Town Hall, and the Community Center.
2 He stated the negative publicity was brought by Park City and Summit County which was why
3 Summit County residents were against the annexation. He once again asked Council to pass the
4 Ordinance and allow a referendum election to transpire.

5 Council Member Dwinell inquired about the outcome of the referendum election and if the
6 referendum were to fail, would the parcel still be included in the Town's boundaries. Ms. McLean
7 stated the annexation ordinance would be subject to the outcome of the referendum and if the subject
8 were to repeal the Ordinance, it would fully reverse the Ordinance even if the Lieutenant Governor
9 signed the Annexation Certification. Therefore, if the referendum failed, it would repeal the
10 annexation ordinance. Council Member Severini discussed allowing the referendum election to
11 ensue, however, he inquired about including the opinions of the residents in the developments within
12 close proximity to the Silver Meadows area. Council Member Baier replied, stating although those
13 residents would not be allowed to vote in a Hideout referendum election due to that area not being
14 annexed into Hideout, she and Council Member Dwinell had been advocating for them to Summit
15 County for the past five weeks. She suggested if those unincorporated areas, which are located within
16 Wasatch County, wanted local elected official representation, they could annex into Hideout.
17 Council Member Baier discussed the difficult placement of Hideout, being in the top of a wedge
18 area of Wasatch County which was separated by Jordanelle Reservoir and a lot of miles from the
19 rest of the main hub of Wasatch County – yet surrounded by Summit County. She noted the various
20 problems this created, such as difficulty with adequate law enforcement from Wasatch County, and
21 bussing schoolchildren eighteen (18) miles away into Heber to attend school. She stated the interests
22 of the Town needed to be protected and growth efforts needed to continue. She agreed with Mr.
23 Brockbank to allow a referendum election to transpire and allow the residents of Hideout to make
24 the decision.

25 Mr. Brockbank addressed Council Member Severini stating he would hold open houses prior to the
26 referendum election in order to allow community involvement and include residents in the
27 surrounding developments. He noted these open houses would have been held if there were more
28 time to do them before the law was repealed.

29 Council Member Baier stated she was not decided until she saw the final AMDA and felt it was very
30 favorable for Hideout. She was pleased to see the amount of compromise between Mr. Brockbank,
31 Mr. Baird, and the Town, as well as the protection Hideout's legal team and Planner had inserted
32 into it. Council Member Severini expressed his concern of several feasibility studies not being done
33 due to the short timeframe in which they needed to be conducted before the law was repealed.
34 However, he noted if a referendum election were to ensue, it would provide enough time to complete
35 the studies. Mr. Brockbank ensured these studies would be completed and presented to the public.
36 He further noted by allowing a referendum election, it would provide time to conduct these studies.

37 Council Member Baier directed the Council's attention to the new Silver Creek Village development
38 in Summit County east of SR-248. She stated there were OU2 and OU3 Superfund Sites throughout
39 that land, which Park City would need to remediate if they wanted to develop the land. Millions of
40 cubic yards of mine tailings were planned to be moved to the Richardson Flats OU1 Superfund Site.
41 If this were allowed to happen, the EPA would likely cap the Site and change their recommendation
42 and future actions regarding the development of the land. She felt by annexing the land and allowing
43 the proposed development, it would stop future contamination of the soil. Council Member Severini
44 agreed there may be political motivation by Summit County to stop the annexation because of this.

45 Council Member Severini agreed if a referendum was allowed, Mr. Brockbank would need to talk
46 to the residents of Hideout to ensure they understood what value the annexation would bring to the
47 Town.

~~Discussion regarding the logistics and outcome of a referendum election ensued.~~ Council Member Dwinell inquired about the ingress and egress road from SR-248 and noted if those two access points were not addressed, would it ~~would~~ become an issue. He was also concerned if additional parking was available at the parking lot in Richardson Flat. Ms. McLean responded, stating it would need to be addressed in the AMDA. Mr. Baird stated the referendum would suspend the effectiveness of the AMDA, and during that suspension, feasibility studies could be conducted and solutions could be negotiated and added to the AMDA. Ms. McLean confirmed Mr. Baird's statements and suggested adding clauses to the AMDA to say they would be addressed within a certain period of time.

Mr. Baird suggested adding language to Section 6 – Effective Date to state the Ordinance shall take effect immediately upon passage. Further discussion continued.

Mayor Rubin asked further questions regarding the referendum election. Ms. McLean discussed the procedure to initiate the referendum, which would come from citizens and not Town Council. She explained five sponsors would gather a specified number of signatures from registered voters of Hideout within a certain period of time. Once the petition was filed, it would suspend the annexation until June of the following year, in which an election would be held for the residents of Hideout. Mr. Baird expressed he and Mr. Brockbank anticipated it would go to a referendum election, which would give time for Hideout residents and Council a chance to hear the opinions of residents and not just opposition. Ms. McLean further clarified the Town does not take a role in initiating the referendum; it would come from citizens. She offered to personally speak with anyone who was willing to sponsor the referendum and walk them through the steps to initiate it. Mr. Baird further clarified the Town is prohibited from spending any public monies other than making a voter information statement.

Council Member Baier asked for further clarification regarding the time frame of the sponsors filing the petition. Ms. McLean explained she did not have the referendum statute readily available, but to her recollection it was seven days for the sponsors to file the petition. Upon acceptance, a signature packet would be put together by the sponsors and signatures of registered voters would be required to be gathered within a certain amount of time after that. Council Member Baier invited members of the community to initiate the referendum. Discussion continued.

Motion: Council Member Nadelberg moved to adopt Ordinance 2020-10 annexing the Silver Meadows Annexation of approximately three hundred fifty (350) acres into the Town of Hideout boundary and amending the Official Zoning Map. Council Member Baier made the second. Voting Yea: Council Members Baier, Dwinell and Severini. Voting Nay: Council Members Haselton and Nadelberg. Motion passed 3 to 2.

2. Continued Discussion and Possible Action on authorizing the mayor to enter into an Annexation and Master Development Agreement pertaining to the Silver Meadows Annexation.

Discussion continued regarding three additional items which would be added to the AMDA, which included:

1. Section 7.7 Land for Public Service Facilities and Town Hall: The Town Hall and the Community Center will be constructed to a design agreed upon by the Town, at the Developer's expense.
2. Section 12.4 Secondary Access and Parking: If issues regarding the SR-248 connection and parking along Richardson Flats road are not resolved to the Town's satisfaction by April 16,

2021 then the AMDA shall be null, void and terminated. *Note: this date was later discussed and agreed to extend to August 31, 2021.*

3. Section 12.5 Condition Precedent: this AMDA shall not take effect until after the results of a referendum, if any, are certified.

After the preceding language was added to the AMDA, Mayor Rubin asked for a motion to enter into an agreement pertaining to the Silver Meadows Annexation.

Motion: Council Member Dwinell moved to authorize the Mayor to enter into an Annexation Master Development Agreement pertaining to the Silver Meadows Annexation incorporating the changes made during this meeting. Council Member Severini made the second. Voting Yea: Council Members Baier, Dwinell, Haselton, Nadelberg and Severini. None opposed. Motion passed.

IV. Meeting Adjournment

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

Motion: Council Member Nadelberg made a motion to adjourn the meeting. Council Member Dwinell made the second. None opposed.

The meeting was adjourned at 11:42 p.m.

Alicia Fairbourne, Town Clerk

File Attachments for Item:

2. May 13, 2021 Meeting Minutes DRAFT

Minutes
Town of Hideout
Town Council Regular Meeting and Public Hearing
May 13, 2021

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting and Public Hearing on May 13, 2021 at 6:00 pm electronically via Zoom meeting due to the ongoing COVID-19 pandemic.

Regular Meeting and Public Hearing

I. Call to Order

1. No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 6:08 pm and explained due to public health order, no anchor site was available for the meeting.

II. Roll Call

Present: Mayor Phil Rubin
 Council Member Chris Baier
 Council Member Jerry Dwinell
 Council Member Carol Haselton
 Council Member Ralph Severini

Excused: Council Member Bob Nadelberg

Staff Present: Town Attorney Polly McLean
 Town Administrator Jan McCosh
 Town Planner Thomas Eddington
 Town Engineer Ryan Taylor
 Public Works Supervisor Kent Cuillard
 Town Treasurer Wesley Bingham
 Town Clerk Alicia Fairbourne
 Deputy Town Clerk Kathleen Hopkins

Others Present: Gwen Wetzell, Mark Garza, SueAnn Kern, Glynnis Tihansky, Jim Gray, Patrick Todd, Abi Kau, Grey Garza, Jeff Bawol, Jack Walkenhorst, Nate Brockbank, Ashley Burr, Justin Smollar, Jared Fields, Nikki Keye, Tyler White, Brian Amerige and others who may not have logged into Zoom using their full or proper name, or who dialed in using only a phone number.

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

At 6:13 pm, Mayor Rubin asked for a motion to move to executive session.

Motion: Council Member Haselton made a motion to close the public meeting and proceed to a Closed Executive Session to discuss pending or reasonably imminent litigation, personnel matters, and/or sale or acquisition of real property as needed. Council Member Baier made the second. Voting Yea: Council Members Baier, Dwinell, Haselton and Severini. None opposed.

At approximately 6:54 pm, the Executive Session adjourned, and Mayor Rubin called for a motion to proceed into the Public Session.

Motion: Council Member Dwinell moved to proceed into Public Session. Council Member Severini made the second. Voting Yea: Council Members Baier, Dwinell, Haselton and Severini. None opposed.

IV. Call to Order

At 6:55 pm, Mayor Rubin called the public portion of the meeting to order and explained due to public health order, no anchor site was available for the meeting.

V. Roll Call

Present:

Mayor Phil Rubin
Council Member Chris Baier
Council Member Jerry Dwinell
Council Member Carol Haselton
Council Member Bob Nadelberg
Council Member Ralph Severini

Staff Present:

Town Attorney Polly McLean
Town Administrator Jan McCosh
Town Planner Thomas Eddington
Town Engineer Ryan Taylor
Public Works Supervisor Kent Cuillard
Town Treasurer Wesley Bingham
Town Clerk Alicia Fairbourne
Deputy Town Clerk Kathleen Hopkins

Others Present: Gwen Wetzels, Mark Garza, SueAnn Kern, Glynnis Tihansky, Jim Gray, Patrick Todd, Abi Kau, Grey Garza, Jeff Bawol, Jack Walkenhorst, Nate Brockbank, Ashley Burr, Justin Smollar, Jared Fields, Nikki Keyes, Tyler White, Brian Amerige and others who may not have logged into Zoom using their full or proper name, or who dialed in using only a phone number.

VI. Approval of Council Minutes

1. March 11, 2021 Town Council Meeting Minutes DRAFT

2. March 25, 2021 Town Council Meeting Minutes DRAFT

There were no changes to the meeting minutes. Council Member Dwinell noted he did not have a chance to review the minutes, and therefore, would abstain from voting.

Motion: Council Member Haselton moved to approve the March 11, 2021 and March 25, 2021 meeting minutes. Council Member Severini made the second. Voting Yea: Council Members Baier, Haselton, Nadelberg and Severini. Abstained: Council Member Dwinell. Motion passed 4-1.

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

At 6:58 pm, Mayor Rubin opened the floor for any members of the public to speak on items not listed on the agenda. Council Member Baier introduced Nikki Keye who had contacted Hideout to be a host sponsor for a trail cleanup event on Saturday, May 29, 2021 from 12:00 pm to 3:00 pm. Ms. Keye presented details regarding the annual Jordanelle community cleanup event.

Jared Fields, legal counsel representing Mustang Development, spoke briefly regarding comments and accusations made in recent Hideout Planning Commission and Town Council meetings regarding Mustang Development. He hoped the Council and community would not believe the rumors spread about Mustang and noted some comments were originated by people who were not involved at that time. He asked Council to focus on the Town's best interest moving forward and not to solicit comments which could be damaging toward any particular property owners or developers. Council Member Baier addressed Mr. Fields' concerns and stated she felt the Council had been respectful toward Mustang Development. She asked Mr. Fields to speak directly to Council regarding any specific accusations in the future.

There being no further public comments, Mayor Rubin closed public input at 7:09 pm.

VIII. Public Hearing

1. Public Hearing, discussion and possible action on final approval of Deer Springs Phase 2A

(Clerk's note: Public Hearing Item numbers 1 and 2 were combined.)

2. Public Hearing, discussion and possible action on the final approval of Deer Springs Phase 2B

Town Planner Thomas Eddington gave an overview of the proposed subdivision, noting the name change from Deer Springs Phase 2 and Phase 3 to Deer Springs Phase 2A and 2B, which would result in the need to amend the original MDA (Master Development Agreement) to reflect the change. Developer Nate Brockbank and Mr. Eddington had worked to resolve concerns regarding the layout of the phases. Mr. Eddington introduced Tyler White, a civil engineer who had designed Deer Springs Phase 1 and 2 in partnership with Mr. Brockbank.

Mr. White reviewed the number of retaining walls and the maximum road grade concerns brought forth by the Hideout Planning Commission and T-O Engineers. The road grade and retaining walls had been redesigned to comply with ordinances recently passed by the Town. Mr. Brockbank further reviewed the changes with Council, noting the reduction in the number of retaining walls and reduction in the road grade.

Council Member Dwinell inquired if the redesign of the phases had delayed the completion of the park. Mr. Brockbank stated the park was slated to be built in the year 2022 with Phase 3, so there was no delay.

The amendments to the MDA were discussed, noting the following:

- The timing of the completion of the park
- Adding more units to these phases (but not more units overall)
- Amending the MDA prior to signing the plats

Council Member Baier asked Mr. Brockbank for confirmation the existing trails would not be disturbed during the completion of the phases, to which Mr. Brockbank replied they would be kept accessible to the public.

There being no further questions from Council, Mayor Rubin opened the floor for public comment at 7:36 pm. There were no comments from the public, and therefore, Mayor Rubin closed the public comment portion at 7:37 pm and presented Ordinance 2021-O-03, for the approval of the Deer Springs 2A and 2B final subdivision.

Discussion regarding the details and timeline of the recordation of the plat ensued. Mr. Eddington noted an error in the Conclusions of Law clause, stating the “2017 Master Development Agreement” should be changed to “2018 Master Development Agreement”. Council Member Baier also inquired about Conditions of Approval, #16, noting the language should state the “Applicant shall work with the Town Planner and Town Engineer in an attempt to further reduce the number of four-plex units and increase the number of duplexes and triplexes.”

Motion: Council Member Dwinell moved to approve Ordinance 2021-O-03 with the corrections to the “2018 Master Development Agreement” and to include “Applicant shall work with the Town Planner and Town Engineer in an attempt to further reduce the number of four-plex units and increase the number of duplexes and triplexes.” Council Member Severini made the second. Voting Yea: Council Members Baier, Dwinell, Haselton, Nadelberg and Severini. None opposed. Motion passed.

3. Public Hearing, discussion and possible action on the final approval of Shoreline Subdivision Phase 2A Amended

(Clerk’s note: Public Hearing Item numbers 3 and 4 were combined.)

4. Public Hearing, discussion and possible action on the final approval of Shoreline Subdivision Phase 3

The developer of Shoreline Subdivision Phase 2A Amended and Phase 3 requested the discussion and possible action be continued in order to complete the requested modifications by the Hideout Planning Commission. Town Attorney, Polly McLean, explained public comment would be heard

1 during this meeting though the decision would be continued to a future date. Ms. McLean explained
2 the developer was working with Mr. Eddington to rectify issues concerning road width, and noted
3 density was not the reason for the negative recommendation from the Planning Commission.

4 At 7:54 pm, Mayor Rubin opened the floor to public comment. Planning Commissioner Glynnis
5 Tihansky thanked the developer, GCD, for listening to the Planning Commission's concerns and
6 working with staff to make the changes.

7 There being no further public comment, Mayor Rubin closed the public hearing at 7:56 pm and
8 asked for a motion to continue the items.

9 ***Motion: Council Member Dwinell moved to continue the discussion and possible action on the***
10 ***final approval of Shoreline Phase 2A Amended and Phase 3 to a Special Meeting to be held on***
11 ***June 2, 2021. Council Member Nadelberg made the second. Voting Yea: Council Members***
12 ***Baier, Dwinell, Haselton, Nadelberg and Severini. None opposed. Motion passed.***

13 **IX. Agenda Items**

14 **1. Notice of 2021 Municipal Election**

15 Mayor Rubin presented the notice of the Municipal Election for the four council seats and one
16 mayoral seat up for election and explained two Council Members were appointed mid-term due to
17 resignations of other Council Members for various reasons. Therefore, two council seats were for
18 2-year terms and two seats were for 4-year terms. He further explained the mayoral race was for a
19 4-year term. He encouraged members of the community to run for the various positions and
20 explained the requirements for declaring candidacy and holding an elected position.

21 **2. Discussion of possible compensation for Mayor and Council Members**

22 Mayor Rubin explained the current compensation for Council Members and the Mayor positions
23 was paid a stipend of \$50 (fifty dollars) per meeting plus travel. Members of the Council wanted to
24 consider reviewing the compensation to encourage members of the community to run for elected
25 positions. Council Member Dwinell reviewed the various time commitments required by Council
26 Members and noted other surrounding communities had a greater compensation for its elected
27 officials. Council Member Baier reiterated Council Member Dwinell's statements, adding Council
28 should consider offering benefits similar to those offered to regular full-time staff members. Mayor
29 Rubin agreed and added the Planning Commission Members should be compensated as well.

30 Council Member Baier suggested putting together a compensation comparison of other cities and
31 towns and discuss it in a future meeting. Mayor Rubin agreed.

32 **3. Discussion regarding ranked-choice voting**

33 Mayor Rubin explained the process of ranked-choice voting and noted the State of Utah had adopted
34 the option for municipalities to choose ranked-choice voting. Historically, Hideout had only one or
35 two candidates per seat, and therefore, the Town would not be participating in ranked-choice voting.

1 **4. Set a date and time for the Canvass Certification and Final Results of the June 22 Special**
2 **Election**

3 Town Clerk Alicia Fairbourne provided an explanation for the canvass certification process and
4 recommended the Board of Canvassers meet to certify the June 22, 2021 Special Referendum
5 Election results on June 29, 2021 at 6:00 pm.

6 Council Member Baier asked Ms. Fairbourne to explain the process of counting the ballots received
7 and if poll workers would need to be appointed for that process. Ms. Fairbourne confirmed poll
8 workers would need to be hired and suggested a payment of \$50 (fifty dollars) for their service. She
9 also explained the ballots would be counted by hand after the polls closed and preliminary election
10 results would be available the evening of June 22, 2021.

11 Council Member Severini inquired if the County Clerk's office would be involved in the election
12 in order to provide accurate voter lists, and how the ballots would be distributed. Ms. Fairbourne
13 explained it was an official election, so all state election laws would be followed. She would work
14 closely with the Clerk's office in order to obtain the list of registered voters. Ballots would be
15 mailed to all active registered voters of Hideout. Mayor Rubin further explained the requirements
16 for obtaining a ballot and the residency requirements to be considered a registered voter of Hideout.

17 There being no further questions from Council, it was agreed to set the date and time of the Board
18 of Canvassers meeting for the June 22, 2021 Special Referendum Election to June 29, 2021 at 6:00
19 pm.

20 **5. Presentation from the Infrastructure Committee on the Sanitary Sewer Master Plan, and**
21 **Possible Adoption of the Plan by the Council**

22 Town Engineer Ryan Taylor presented the Sewer System Overview and provided background on
23 the purpose of the Sewer Master Plan. He explained the information gathered from the flow meter
24 data was compared to the model of the Master Plan in order to identify issues which may arise and
25 opportunities to be more efficient. As a result, a Capital Improvement Plan would be created and a
26 list of projects including estimated budgets which should occur over the next three to five years
27 and/or five to ten years.

28 The Capital Improvement Plan identified three problems and a number of recommendations. First,
29 Mr. Taylor noted there were no problems identified with the system as it existed today, however as
30 new homes were built, the sewer pipes would become fuller. Second, the main lift station for the
31 Town would eventually become too small to handle all the sewage from the Town, and third, the
32 Deer Waters Phase 1 lift station had several issues and concerns.

33 Mr. Taylor provided remedies for these issues. The first, and recommended, included connecting
34 to the main sewer line operated by JSSD (Jordanelle Special Sewer District). This would relieve
35 the sewer network of approximately 400 units from Golden Eagle and Soaring Hawk, eliminating
36 the need to update the lift station as well as resolve the capacity issue identified.

37 In regard to the Deer Waters Phase 1 lift station concerns, the Deer Waters Lift Station was planned
38 to be connected to the Shoreline Lift Station. Two other lift stations were planned in Deer Waters
39 in addition to the lift station planned for Lakeview for a total of four lift stations. Mr. Taylor was
40 able to work with the developer, Nate Brockbank, in order to combine those lift stations into one
41 new lift station as part of the Lakeview project, noting the location would be at the bottom of
42 Shoreline Phase 2 and be called the Vantage Lane Lift Station. As part of the development

approvals, the developer agreed to fund the Vantage Lane Lift Station and decommission the other lift stations.

Discussion continued regarding funding of the project to tie into the JSSD sewer main. Mayor Rubin explained the Water, Sewer, and Storm Drain Master Plans must be adopted by the Town per code, noting the funding of those Plans would be included in a future discussion. Council Member Baier asked to see the detailed Sewer Plan prior to agreeing to adopt the Plan, noting only the highlights were shared for this meeting. Mayor Rubin agreed to continue the adoption to the June Regular Meeting to give adequate time for Council to review the details of the final Sewer Plan.

6. Discussion and possible action to adopt FY2022 Tentative Budget

(Clerk's note: Item numbers 6 and 7 were combined.)

7. Set a time and place for a Public Hearing on the Final Budget

Mayor Rubin presented the Fiscal Year 2022 Tentative Budget and discussed the findings. He gave an overview of the revenue and explained due to the housing boom and number of various building permits issued and fees collected, property taxes would not need to be raised in 2022. Opportunities for commercial revenue should continue to be considered. He further explained upcoming expenses from the General Fund, including the need to hire another Public Works employee and/or Town Engineer. Full-time employee benefits were added as well as contracting with the Wasatch County Sheriff's Office and Wasatch County Animal Control for additional enforcement.

Mayor Rubin discussed the Enterprise Fund and explained JSSD had increased the rates to the Town by 5% (five percent) last year, which was not passed on to residents due to the financial impact brought on by the COVID-19 pandemic. He provided further details on the upcoming expenses which would be paid through the Enterprise Fund, including funding the Storm Drain Model, and upgrading the capability for water and sewer system management without hiring additional staff.

Town Treasurer Wes Bingham provided further details regarding the revenue and expenses, and asked Council if they had any questions. Council Member Baier asked how many full-time employees would receive benefits. Mr. Bingham replied there were five employees who would qualify for State retirement and four who would elect to receive health insurance coverage.

Council Member Haselton inquired if the increase cost of building supplies would decrease the anticipated number of single-family homes built. Mr. Bingham stated a conservative approach was taken when anticipating the future number of homes built and building permits sold.

Mayor Rubin thanked the Budget Committee on their work in providing the Tentative Budget and stated the Final Budget would be presented for the Public Hearing. There being no further questions from Council, Mayor Rubin asked for a motion to adopt the Fiscal Year 2022 tentative budget and set a date and time for a Public Hearing.

Motion: Council Member Haselton moved to adopt the Fiscal Year 2022 Tentative Budget and to set a date for the Public Hearing for the Fiscal Year 2022 Final Budget as June 10, 2021 at 6:00 pm. Council Member Baier made the second. Voting Yea: Council Members Baier, Dwinell, Haselton, Nadelberg and Severini. None Opposed. Motion passed.

1 **8. Appointment of Mayor Tempore for the dates of May 18 through June 4, 2021, and possible**
2 **appointment of a permanent Mayor Tempore for dire emergencies**

3 Mayor Rubin stated he would be out of town during the dates of May 18 through June 4, 2021 with
4 limited cellular service and asked to appoint a Mayor Pro Tempore during this timeframe.

5 Council Member Severini volunteered to act as Mayor Pro Tempore starting May 18 through May
6 24. Council Member Baier volunteered to act as Mayor Pro Tempore from May 25 through June 4.
7 All members of the Council voted aye.

8 Mayor Rubin presented a recommendation from Ms. McLean to appoint a permanent Mayor Pro
9 Tempore in dire emergencies. Due to time constraints, the discussion would be continued to the
10 June 10, 2021 meeting.

11 At 9:59 pm, Council Members Dwinell and Nadelberg were excused.

12 **9. Discussion and possible approval of Ordinance 2021-O-05 regarding noxious weed control**
13 **and requiring posting of a weed abatement bond**

14 Town Administrator Jan McCosh explained a weed cash bond was put in place for developers,
15 noting it was modeled and drafted after Heber City's Weed Bond. It included an application to
16 release the funds back to developers after three years. Council Member Severini asked for
17 clarification regarding the disbursement of funds, to which it was explained if the weed abatement
18 was not completed the bond money would be drawn on for that purpose.

19 Council Member Baier asked who the Ordinance would apply to. Ms. McLean explained the
20 Ordinance had two portions; the first portion amended the language of Hideout Municipal Code
21 Chapter 5.04 NUISANCES, Sections 100 through 120 to define what was considered a weed
22 nuisance and allow for administrative citations to be issued. The second portion adopted Hideout
23 Municipal Code Chapter 11.06.08 BONDS GUARANTEEING CONSTRUCTION
24 IMPROVEMENTS, Section 03. She further explained only subdivisions which were being built were
25 subject to the bond requirements. Landowners would be subject to fines for an administrative
26 citation based on the rates set in the Town's Fee Schedule in addition to abatement costs. Discussion
27 continued.

28 ***Motion: Council Member Baier moved to adopt Ordinance 2021-O-05 amending Title 5,***
29 ***Chapter 4 regarding noxious weed control and adopting Chapter 11.06.08.03 requiring posting***
30 ***of weed abatement bond. Council Member Haselton made the second. Voting Aye: Council***
31 ***Members Baier, Haselton and Severini. None opposed. Motion passed.***

32 **10. Discussion and possible authorization of Resolution 2021-R-03, Code Enforcement Officer,**
33 **and appointment of Code Enforcement Officers**

34 Mayor Rubin presented Resolution 2021-R-03 and recommended appointing the Public Works
35 employees as Code Enforcement Officers for the Town. Council Member Baier also recommended
36 to appoint Hideout Building Administrator Carol Kusterle as an additional Code Enforcement
37 Officer, noting her expertise regarding noxious weeds.

38 ***Motion: Council Member Haselton moved to adopt Resolution 2021-R-03, approving and***
39 ***authorizing Code Enforcement Officers. Council Member Severini made the second. Voting***
40 ***Aye: Council Members Baier, Haselton and Severini. None opposed. Motion passed.***

11. Discussion and possible action to adopt Ordinance 2021-O-04 to amend Municipal Code 10.02.12 International Fire Code Adopted

Mayor Rubin stated when the International Fire Code was adopted, the appendices were not included, specifically Appendix D. Ms. McLean explained the Wasatch Fire District and Town Engineer recommended the adoption of Appendix C which described the road width but excluded curb and gutter, and Appendix D, which described curb and gutter. Hideout Municipal Code already included the required road width, and therefore, only Appendix D required adoption. Council Member Baier noted signage requirements were also included in Appendix D.

Motion: Council Member Severini moved to adopt Ordinance 2021-O-04 amending municipal code 10.02.12, International Fire Code Adopted to include Appendix D. Council Member Haselton made the second. Voting Aye: Council Member Baier, Haselton and Severini. None opposed. Motion passed.

12. Discussion and Possible adoption of Ordinance 2021-O-XX regarding dark skies

(Item was continued to the June 10, 2021 meeting.)

13. Discussion of Public Information Session next steps

(Item was continued to the June 10, 2021 meeting.)

X. Meeting Adjournment

At 10:25 pm, Mayor Rubin asked for a motion to adjourn the meeting and continue the undiscussed items to the June 10, 2021 meeting.

Motion: Council Member Baier moved to adjourn the meeting and continue the undiscussed items to the June 10, 2021 meeting. Council Member Haselton made the second. Voting Aye: Council Members Baier, Haselton and Severini. None opposed. Motion passed.

The meeting adjourned at 10:27 pm.

Alicia Fairbourne, Town Clerk

File Attachments for Item:

3. June 02, 2021 Meeting Minutes DRAFT

Minutes
Town of Hideout
Continued Public Hearing - Shoreline Phase 2A Amended and Phase 3
June 02, 2021

The Town Council of Hideout, Wasatch County, Utah met for a Continued Public Hearing - Shoreline Phase 2A Amended and Phase 3 on June 02, 2021 at 7:00 pm electronically via Zoom meeting due to the ongoing COVID-19 pandemic.

Continued Public Hearing

I. Call to Order

1. Mayor Rubin's No Anchor Site Determination Letter

Mayor Pro Tempore Chris Baier called the meeting to order at 7:02 pm and explained the No Anchor Site Determination Letter was included with the meeting materials.

II. Roll Call

Present: Mayor Pro Tempore Chris Baier
 Council Member Jerry Dwinell
 Council Member Carol Haselton
 Council Member Bob Nadelberg
 Council Member Ralph Severini

Excused: Mayor Phil Rubin

Staff Present: Town Attorney Polly McLean
 Town Administrator Jan McCosh
 Town Planner Thomas Eddington
 Town Engineers Ryan Taylor and Dillon Bliler
 Public Works Supervisor Kent Cuillard
 Town Clerk Alicia Fairbourne

Others Present: Mike Dyer, Richard Brockmyer, Jeff Bawol, David Peterson, Juan Lee, Jeff Knighton, Glen Gabler, Craig Jenson, Mike Stewart, Wade Budge, Carol Tomas, Dale Aychman, Jack Walkenhorst, Jan DeFeo, Clint Neerings and others who may not have logged into Zoom using their full or proper name, or who dialed in using only a phone number.

III. Agenda Items

1. Continued Public Hearing, discussion and possible action on the final approval of Shoreline Subdivision Phase 2A Amended

(Clerk's note: Item numbers 1 and 2 were discussed together.)

2. Continued Public Hearing, discussion and possible action on the final approval of Shoreline Subdivision Phase 3

Mayor Pro Tempore Chris Baier noted the materials for review were received very late and asked Council if they would like to proceed. It was decided Council would give the developer a chance to present and discuss the materials, however, no action would be taken during the meeting.

Developer Glen Gabler thanked the Council for their willingness to meet and introduced several members of his team who were present. Mr. Gabler presented a site plan map for Shoreline Phase 3 and Phase 2 lots which was dated February 2020. He explained the roads were drawn at twenty-three feet (23') wide per the vested Town Code at that time. The map was recently reviewed by Town Planner Thomas Eddington and Town Engineer Ryan Taylor, who made several suggestions including widening the road to twenty-six feet (26') per newly adopted Hideout Municipal Code which complied with Wasatch County Fire District's recommendations. Mr. Gabler noted fifteen (15) new units added in Phase 2A Amended.

Council Member Dwinell inquired where the connecting roads would be located between Lakeview Estates and the Shoreline Phases. Mr. Gabler showed the first road connecting on Deepwater Drive in Phase 3 and the second road connecting in Phase 2 which Mr. Taylor noted was currently constructed in Shoreline yet would need to be completed concurrently with Lakeview Estates.

The number of units in Phase 2A Amended was discussed. Mr. Gabler noted in Phase 2, sixteen (16) uphill lots were originally platted, however in Phase 2A Amended, one unit was removed in order to incorporate requested downhill lots on Sailwater Lane. This also pushed those fifteen units (15) to Phase 3. Mr. Gabler further discussed the variation in duplex plans and noted the jog between the units was to be between four (4) and six (6) feet. The Council made comments regarding the setbacks between the units and stated they wanted a greater variation between each unit. Mr. Gabler stated he would work with the architect to incorporate greater setbacks.

Mr. Gabler introduced Jeff Knighton, the architect for the subdivision. Mr. Knighton addressed the Council Members' concerns of the setbacks, noting the jogs between the units could be adjusted in order to provide variations in the streetscape view. Council Member Dwinell stated the view from the reservoir side should be varied as well in order to avoid a repetitive home plan. Mr. Gabler mentioned multiple home plans with different elevations and colors would be offered. Mr. Knighton described the various elevations and home plan illustrations.

Council Member Haselton expressed her concern regarding the grading of the site, stating the existing topography and existing landscape was not taken into consideration prior to excavating the roads. Mr. Gabler addressed her concerns, stating it was currently a rough grade; however, different levels and steps would be created on the hillside for variation.

Mr. Eddington discussed the overall number of units planned for the two Phases.

- Phase 2A Amended would remove sixteen (16) units from the original one hundred and three (103) units in Phase 2, leaving it with eighty-seven (87) units
- Phase 3 would incorporate fifteen (15) of the sixteen (16) units from Phase 2 for a total number of sixty-two (62) units in Phase 3
- The remaining unit would be incorporated into the overall Shoreline subdivision

Mr. Eddington reviewed and discussed the changes requested by the Planning Commission, including:

- Meeting the conditions of the preliminary plat approved in December 2016, in which road access to SR-248 was to be resolved and water and sewer rights should be confirmed
- Adding twelve (12) visitor parking spaces in Phase 2A Amended and twenty-eight (28) spaces in Phase 3
- Designating fifty-five percent (55%) for open space in Phase 3 which was vested under the 2009 Hideout Municipal Code and Master Development Agreement (MDA)
- The total density Equivalent Residential Units (ERU's) for the proposed subdivisions should be confirmed prior to the meeting to be held on June 10, 2021

The trail system and neighborhood park was discussed. Mayor Pro Tempore Baier stated the trails should be designated as public use in order to connect with the State Park from the area. Mr. Gabler confirmed it would be available for public use but belong to the Hideout Canyon Master Homeowner's Association (HOA).

Mr. Eddington noted the commercial amenities Mr. Gabler intended to incorporate into Phase 4 and Phase 5 and stated there were none indicated in the Master Development Agreement (MDA). Mr. Gabler presented an overall concept plan of the Shoreline subdivision showing a commercial area would be located on the southeast area of the overall Shoreline development. He also pointed out an area southeast of Shoreline Phase 3 which he described as a live/work/retail development in which street-level spaces would be leased to retail shops with living spaces such as condos or apartments above. Mayor Pro Tempore Baier asked why the live/work/retail area was designated where it was, on Wake Rider Circle, considering Shoreline Drive was the major through-road in the subdivision. Mr. Gabler explained the thought process was to have a walkable community area instead of a busy commercial area. Council Member Dwinell suggested the live/work/retail development be located on the northern side of the development, closer to Shoreline Drive. Mr. Gabler stated he would take it into consideration.

Town Engineer Ryan Taylor noted the road width in the proposed Phase 3 subdivision was twenty-six (26) feet including curb and gutter, which was not compliant with current Hideout Municipal Code of twenty-six (26) feet of asphalt, exclusive of curb and gutter in order to allow emergency services vehicles adequate access and operation. Since that Ordinance was passed in July of 2020, all subdivisions which were not currently platted or built were required to comply with the Ordinance. Mr. Taylor noted until the width of the road was agreed upon, the grading, height of retaining walls, trails, et cetera, could not be finalized.

Town Attorney Polly McLean explained although the original Shoreline Development application fell under the original MDA and was vested under the municipal code as of 2016, the twenty-six (26) foot road width fell under a health and safety standard which was exempt from vested code. Mayor Pro Tempore Baier asked Mr. Gabler and his legal counsel, Wade Budge, why the roads could not be brought into compliance of the new code. Mr. Gabler stated six (6) units would be lost from Phase 3 as well as adding sixty thousand (60,000) square feet of asphalt overall. Mr. Taylor replied a concept plan which was designed by T-O Engineers did not show the loss of any units by widening the road. Council Member Dwinell stated all possibilities should be explored in order to keep the number of ERU's while maintaining the health and safety standard. Mr. Gabler stated the desired stagger of the buildings would be lost on some lots by widening the road.

Mayor Pro Tempore Baier stated the narrow roads were an issue in Hideout and Council did not want to continue to approve developments which were not in compliance.

Mr. Budge stated the MDA was clear the development was to be built under vested law, and the law allowed roads narrower than twenty-six (26) feet in Phase 2 and other phases in the subdivision. He stated negotiations were made from the original MDA in which wider roads were established in Phase 3. Mr. Budge presented Hideout Ordinance 2020-06 and discussed language in Hideout Municipal Code Chapter 11.06.16 stating the Town Council would approve the plat based on the Fire District's recommendations and argued these were not requirements for approval.

A cross-section diagram of the road was presented, showing an analysis of the road segments. He explained twenty-eight (28) feet of total right-of-way roadway, including curb and gutter, was provided in the design. He explained the pan was a suitable driving surface according to Utah State Code and International Fire Code. He felt he could argue for a narrower road and still meet health and safety minimums which were established by the State, providing twenty-six (26) feet only around fire hydrants and a minimum of twenty (20) feet elsewhere.

Mike Dyer, a former Chief Deputy of Los Angeles County Fire and former Fire Chief of Santa Barbara, spoke, stating fire trucks' outriggers can be put down on the flat portion of the gutter, which would provide the desired twenty-six (26) feet of drivable surface. He further explained the fire district wanted twenty-six (26) feet of unobstructed, all-weather access for fire apparatus.

Council Member Nadelberg stated although he appreciated Mr. Dyer's comments, Hideout had unique challenges and the residents' safety was non-negotiable. He desired to work with GCD to reach a compromise, but safety came first and foremost. Council Member Dwinell and Council Member Haselton agreed, noting although during the summer and other months the curbs would be accessible, the winter months brought snowfall and curbs and gutters could be non-useable.

Wasatch Fire Marshall Clint Neerings stated he knew the terrain and weather patterns of the area and knew the response times and plans were for Wasatch County. He reiterated the safety of the citizens was his main concern, and secondary concern was the safety of responding fire or emergency personnel. He noted time was of the essence when responding to an emergency, and emergency vehicles may not drive at a normal rate of speed. Driving quickly on the pan could sway the vehicle and endanger citizens and response personnel. He explained in further detail the reasons the pan should not be counted in the twenty-six (26) feet of roadway.

Mr. Budge reiterated his statements noting if the council would like the full twenty-six (26) feet of asphalt, no curbs or gutters would be provided in the subdivision. Council Member Dwinell asked to negotiate before any final decisions were made on the matter. Mayor Pro Tempore Baier suggested scheduling an additional meeting in order to allow adequate time to address the concerns. Mr. Gabler stated he would be willing to discuss with Council Members individually to address their concerns.

Mr. Gabler repeated the concerns of the Council, specifically noting:

- Increasing the width of the roadway to twenty-six (26) feet excluding curb and gutter and showing the loss of six (6) units
- Updating the 3-Dimensional modeling of the architecture to show jogs from five (5)- to six (6) feet
- Including steps between units to follow the road grade

- 1 • Repairing the fence near the access road between Shoreline Phase 2 which had been broken
- 2 and allowed illegal access into the State Park
- 3 • Meeting personally with Mayor Pro Tempore Baier to discuss remediation of a natural spring
- 4 which may have been unearthed during Shoreline Phase 2 excavation and damaged a trail in
- 5 the State Park
- 6 • Work with Mr. Eddington to get a clear definition of ERU's versus units

7 Mr. Gabler further explained the sites and architecture were designed in accordance with housing
 8 market demands. He stated he would meet with his civil engineer in order to work out a design in
 9 which the six (6) units would not be lost.

10 There being no further questions from Council, Mayor Pro Tempore Baier opened the floor to the
 11 public for comment at 9:21 p.m.

12 Deer Waters resident, Carol Tomas, inquired about the access road which was currently blocked and
 13 if it would eventually be a road connecting from Shoreline and run in front of Lakeview Estates. Mr.
 14 Taylor explained the road would become a trail or emergency access road and would not be a public
 15 road. Shoreline, Lakeview Estates, and Deer Waters would eventually be connected through public
 16 access roads which would serve as secondary access roads. Ms. Tomas further inquired if the
 17 emergency access road, currently graveled, would be made more aesthetically pleasing. Mr. Gabler
 18 replied topsoil would cover the current surface, a trail would be added, and it would be reseeded with
 19 native seed.

20 Ms. Tomas inquired about a possible access to the State Park along the emergency access road. Mayor
 21 Pro Tempore Baier reiterated previous statements of entering the State Park through the designated
 22 trailhead. She further explained Hideout did not have the agreement with the State Park to allow
 23 entrance from that area, although it was the Town's intent to negotiate such an agreement.

24 Mayor Pro Tempore Baier discussed the Town's dog leash laws, noting the State Park could revoke
 25 the privilege of allowing dogs in the State Park if leash laws were not followed. With mention of the
 26 Town's dog leash laws, Ms. Tomas inquired if a dog park was planned in the future, to which Mayor
 27 Pro Tempore Baier replied it was planned in the Deer Springs development.

28 There being no further comments from the public, Mayor Pro Tempore closed public input at 9:31
 29 p.m.

30 Mayor Pro Tempore Baier proposed a special meeting to continue the public hearing on June 24,
 31 2021 at 6:00 p.m. and asked for a motion.

32 ***Motion: Council Member Nadelberg moved to continue the public hearing, discussion and***
 33 ***possible action on the final approval of Shoreline Subdivision Phase 2A Amended and Phase 3 to***
 34 ***June 24, 2021 at 6:00 p.m. Council Member Dwinell made the second. Voting Yea: Council***
 35 ***Members Baier, Dwinell, Haselton, Nadelberg, and Severini. None opposed. Motion passed.***

1 **IV. Meeting Adjournment**

There being no further business, Mayor Pro Tempore Baier asked for a motion to adjourn.

Motion: Council Member Nadelberg moved to adjourn the meeting. Council Member Haselton made the second. Voting Yea: Council Members Baier, Dwinell, Haselton, Nadelberg, and Severini. None opposed.

The meeting adjourned at 9:39 p.m.

Alicia Fairbourne, Town Clerk

File Attachments for Item:

4. June 08, 2021 Silver Meadows Presentation Minutes DRAFT

Minutes
Town of Hideout
Public Information Presentation
June 08, 2021

The Town Council of Hideout, Wasatch County, Utah met for a Public Information Presentation on June 08, 2021 at 6:00 p.m. All presenters and Council met electronically via Zoom meeting and viewers were invited to watch via YouTube Live Stream due to the ongoing COVID-19 pandemic.

Public Information Presentation

I. Call to Order

Mayor Rubin called the meeting to order at 6:02 p.m.

II. Roll Call

Present: Mayor Phil Rubin
 Council Member Chris Baier
 Council Member Jerry Dwinell
 Council Member Carol Haselton
 Council Member Bob Nadelberg (joined at 6:08 p.m.)
 Council Member Ralph Severini

Staff Present: Town Attorney Polly McLean
 Town Clerk Alicia Fairbourne

Others Present: Rob Parker (EPA Project Manager), Ryan Klobardanz (EPA Community Involvement Coordinator), Doug Bacon (UDEQ State Project Manager), Dave Allison (UDEQ Community Involvement Coordinator), Chris Bender (Fehr & Peers), Kate Werrett (Lewis & Young), Laura Lewis (Lewis & Young), Brian Smith (Geosyntec), Brent Robinson (Geosyntec), Brian and Rachel Cooper

III. Public Information Presentation of the Silver Meadows Annexation

Chris Bender from Fehr & Peers presented the findings of the traffic study which was conducted on three existing intersections of SR-248:

- Richardson Flat Road and SR-248
- Richardson Flat Road and Jordanelle Parkway
- SR-248 and Browns Canyon Road

Traffic signals were to be installed in the near future at Richardson Flat Road and SR-248 as well as SR-248 and Browns Canyon Road. The findings of the traffic study showed with the increased traffic of the proposed development of Silver Meadows and the addition of the

1 traffic signals, those intersections would operate at an acceptable level assuming the ingress
2 and egress roads were Richardson Flat Road/Jordanelle Parkway and SR-248/Browns
3 Canyon Road. A twenty (20)-year projection was discussed, both with and without the
4 development, with findings showing an acceptable level of operation at all the intersections.
5 He further explained the details and results of the study, both with and without the Silver
6 Meadows development.

7 Kate Werrett and Laura Lewis from Lewis & Young presented an Economic Impact Analysis
8 and Sales Analysis of the proposed annexation and discussed, which included an annexation
9 summary, revenue and expense assumptions, cost/benefit analysis, proposed infrastructure
10 and amenities, and other taxing entities. She noted two categories were omitted from the
11 review, which included self-funded categories and elements which could not be reasonably
12 tied to population or other growth markers.

13 Ms. Werrett presented the annexation summary, with an estimated buildout assessed value
14 set at \$511.4 Million between the varying residential, retail/commercial, and assisted living
15 facilities. She further presented the revenue assumptions, noting the various numbers in
16 property tax, sales tax, franchise tax, and Class C road revenues.

17 Ms. Werrett presented the expense assumptions, which included inflation at an annual
18 expenditure inflation rate of two percent (2%), general government expenses, public safety
19 and public work expenses, Class C road expenditures, and park and recreation expenditures.
20 She presented a four (4)-year analysis of the net benefit if the annexation were to transpire,
21 noting over a twenty (20)-year period the total revenue would be approximately \$2.8 Million
22 cumulative net benefit.

23 A tax benefit analysis was presented, which included a cumulative property tax revenue for
24 all taxing entities projected at \$107 Million over a twenty (20)-year period. Council Member
25 Dwinell noted the study showed the benefits were for Wasatch County although the
26 annexation area was located in Summit County, to which they would receive the tax benefit.
27 Council Member Baier noted the Park City School District would be the beneficiary for the
28 tax revenue instead of Wasatch County School District. Ms. Werrett stated she would provide
29 an analysis for Summit County and Park City School District.

30 Brian Smith and Brent Robinson with Geosyntec Consultants presented the findings of the
31 environmental baseline sampling study. Mr. Robinson took samplings from one hundred
32 thirty-eight (138) acres of the area closest to the Richardson Flat Operable Units (OU) 1
33 mining tailings site in order to gather an assessment of the current conditions of the site which
34 might lead to further investigation or if environmental controls were needed as part of
35 potential future development. The primary constituents of concern were heavy metals,
36 including arsenic, lead and zinc. He noted the Richardson Flat site was not located within the
37 proposed annexation area.

38 Mr. Smith presented the scope of work completed which included fourteen (14) surface water
39 samples, two (2) groundwater samples, and two (2) surface water samples. All samples were
40 analyzed for heavy metals.

Results included:

- Surface soils – all results were below the relevant Environmental Protection Agency (EPA) residential soil screening levels, with the exception of arsenic. He noted arsenic concentrations were consistent with naturally occurring background levels and were not indicative of potential impacts and elevated levels of naturally occurring arsenic was common in Utah.
- Ground water – samples were collected from temporary borings on the downgradient portion of the site. All results were below relevant Utah Groundwater Quality Standards.
- Surface water – samples were collected from an ephemeral drainage located in the central portion of the property. The results were conservatively compared to Utah surface water quality standards for drinking water/human health. It was noted the surface water would not be used for drinking purposes within the site. The upstream sample showed no exceedances. The downstream sample showed slight exceedances for arsenic and antimony, which were likely related to naturally occurring background concentrations.

In conclusion, Mr. Smith stated there was no evidence of impact to the site from Richardson Flat, the identified metals concentrations appeared to be representative of background conditions, and the baseline assessment did not suggest further need for additional environmental investigation or controls for future development.

Council Member Baier inquired if contaminated soil could be carried and transported through wind. Mr. Smith replied part of the surface soil sampling would indicate if windblown transports had occurred. Relative to future transport, it was not expected to be a concern due to the completion of remediation and capping of the Richardson Flat site with clean fill material.

EPA Project Manager, Rob Parker, presented information on the remediation of the former mining tailings impoundment of the Richardson Flat OU1 site as well as other OU sites in the surrounding area. He described the actions taken when remediating the site and noted the EPA continued to evaluate the area. Discussion continued regarding the future of the site.

Mayor Rubin thanked all the speakers and consultants who presented during the meeting and the work involved conducting the studies for the presentation. He stated the reason for the studies and presentation was to provide constituents with information regarding the fiscal impact, safety, and future traffic should the annexation transpire. Part of the Annexation Master Development Agreement (AMDA) was to address these issues and provide the information to the public.

Mayor Rubin addressed various questions emailed by the public during the presentation which were not part of or addressed with the findings of the studies.

1 **V. Meeting Adjournment**

2 There being no further discussion items, Mayor Rubin asked for a motion to adjourn.

3 ***Motion: Council Member Haselton moved to adjourn the meeting. Council Member***
4 ***Nadelberg made the second. Voting Yea: Council Members Baier, Dwinell, Haselton,***
5 ***Nadelberg and Severini. None opposed.***

6 The meeting adjourned at 8:02 p.m.

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 Alicia Fairbourne, Town Clerk
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File Attachments for Item:

5. June 29, 2021 Board of Canvassers Meeting Minutes DRAFT

Minutes
Town of Hideout
Board of Canvassers Meeting
June 29, 2021

The Town Council of Hideout, Wasatch County, Utah met for a Board of Canvassers Meeting on June 29, 2021 at 6:00 PM electronically via Zoom meeting due to the ongoing COVID-19 pandemic.

Board of Canvassers Meeting

I. Call to Order and Pledge of Allegiance

1. Mayor Rubin's No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 6:06 p.m.

II. Roll Call

Present: Mayor Phil Rubin
Council Member Chris Baier
Council Member Jerry Dwinell
Council Member Carol Haselton
Council Member Bob Nadelberg
Council Member Ralph Severini

Staff Present: Town Attorney Polly McLean
Town Clerk Alicia Fairbourne

III. Agenda Items

1. Certification of the June 22, 2021 Silver Meadows Referendum Election Results

Mayor Rubin stated the Hideout Town Council was acting as the Board of Canvassers for the June 22, 2021 Referendum Election.

Town Clerk Alicia Fairbourne presented and read the results of the June 22, 2021 Silver Meadows Referendum Election with the following summary of votes cast:

Total number of registered voters: 357

Total number of ballots cast: 270

Ballots rejected: 1 (received too late)

Total number of provisional ballots received and counted: 2

Total number of votes for the annexation taking effect: 182

Total number of votes against the annexation taking effect: 87

Total number of ballots counted: 269

Council Member Dwinell asked what the validation process was for a provisional ballot to be counted, to which Ms. Fairbourne explained the two provisional ballots processed were received from voters who had ballots mailed to an out-of-state mailing address. Their eligibility to vote in the election was verified and there were no other ballots received from those voters.

There were no further questions from Council.

Motion: Council Member Haselton moved to affirm the canvass in which the votes for the annexation exceed the votes against the annexation. Council Member Dwinell made the second. Voting Yea: Council Members Baier, Dwinell, Haselton, Nadelberg and Severini. None opposed. Motion passed.

Ms. Fairbourne read the Proclamation in full declaring Ordinance 2020-10 which was the subject of a referendum petition and was approved by a majority vote to be in full force and effect as the law of the Town of Hideout.

An error was noted in the Proclamation regarding a duplicate sentence in the ballot language and would be amended accordingly. Mayor Rubin asked for a motion to approve the Proclamation.

Motion: Council Member Nadelberg moved to approve the Proclamation with the noted correction. Council Member Haselton made the second. Voting Yea: Council Members Baier, Dwinell, Haselton, Nadelberg and Severini. None opposed. Motion passed.

IV. Meeting Adjournment

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

Motion: Council Member Nadelberg moved to adjourn the meeting. Council Member Dwinell made the second. Voting Yea: Council Members Baier, Dwinell, Haselton, Nadelberg, and Severini. None opposed.

The meeting adjourned at 6:23 p.m.

Alicia Fairbourne, Town Clerk

File Attachments for Item:

1. Review and possible approval regarding the final Lakeview Estates Subdivision and Ordinance



Staff Report for Lakeview Estates Subdivision

To: Mayor Philip Rubin
Hideout Town Council

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

Re: Lakeview Estates – Recommendation of Subdivision Approval

Date: 1 December 2021

Submittals: Subdivision Plat for Lakeview Estates

Current Proposal

The Lakeview Estates subdivision (69 lots) received Final Subdivision Approval on October 8, 2020 but more than six (6) months have passed without being recorded. The Hideout Town Code, Section 11.06.36, states, “The Town Council may grant a one-time extension to the recording of the Final Plat not exceeding six (6) months; provided, that the Developer submits the request for extension prior to expiration of the Final Plat and satisfies any new Town requirements pertaining to the public health, safety and welfare.”

The Applicant missed the six-month window in which to request an extension and must now go back to the Planning Commission for Subdivision recommendation and Town Council for approval.

There are no changes proposed by the Applicant for Lakeview Estates. This project was reviewed by the Town Planner and Town Engineer in detail back in early/mid 2020 and was approved by the Town Council on October 8, 2020. This approval vested the project under the Town’s former code. The Town’s new code was not adopted until November 2020 and now the subdivision must meet the new updates to the code regarding subdivisions and development standards. However, the zoning classification (Residential Medium Density – RMD) is vested under the Town’s former code:

11.07.143: Residential Medium Density (RMD)

The RMD Classification is provided to allow for greater density near recreational facilities such as the golf course and near the Resort Villages.

1. *Permitted Uses. Permitted uses within this Zone include residential attached, town homes, timeshares and other shared ownership facilities, condominiums, apartments, flats, seasonal employee housing, recreational, trails, parks and other Resort Features.*



2. *Density per Acre. The maximum Gross Density for the RMD Zone is 6 to 20 Units per acre.*
3. *Building Height. Building heights are limited to forty-two (42) feet or 3½ Stories, whichever is greater.*
4. *Setback. Front setbacks shall be taken from the back of curb or edge of road asphalt if there is no curb. All other setbacks shall be taken from property lines. Minimum setback shall be 10 feet; the rear yard minimum shall be 20 feet and front yard minimum setback shall be 20 feet. Larger houses should be located further from roads to avoid dominating the streetscape and to provide room of sensitive grading transitions into existing slopes. Multi-unit structures should be set at the setback line to provide a more urban pedestrian environment.*

The new Town Code has updated Building and Development Standards (new Section 10 of the Town Code as of November 2020) that the subdivision must meet. The following are the applicable planning/design sections of the new Town Code:

- 10.08.06.C General Standards-Monotony Clause and 1008.08 Design Standards:
Major Subdivisions (6 lots or more) shall not have greater than twenty (20%) of the structures with the same elevation and, in no case, shall any two (2) similar structures be located adjacent to each other or directly across the street. The differentiation of each structure shall be a combination of unique roof lines, garage step-backs, entry/porch location and canopy, fenestration, building materials, and colors.
 - The Applicant has agreed to meet this requirement and a Design Review Committee (DRC) of one Town Council member (R. Severini) and one Planning Commissioner (B. Woelfle) and the Town Planner has been established to review building plan submittals.
 The subdivision meets these new requirements.
- 10.08.14 Roads and Road Requirements:
T-O Engineering reviewed the roads and confirmed the Applicant meets the Town's new road requirements (26'-0" of pavement width).
- 10.08.20 Drainage and Storm Water Facilities
T-O Engineering reviewed the proposed stormwater infrastructure and confirmed the Applicant meets the Town's new requirements.
- 10.08.34 Public Space Requirements:
Based upon the formula $(0.69 * 3)$, Lakeview Estates is required to have a minimum of 2.07 acres of public/open space. The following is an assessment of public/open space per phase:
 - Phase 1: None
 - Phase 2: 5.30 Acres with a park including a ball court (plus 1.80 acres for stormwater retention; not applicable toward public/open space calculations)
 - Phase 3: 3.10 Acres
 - The entire subdivision is connected via a trail system
 The subdivision meets these new requirements.



Conditions of Approval from the October 8, 2020 Town Council Approval

Planning Conditions:

1. Submittal of a Final Landscape Plan
2. Submittal of a final design and engineering specifications (and materials) for the retaining walls
3. Inclusion of a plat note indicating all open space and park amenities would commence construction at the start of Phase Two
4. Submittal of a final design for the park area and dog wash station (and structures)
5. Submittal of detailed trail dimensions, materials, associated landscaping, etc.
6. A dedication of land to the Town where the trail in the Jordanelle State Park could connect to Lakeview in the future (public ownership of this land would likely be necessary for a possible connection) – this dedicated area should be approximately ten feet by ten foot
7. Possible parking to be located on Parcels B and G; layout must be approved by the Town Planner and Engineer

Engineering Conditions:

1. Nate Brockbank commented lots 224 and 225 below Deer Waters needed to be restricted to single-level homes in order not to block the views of the upper lots.
2. Mr. Brockbank also stated extra parking would be constructed in lots B and G, although it was not shown on the design being presented [on October 8, 2020].

On October 8, 2020, per the minutes from the meeting, the Town Council approved 'alternating twenty- and twenty-five-foot setbacks [20' and 25'] from the back of the curb and gutter, which allowed for the reduction of retaining walls while maintaining the staggered component of the streetscape characteristic. Council Member Dwinell clarified although the statute [earlier imposed Town Council Deed Restrictions] called for setbacks to be twenty-five and thirty-feet [25' and 30'], it was approved to allow twenty- and twenty-five-foot [20' and 25'] setbacks in order to reduce the number of necessary retaining walls...'

The Deed Restrictions that were recorded on July 9, 2019 when the project was rezoned from Mountain to R-MD further restricts what is permitted under the R-MD zone and include 35' maximum height, front setbacks at 25', variation of the front elevations, no attached units, 6 units per acre maximum density and 20% open space. The project meets all of the deed restriction requirements except for the homes which have 20' front setbacks. Staff recommends that the Town Council consider amending the deed restriction to reflect the reduced setbacks based in order to achieve their October 8, 2020 approval.

Recommendation

On November 18, 2021, the Planning Commission favorably recommended approval of this Final Subdivision to Town Council. Staff recommends the Town Council review the subdivision (attached) and approve the adoption of the Lakeview Estates subdivision keeping all originally



approved conditions of approval in place and favorably recommend any necessary changes to the Deed Restrictions.

LAKEVIEW ESTATES, PHASE 1
THE TOWN OF HIDEOUT, WASATCH COUNTY, UTAH
 LYING AND SITUATE IN THE NORTHWEST QUARTER OF SECTION 17,
 TOWNSHIP 2 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN



SURVEYORS CERTIFICATE

I, David E. Hawkes, certify that I am a Professional Land Surveyor holding license number 356548 in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act and that a survey of the described tract of land has been completed by me in accordance with Section 17-23-17 and that I have verified all measurements, have placed monuments as shown hereon.

NARRATIVE

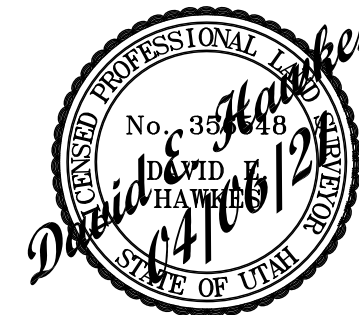
See Record of Surveys #2698 and 2888 filed with the Wasatch County Surveyor.

BOUNDARY DESCRIPTION

A parcel of land lying and situate in the Northwest Quarter of Section 17, Township 2 South, Range 5 East, Salt Lake Base and Meridian. Comprising a 2.23 acre portion of Wasatch County Tax Parcel 00-0021-8159 described in that certain Warranty Deed recorded as Entry #467739 of the Wasatch County Records. Basis of Bearing for subject parcel being GEODETIC NORTH as determined by GPS or North 89°36'36" East 5328.77 feet measured between the Northwest and Northeast Corners of said Section 17. Subject parcel being more particularly described as follows:

Commencing at the BLM 1994 aluminum cap monument monumentalizing the North Quarter Corner of said Section 17, Thence South 89°36'52" West 1309.68 feet coincident with the north line of the Northwest Quarter of said Section 17 to a point on the west sixteenth section line; Thence South 00°29'05" West 880.53 feet coincident with said sixteenth section line; Thence North 89°31'55" East 617.04 feet to a number five rebar and cap stamped "PLS 356548" and the True Point of Beginning; Thence South 21°12'35" East 63.50 feet to a number five rebar and cap stamped "PLS 356548"; Thence North 68°47'25" East 5.00 feet to a number five rebar and cap stamped "PLS 356548"; Thence South 21°12'35" East 70.00 feet to a number five rebar and cap stamped "PLS 356548"; Thence North 68°47'25" East 8.57 feet to a number five rebar and cap stamped "PLS 356548"; Thence South 18°02'55" West 119.39 feet to a number five rebar and cap stamped "PLS 356548"; Thence North 68°47'25" East 5.00 feet to a number five rebar and cap stamped "PLS 356548"; Thence South 18°02'55" West 103.90 feet to a number five rebar and cap stamped "PLS 356548"; Thence North 25°35'00" West 96.58 feet; Thence North 26°16'25" West 51.00 feet; Thence North 25°35'54" West 210.23 feet to a number five rebar and cap stamped "PLS 356548"; Thence North 12°27'05" West 38.46 feet to a number five rebar and cap stamped "PLS 356548"; Thence North 46°55'49" West 73.40 feet to a number five rebar and cap stamped "PLS 356548"; Thence North 59°42'02" East 19.86 feet to a number five rebar and cap stamped "PLS 356548"; Thence North 64°13'40" East 96.96 feet to a number five rebar and cap stamped "PLS 356548"; Thence North 89°31'55" East 161.51 feet to the point of beginning.

Contains 97,177 sq. ft. or 2.23 acres and 10 Lots.



OWNERS DEDICATION

Known all men by these presents that we, the undersigned owners of the above described tract of land having caused the same to be subdivided into lots and streets as shown on this plat and name said tract **LAKE VIEW ESTATES, PHASE 1**, and hereby dedicate, grant and convey to The Town of Hideout, Utah, all those parts or portions of said tract of land designated as streets, and all Common Space as easements for public utility and drainage purposes, in witness we have hereunto set our signatures.

Signed this _____ day of _____, 2021.

Holmes Lakeview Estates, L.L.C.
 BY: _____

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
 COUNTY OF }

On the _____ day of _____, 2021, personally appeared before me, the undersigned Notary, in and for said County of _____ in said State of Utah, the signers of the above Owner's Dedication, _____ (_____) in number, who duly acknowledged to me that they signed it freely and voluntarily for the purposes therein mentioned.

Notary Public _____ My Commission Expires _____

WASATCH COUNTY RECORDER

ENTRY NUMBER _____

FEE PAID _____
 FILED FOR RECORD AND RECORDED THIS _____

DAY OF _____, 2021, IN BOOK _____, AT PAGE _____ OF THE
 OFFICIAL RECORDS.

DEPUTY COUNTY RECORDER _____

APPROVAL AS TO FORM

Approved this _____ day of _____, 2021
 by the Hideout Town Attorney

 Attorney, The Town of Hideout

THE TOWN OF HIDEOUT ENGINEER

Approved this _____ day of _____, 2021.
 with the following conditions _____

 Director, Engineering Department

**THE TOWN OF HIDEOUT
 PLANNING COMMISSION APPROVAL**

This is to certify that this subdivision plat was duly
 approved by the Hideout Town Planning Commission on
 the _____ day of _____, 2021.

 Chairman, Planning Commission

ADMINISTRATIVE APPROVAL

The Town of Hideout approves this subdivision and hereby
 accepts the dedication of all easements for public purposes for
 the perpetual use of the public.

this _____ day of _____, 2021.

Subject to the following conditions: _____

Attest: _____ Mayor: _____

WASATCH COUNTY SURVEYOR

Approved this _____ day of _____, 2021
 by the Wasatch County Surveyor.
 Record of Survey Number 2888

 Wasatch County Surveyor

LAKEVIEW ESTATES, PHASE 2
THE TOWN OF HIDEOUT, WASATCH COUNTY, UTAH
 LYING AND SITUATE IN THE NORTHWEST QUARTER OF SECTION 17,
 TOWNSHIP 2 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN

BASIS OF BEARING
 N89°36'36"E 5328.77' (Meas.)
 S89°36'52"W 2619.54' (Meas.)
 1309.68'

N89°36'26"E 2709.23' (Meas.)
 N89°33'19"E 2709.14' (ROS 1544)
 N89°33'17"E 2709.14' (ROS 2041)
 N89°36'14"E 2709.06' (ROS 2698)

North Quarter Corner Section 17,
 Township 2 South, Range 5 East,
 Salt Lake Base and Meridian.
 Fnd. Alum. Cap Monument, BLM 1994.

Northeast Corner Section 17,
 Township 2 South, Range 5 East,
 Salt Lake Base and Meridian.
 Fnd. Brass Cap Monument,
 Wasatch Co. Eng. Assoc. 1973

Northwest Corner Section 17,
 Township 2 South, Range 5
 East, Salt Lake Base and
 Meridian.
 Fnd. Alum. Cap Monument
 BLM 1994.

7 8
 18 17 1309.86'

S00°29'05"W
 880.53'

P.O.B.
 10.00' x 10.00' sq. ft.
 Parcel H
 Stamped "PLS 356548"
 10.00' x 10.00' sq. ft.

20.00' Wide
 Utility Easement
 Entry #248032
 Book 573
 Page 737

DEER WATERS
 PHASE 1
 N89°31'55"E 348.45'

LOT 225
 9,480 sq. ft.

LOT 224
 9,579 sq. ft.

LOT 223
 8,477 sq. ft.

LOT 222
 6,322 sq. ft.

LOT 221
 6,302 sq. ft.

LOT 220
 6,255 sq. ft.

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 6,128 sq. ft.

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 5,908 sq. ft.

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 6,896 sq. ft.

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 7,140 sq. ft.

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 6,877 sq. ft.

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 6,075 sq. ft.

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LOT 23
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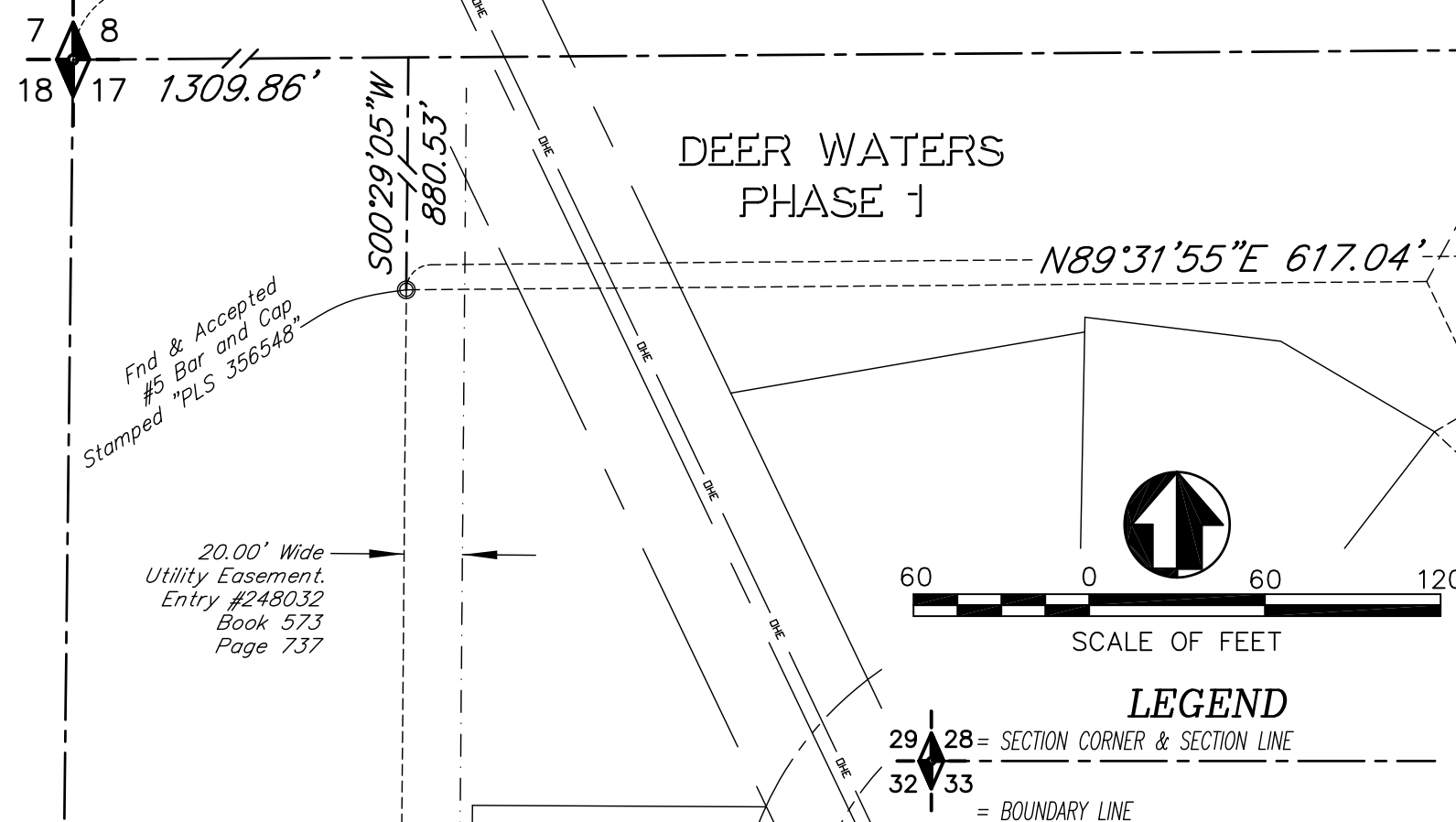
LOT 22
 6,299 sq. ft.

LAKEVIEW ESTATES, PHASE 3
THE TOWN OF HIDEOUT, WASATCH COUNTY, UTAH
 LYING AND SITUATE IN THE NORTHWEST QUARTER OF SECTION 17,
 TOWNSHIP 2 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN

BASIS OF BEARING
 N89°36'36"E 5328.77' (Meas.)
 S89°36'52"W 2619.54' (Meas.)
 1309.68'

Northwest Corner Section 17,
 Township 2 South, Range 5
 East, Salt Lake Base and
 Meridian.
 Fnd. Alum. Cap Monument
 BLM 1994.

PLAT NOTE:
 All open space areas are Public
 Utility Easements.



RADIAL LINE TABLE	
LINE	BEARING
R26	N61°44'11"E
R27	N50°08'55"E
R28	N38°56'50"E
R29	N32°27'10"E
R30	N21°09'49"E
R31	N08°47'50"E
R32	S57°28'06"W
R33	S77°56'52"W
L34	S61°15'04"W
L35	S73°10'08"W
L36	S76°43'24"W
L37	S88°43'38"W

RADIAL LINE TABLE		
LINE	LENGTH	BEARING
R1	20.00'	S58°28'44"W
R2	24.00'	N58°28'44"E
R3	22.00'	S57°25'30"W
R4	24.00'	N52°51'20"E
R5	22.00'	S52°51'20"W
R6	24.00'	N15°45'47"E
R7	22.00'	S15°45'47"W
R8	25.50'	N51°31'16"W
R9	25.50'	N51°31'16"W
R10	25.50'	S57°17'22"E
R11	20.00'	S57°17'22"E
R12	25.50'	S57°28'06"W
R13	25.50'	N57°28'06"E
R14	25.50'	S57°28'06"W
R15	25.50'	N57°28'06"E
R16	25.50'	N89°51'27"W
R17	25.50'	S89°51'27"E
R18	25.50'	N89°51'27"W
R19	25.50'	N89°51'27"W
R20	25.50'	S00°33'08"E
R21	25.50'	N00°33'08"W
R22	25.50'	N00°33'08"W
R23	25.50'	S00°33'08"E
R24	25.50'	N64°25'00"E
R25	25.50'	S64°25'00"W

N89°36'26"E 2709.23' (Meas.)
 N89°33'19"E 2709.14' (ROS 1544)
 N89°33'17"E 2709.14' (ROS 2041)
 N89°36'14"E 2709.06' (ROS 2696)

North Quarter Corner Section 17,
 Township 2 South, Range 5 East,
 Salt Lake Base and Meridian.
 Fnd. Alum. Cap Monument, BLM 1994.

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	24.44'	20.00'	70°00'00"
C2	217.51'	175.50'	71°00'38"
C3	185.91'	150.00'	71°00'38"
C4	170.80'	150.00'	65°14'32"
C5	15.10'	150.00'	04°46'06"
C6	143.54'	124.50'	66°03'29"
C7	40.04'	20.00'	114°42'52"
C8	6.48'	123.00'	03°01'15"
C9	79.63'	123.00'	37°05'32"
C10	21.49'	325.50'	03°46'58"
C11	67.71'	325.50'	11°55'04"
C12	20.19'	325.50'	03°33'16"
C13	68.19'	325.50'	12°00'14"
C14	8.04'	325.50'	01°24'55"
C15	23.74'	15.00'	90°41'41"
C16	23.38'	15.00'	89°18'19"
C17	58.42'	274.50'	12°11'40"
C18	98.12'	274.50'	20°28'47"
C19	80.18'	274.50'	16°44'06"
C20	97.21'	274.50'	20°17'29"
C21	97.21'	274.50'	20°17'29"
C22	36.66'	274.50'	07°39'05"
C23	15.23'	325.50'	02°40'49"
C24	65.83'	325.50'	11°35'15"
C25	63.64'	325.50'	11°12'05"
C26	36.90'	325.50'	06°29'40"
C27	64.13'	325.50'	11°17'21"
C28	70.26'	325.50'	12°21'59"
C29	53.12'	325.50'	09°20'58"

LINE TABLE		
LINE	LENGTH	BEARING
L1	22.46'	S38°28'44"W
L2	22.46'	S38°28'44"W
L3	49.91'	S89°26'52"W
L4	5.00'	N00°33'08"W
L5	5.04'	N00°33'08"W
L6	5.08'	N16°10'57"E
L7	5.08'	N36°28'26"E
L8	5.00'	N56°45'55"E
L9	4.33'	N64°25'00"E
L10	38.42'	N25°35'00"W
L11	5.00'	S57°28'06"W
L12	4.94'	S78°50'41"W
L13	43.55'	N25°35'00"W
L14	65.00'	N25°35'00"W
L15	25.68'	S89°31'55"W
L16	28.01'	N89°31'55"E
L17	25.50'	S89°51'27"E
L18	25.50'	N89°51'27"W
L19	25.69'	S71°23'03"W
L20	25.69'	N71°23'03"E
L21	7.86'	S16°19'09"W
L22	23.67'	S25°38'51"E
L23	65.00'	S25°38'51"E

PREPARED BY:
Boundary Consultants
 Professional Land Surveyors
 5554 West 2425 North,
 Hooper, Utah, 84315
 801-792-1569
 dave@boundaryconsultants.biz

PREPARED FOR:
 DEER WATERS LLC.
 2265 East Murray Holladay Road
 Holladay, Utah 84117
 801-268-6070

SHEET 1 OF 2

SURVEYORS CERTIFICATE

I, David E. Hawkes, certify that I am a Professional Land Surveyor holding license number 356548 in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act and that a survey of the described tract of land has been completed by me in accordance with Section 17-23-17 and that I have verified all measurements, have placed monuments as shown hereon.

NARRATIVE

See Record of Surveys #2698 and 2888 filed with the Wasatch County Surveyor.

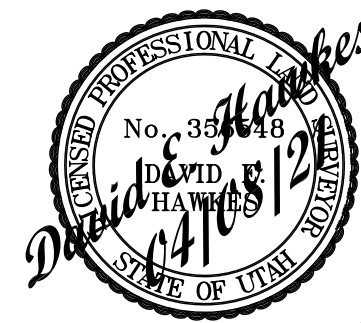
BOUNDARY DESCRIPTION

A parcel of land lying and situate in the Northwest Quarter of Section 17, Township 2 South, Range 5 East, Salt Lake Base and Meridian. Comprising the remaining 11.68 acre portion of Wasatch County Tax Parcel 00-0021-8159 described in that certain Warranty Deed recorded as Entry #467738 of the Wasatch County Records. Basis of Bearing for subject parcel being GEODETIC NORTH as determined by GPS or North 89°36'36" East 617.04 feet to the True Point of Beginning; Thence North 89°31'55" East 617.04 feet to the True Point of Beginning; Thence North 89°31'55" East 518.45 feet coincident with the south boundary of Deer Waters Phase 2 Subdivision; Thence South 00°08'33" West 877.42 feet; Thence South 89°26'52" West 620.91 feet; Thence the following six (6) courses coincident with the boundary of Lakeview Estates Phase 2, 1) North 25°35'00" West 188.57 feet; 2) South 64°25'00" West 5.00 feet; 3) North 71°23'03" East 51.38 feet; 6) North 64°25'00" East 90.67 feet to a point on the boundary of Lakeview Estates Phase 1; Thence the following eleven (11) courses coincident with said Phase 1, 1) South 25°35'00" East 26.58 feet; 2) North 64°38'28" East 103.90 feet; 3) North 18°02'55" East 119.39 feet; 4) South 77°08'51" East 22.09 feet; 5) North 10°00'39" West 125.81 feet; 6) South 68°47'25" West 8.57 feet; 7) North 21°12'35" West 70.00 feet; 8) North 68°47'25" East 5.00 feet; 9) North 21°12'35" West 70.00 feet; 10) South 68°47'25" West 5.00 feet; 11) North 21°12'35" West 63.50 feet to the point of beginning.

Commencing at the BLM 1994 aluminum cap monument monumentalizing the North Quarter Corner of said Section 17, Thence South 89°36'52" West 1309.68 feet coincident with the north line of the Northwest Quarter of said Section 17 to a point on the west sixteenth section line; Thence South 00°29'05" West 880.53 feet coincident with said sixteenth section line to a number five rebar and cap stamped "PLS 356548"; Thence North 89°31'55" East 617.04 feet to the True Point of Beginning;

Thence North 89°31'55" East 518.45 feet coincident with the south boundary of Deer Waters Phase 2 Subdivision; Thence South 00°08'33" West 877.42 feet; Thence South 89°26'52" West 620.91 feet; Thence the following six (6) courses coincident with the boundary of Lakeview Estates Phase 2, 1) North 25°35'00" West 188.57 feet; 2) South 64°25'00" West 5.00 feet; 3) North 71°23'03" East 51.38 feet; 6) North 64°25'00" East 90.67 feet to a point on the boundary of Lakeview Estates Phase 1; Thence the following eleven (11) courses coincident with said Phase 1, 1) South 25°35'00" East 26.58 feet; 2) North 64°38'28" East 103.90 feet; 3) North 18°02'55" East 119.39 feet; 4) South 77°08'51" East 22.09 feet; 5) North 10°00'39" West 125.81 feet; 6) South 68°47'25" West 8.57 feet; 7) North 21°12'35" West 70.00 feet; 8) North 68°47'25" East 5.00 feet; 9) North 21°12'35" West 70.00 feet; 10) South 68°47'25" West 5.00 feet; 11) North 21°12'35" West 63.50 feet to the point of beginning.

Contains 508,811 sq. ft. or 11.68 acres and 34 Lots.



OWNERS DEDICATION

Known all men by these presents that we, the undersigned owners of the above described tract of land having caused the same to be subdivided into lots and streets as shown on this plat and name said tract **LAKEVIEW ESTATES, PHASE 2**, and hereby dedicate, grant and convey to The Town of Hideout, Utah, all those parts or portions of said tract of land designated as streets, and all Open Space areas as easements for public utility and drainage purposes, in witness we have hereunto set our signatures.

Signed this _____ day of _____, 2021.

Holmes Lakeview Estates, L.L.C.
 BY: _____

ACKNOWLEDGMENT

STATE OF UTAH
 COUNTY OF _____ } S.S.

On the _____ day of _____, 2021, personally appeared before me, the undersigned Notary, in and for said County of _____, in said State of Utah, the signers of the above Owner's Dedication, _____ (_____) in number, who duly acknowledged to me that they signed it freely and voluntarily for the purposes therein mentioned.

Notary Public _____ My Commission Expires _____

CONSENT TO RECORD

As the adjacent land owner, UNITED STATES OF AMERICA BUREAU OF RECLAMATION concurs with the survey and common property line shown on this plat and consents to recording.

Signed this _____ day of _____, 2021.

United States of America Bureau of Reclamation

BY: _____

TITLE: _____

WASATCH COUNTY RECORDER

ENTRY NUMBER _____

FEE PAID _____
 FILED FOR RECORD AND RECORDED THIS

DAY OF _____, 2021, IN BOOK _____, AT PAGE _____ OF THE
 OFFICIAL RECORDS.

DEPUTY COUNTY RECORDER _____

APPROVAL AS TO FORM

Approved this _____ day of _____, 2021
 by the Hideout Town Attorney

Attorney, The Town of Hideout

THE TOWN OF HIDEOUT ENGINEER

Approved this _____ day of _____, 2021.
 with the following conditions _____

Director, Engineering Department

**THE TOWN OF HIDEOUT
 PLANNING COMMISSION APPROVAL**

This is to certify that this subdivision plat was duly
 approved by the Hideout Town Planning Commission on
 the _____ day of _____, 2021.

Chairman, Planning Commission

ADMINISTRATIVE APPROVAL

The Town of Hideout approves this subdivision and hereby
 accepts the dedication of all easements for public purposes for
 the perpetual use of the public.

this _____ day of _____, 2021.

Subject to the following conditions: _____

Attest: _____ Mayor: _____

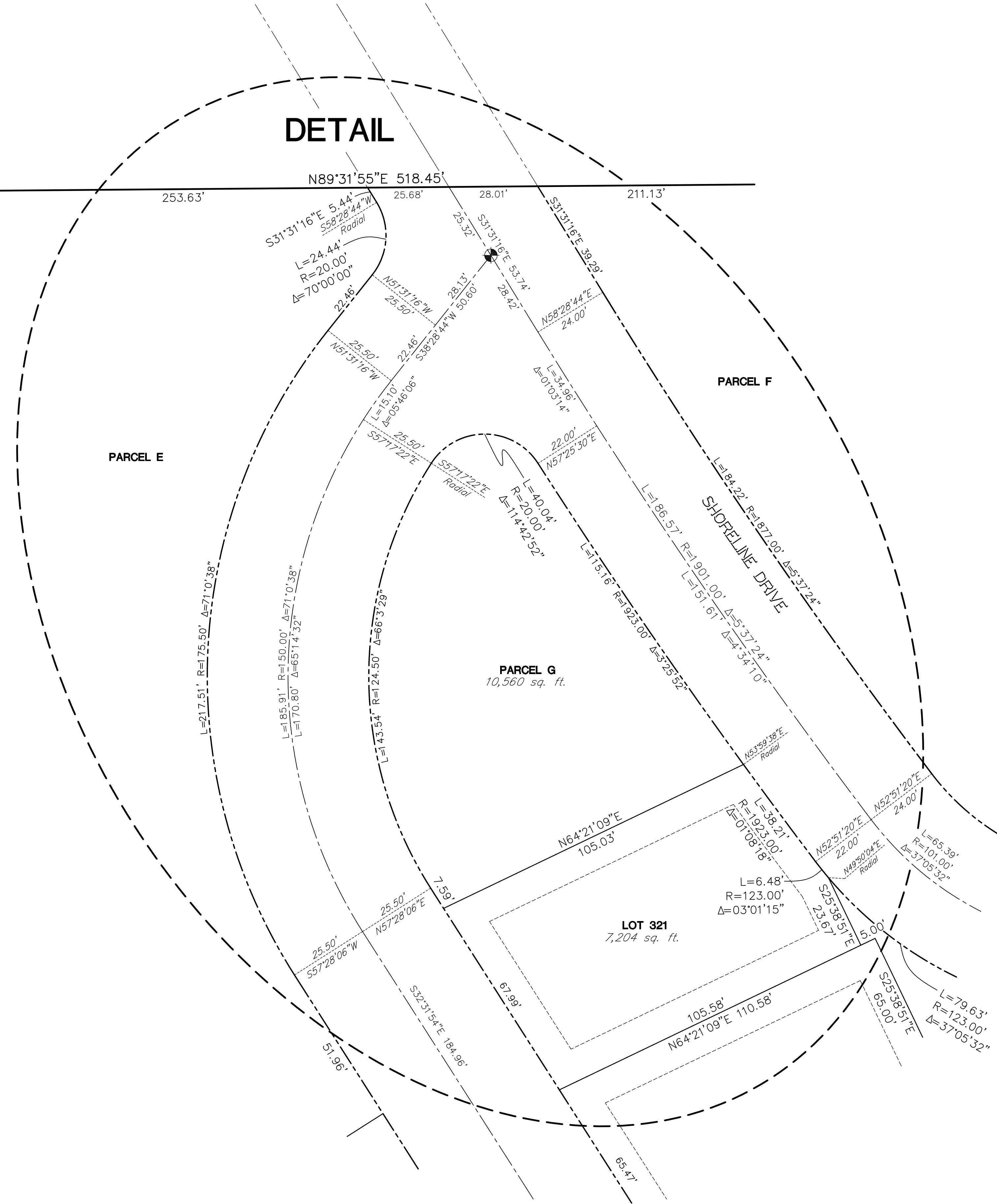
WASATCH COUNTY SURVEYOR

Approved this _____ day of _____, 2021
 by the Wasatch County Surveyor.
 Record of Survey Number 2888

Wasatch County Surveyor

LAKEVIEW ESTATES, PHASE 3
THE TOWN OF HIDEOUT, WASATCH COUNTY, UTAH
LYING AND SITUATE IN THE NORTHWEST QUARTER OF SECTION 17,
TOWNSHIP 2 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN

DETAIL



ADDRESS TABLE	
LOT	ADDRESS
301	472 EAST KAYAK DRIVE
302	476 EAST KAYAK DRIVE
303	482 EAST KAYAK DRIVE
304	488 EAST KAYAK DRIVE
305	492 EAST KAYAK DRIVE
306	496 EAST KAYAK DRIVE
307	502 EAST KAYAK DRIVE
308	508 EAST KAYAK DRIVE
309	512 EAST KAYAK DRIVE
310	518 EAST KAYAK DRIVE
311	524 EAST KAYAK DRIVE
311	11617 NORTH DEEPWATER DRIVE
312	11614 NORTH DEEPWATER DRIVE
313	11626 NORTH DEEPWATER DRIVE
314	11642 NORTH DEEPWATER DRIVE
315	11654 NORTH DEEPWATER DRIVE
316	11668 NORTH DEEPWATER DRIVE
317	11682 NORTH DEEPWATER DRIVE
318	11698 NORTH DEEPWATER DRIVE
319	11712 NORTH DEEPWATER DRIVE
320	11726 NORTH DEEPWATER DRIVE
321	11744 NORTH DEEPWATER DRIVE
322	11731 NORTH DEEPWATER DRIVE
323	11717 NORTH DEEPWATER DRIVE
324	11701 NORTH DEEPWATER DRIVE
325	11677 NORTH DEEPWATER DRIVE
326	11663 NORTH DEEPWATER DRIVE
327	11647 NORTH DEEPWATER DRIVE
327	523 EAST KAYAK DRIVE
328	519 EAST KAYAK DRIVE
329	513 EAST KAYAK DRIVE
330	505 EAST KAYAK DRIVE
331	497 EAST KAYAK DRIVE
332	487 EAST KAYAK DRIVE
333	479 EAST KAYAK DRIVE
334	473 EAST KAYAK DRIVE

20 0 20 40
SCALE OF FEET

LEGEND

29 28 = SECTION CORNER & SECTION LINE
32 33 = BOUNDARY LINE

= LOT LINE

= RIGHT OF WAY LINES

= ROAD CENTER LINES

= 50.00' POWER LINE EASEMENT

= 15.00' UTILITY EASEMENT

= 20.00' UTILITY EASEMENT

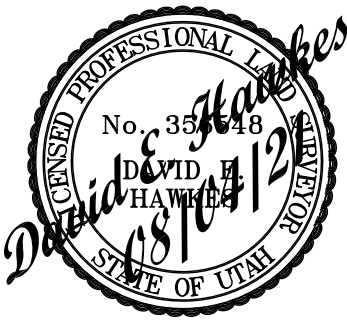
= DIMENSION LINES

● = SET #5 REBAR AND CAP STAMPED "PLS 356548"

○ = FOUND EVIDENCE AS NOTED

-OA = OVER ALL DISTANCE

(R) = RADIAL BEARING



SHEET 2 OF 2

WASATCH COUNTY RECORDER

ENTRY NUMBER _____

FEE PAID _____
FILED FOR RECORD AND RECORDED THIS _____

DAY OF _____ 2021, IN BOOK _____, AT PAGE _____ OF THE
OFFICIAL RECORDS.

DEPUTY COUNTY RECORDER _____

File Attachments for Item:

2. Review and possible approval of the Deer Waters Phase 4 Subdivision and Ordinance



Staff Report for Ratification for Deer Waters Phase 4 Subdivision

To: Mayor Philip Rubin
Town of Hideout Council

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

Re: Deer Waters Phase 4 –Phase 4 Subdivision Approval (after expiration)

Date: 1 December 2021

Submittals: Subdivision Plat for Phase 4

The Deer Waters Phase 4 subdivision received Final Plat Approval on April 8, 2021 for Phases 3 and 4. Phase 3 was recorded on May 7, 2021 but Phase 4 was delayed and as of October 8, 2021, more than six (6) months had passed without being recorded. The Hideout Town Code, Section 11.06.36, states, “The Town Council may grant a one-time extension to the recording of the Final Plat not exceeding six (6) months; provided, that the Developer submits the request for extension prior to expiration of the Final Plat and satisfies any new Town requirements pertaining to the public health, safety and welfare.”

The Applicant missed the six-month window in which to request an extension and must now go back to the Planning Commission for Subdivision recommendation and Town Council for approval.

There are no changes proposed by the Applicant for Deer Waters Phase 4 and there have been no changes to the Town requirements pertaining to the public health, safety and welfare which would apply to this application. Phase 4 is subject to the vested code based on the MDA which was recorded on September 18, 2017

The MDA requires the dedication of the JSSD parcel upon recordation of the final plat to the town. A portion of that parcel shall be included in the final plat as Shoreline Drive.

- This should be clearly noted and included on the final plat for recordation.

On November 18, 2021, the Planning Commission forwarded a positive recommendation for this subdivision to Town Council. Staff is recommending the Town Council review and approve the Final Subdivision for Deer Waters Phase 4. This project was reviewed by the Town Planner and Town Engineer in detail back in March/April 2021 and will not be formally reviewed by the Town Planner or Town Engineer this round since no changes are proposed.

CONSTRUCTION NOTES

1. BENCH: DuMor Bench 56 model number 56-60D as manufactured by DuMor, 800.598.4018 and made available from Sonntag Recreation LLC, 4245 Panorama Cir S, Holladay, UT 84124 801.278.9797. 6' Douglas Fir, Color BLACK TEXTURED metal finish. Embedment S-1 mount, see detail. Install and anchor per manufacturer's specification, or approved equal. Provide THREE (3) at playground and ONE (1) at the pickleball court.
2. ENGINEERED WOOD FIBER AND DRAIN SYSTEM: Twelve (12) inch deep engineered wood fiber as manufactured by Fibar Systems and available from Great Western Park and Playground, P.O. Box 97, Wellsville, Utah 84339, 800-453-2735. Install per specifications provided by the manufacturer.
3. PICNIC TABLES: DuMor Bench 75 model number 75-60D as manufactured by DuMor, 800.598.4018 and made available from Sonntag Recreation LLC, 4245 Panorama Cir S, Holladay, UT 84124 801.278.9797. 6' Douglas Fir, Color BLACK TEXTURED metal finish or approved equal. Embedment S-1 mount, see detail. Install and anchor per manufacturer's specification on 10x10 concrete pad. Provide TWO (2) location per plan.
4. PICKLEBALL COURTS: 4 inch thick concrete. 4 ft. tall black vinyl chain link fence as shown on plan; court surfacing shall be concrete with painted striping for basketball and pickleball courts. Provide and install net posts for pickleball. Provide net.
5. BIKE RACK: Model number 83-00/S-1. Powder coated bike rack with embedment mount as manufactured by DuMor, 800.598.4018 and made available from Sonntag Recreation LLC, 4245 Panorama Cir S, Holladay, UT 84124 801.278.9797. Color: Textured black. Provide and install four (4)
6. DRINKING FOUNTAIN: Model 400 SM. Manufactured by Most Dependable Fountains 901.867.0039 and made available from Great Western Park and Playground, P.O. Box 97, Wellsville, Utah 84339, 800-453-2735. Install per specifications provided by the manufacturer. Color: Textured black

KEY	PLANT TYPE	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
A	Trees*	Acer grandidentatum	Bigtooth Maple	10 gal.	

Native Grasses Seed Mix

KEY	BOTANICAL NAME	COMMON NAME	PLS lbs./acre
As labeled on the plan and noted in Planting Note #2	Achnatherum hymenoides	Indian Rice Grass	4.0
	Pascopyrum smithii	Western Wheatgrass	5.0
	Bromus marginatus	Mountain Brome	6.0
	Festuca idahoensis	Idaho Fescue	1.0
	Lolium perenne	Perennial Ryegrass	2.5
	Sorghastrum nutans	Indiangrass	2.0

Planting Notes

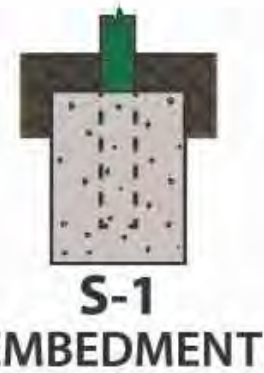
1. Backfill for all planting pits shall be native material excavated from the pit
 2. All areas of site, outside of streets, buildings, driveways, and walks are to be seeded per note 7 below.
- Hydroseed Notes:**
3. Remove any existing grass, vegetation or weeds and legally dispose of such material.
 4. Loosen topsoil in seeded areas to a minimum depth of four (4) inches. Remove stones over 1 1/2" in any dimension, sticks, roots, and other extraneous material.
 5. Rake area to a relatively smooth grade to avoid pitfalls and surface puddling. The area is intended to look natural, but the surface should be free of walking hazards.
 6. Apply soil amendments and fertilizers as specified.
 7. Hydro-seed designated areas with the seed mix as specified at the rates specified. Seeds are available from Granite Seed, Lehi, Utah, 801.768.4422.
 8. The native grass areas are not irrigated. Seed after October 15 as weather permits. Apply hydro-seed when ground is bare of snow and is not frozen. Owner will approve timing of seed application. The goal is to seed at the optimal time before winter so that maximum germination can occur with natural moisture. The grass mix's viability will partially depend on the next season's weather. Re-seeding may be necessary the following autumn.



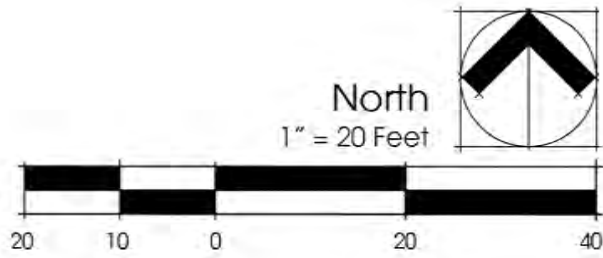
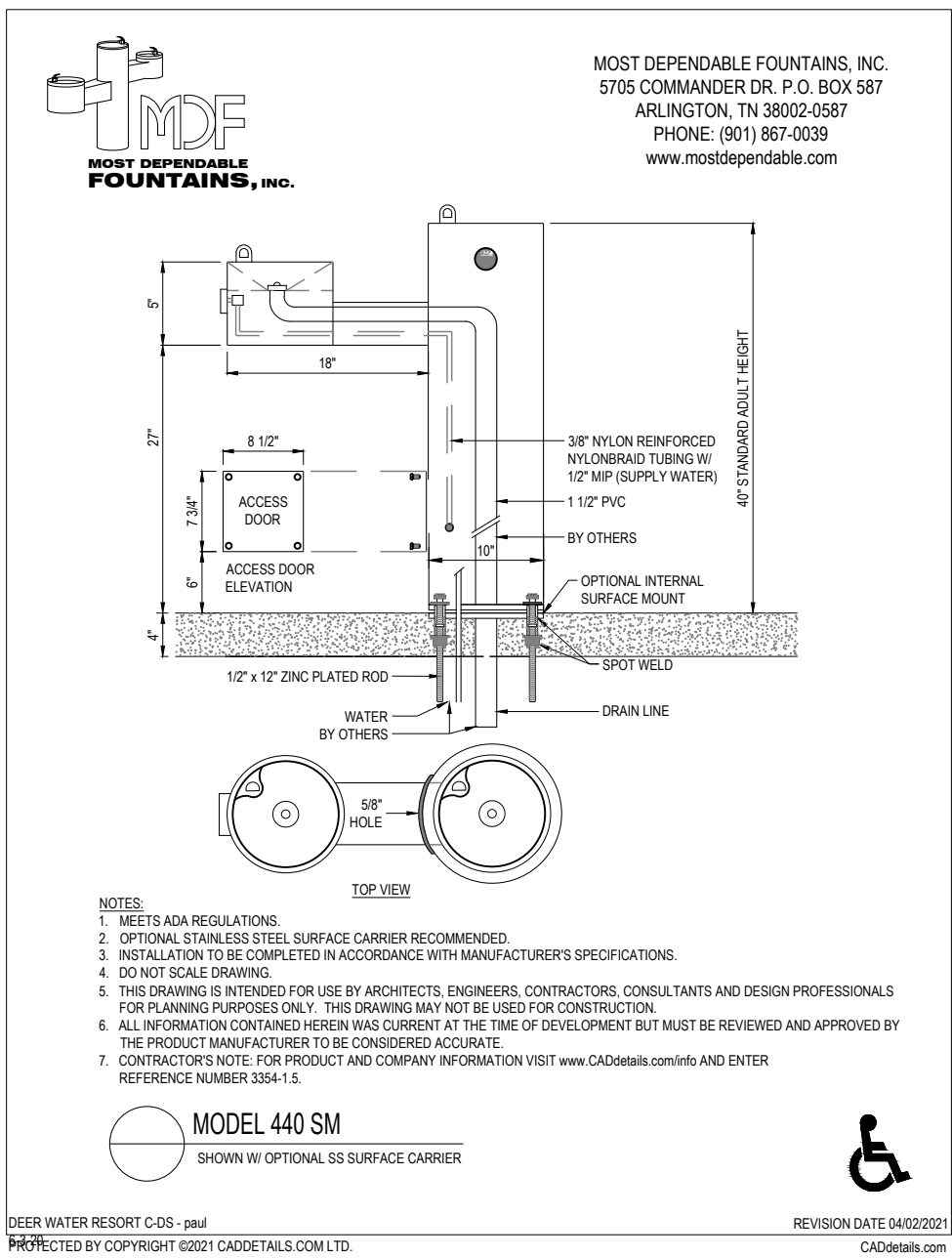
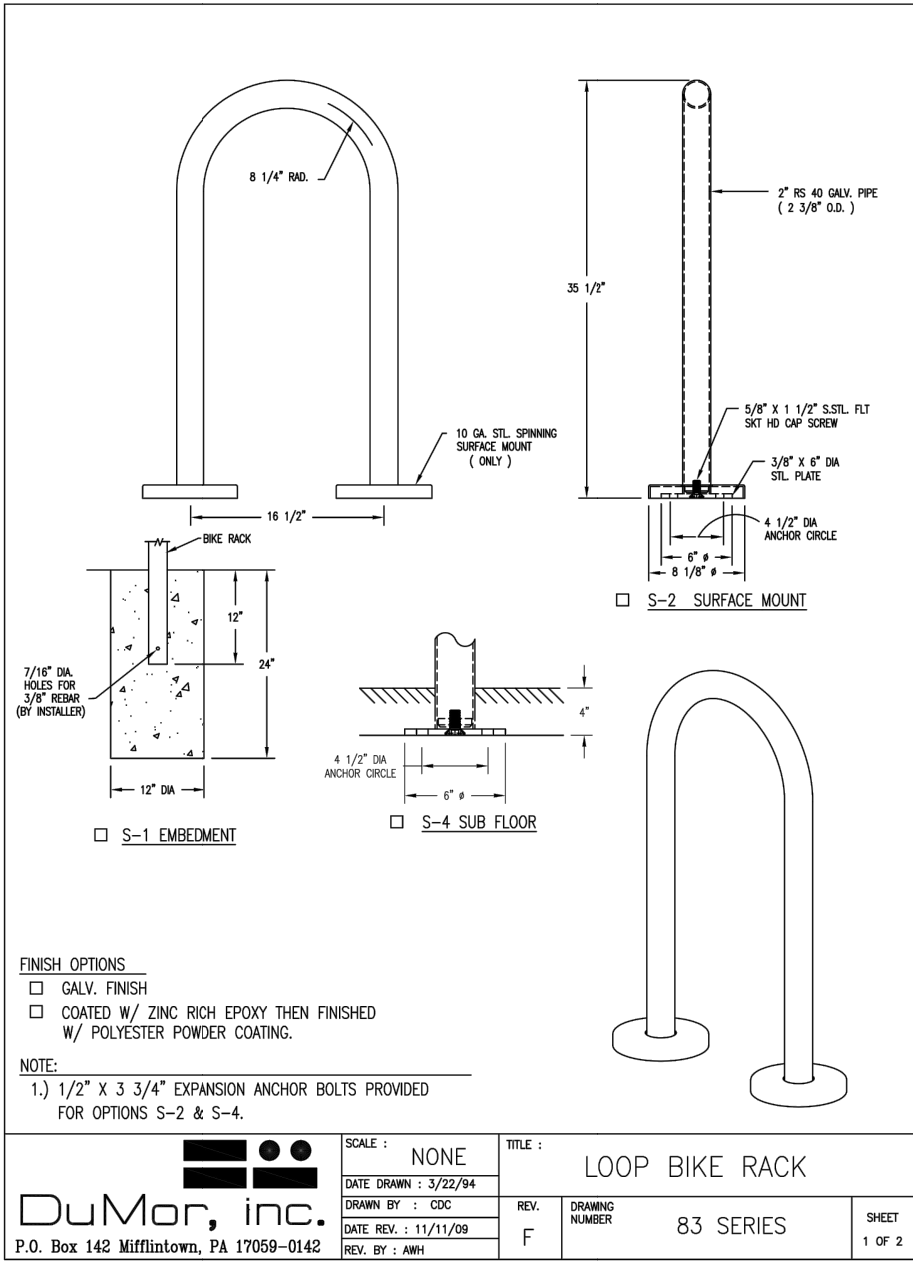
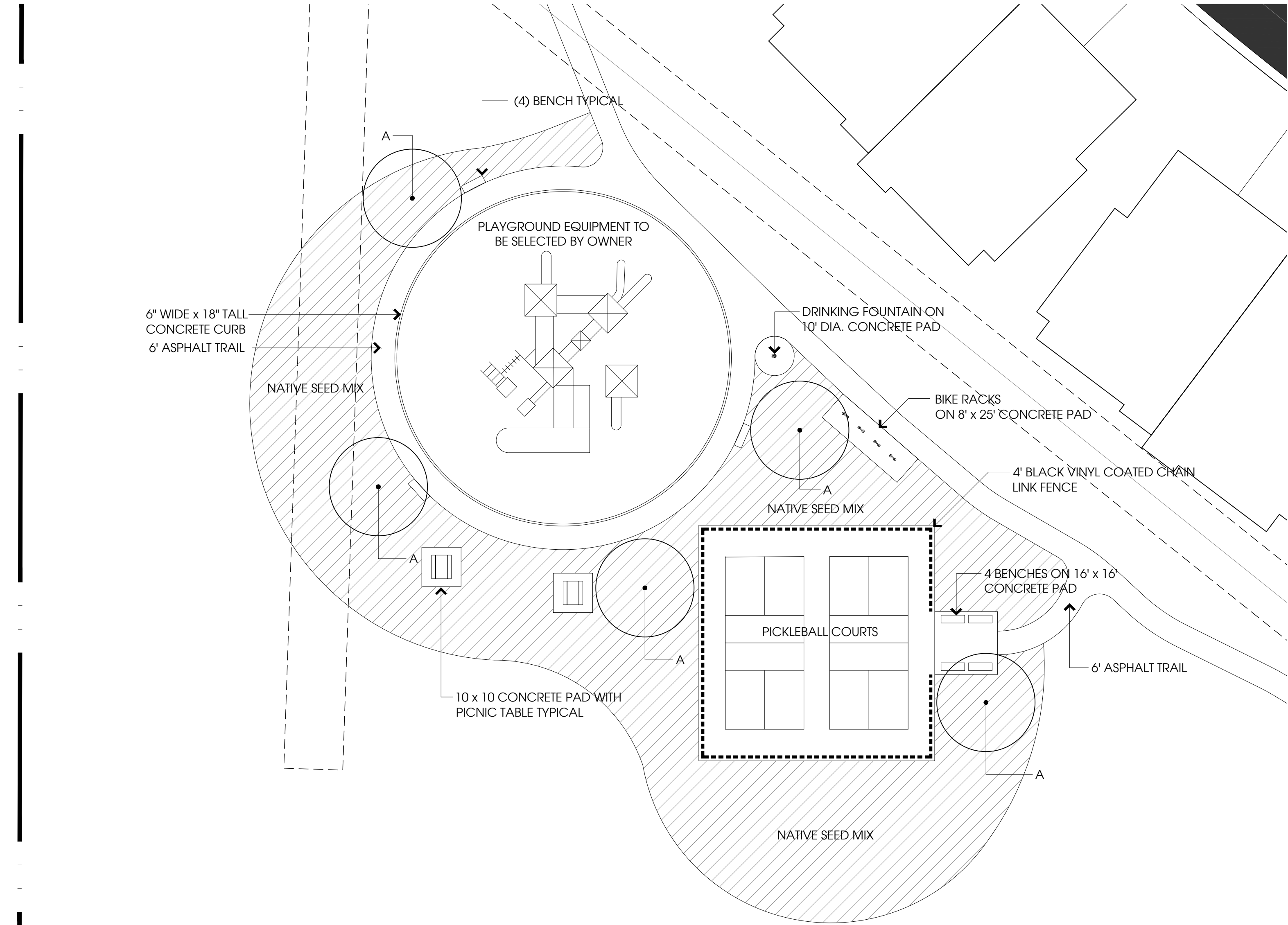
DUMOR BENCH



DUMOR PICNIC TABLE



ANCHOR DETAIL



Planting Plan: PHASE FOUR PARK

DEER WATER RESORT

Hideout, Utah

Sugar Plum Homes · 2265 E. Murray Holladay Road · Holladay, Utah



R. MICHAEL KELLY CONSULTANTS

Land Planning | Landscape Architecture

P.O. Box 469 Millville, Utah 84326 | (435)770-7312 | rmkellyconsultants@comcast.net

Ordinance 2021-O-17**AN ORDINANCE APPROVING THE DEER WATERS
PHASE 4 SUBDIVISION,
LOCATED IN HIDEOUT, UTAH**

WHEREAS, owners of the property known as Deer Waters Subdivision, located in Hideout, Utah, have petitioned the Town Council for approval of final subdivision plats; and

WHEREAS, legal notice of the public hearing was initially published in the Park Record on March 6, 2021 and on the Utah Public Notice website on March 8, 2021 according to the requirements of the Hideout Municipal Code; and

WHEREAS, the Planning Commission held a public hearing on March 18, 2021 to receive input on the proposed subdivision plats (Phase 3 and 4); and

WHEREAS, the Planning Commission, on March 18th conducted a public hearing and forwarded a positive recommendation (Phase 3 and 4) to the Town Council; and

WHEREAS, on April 8, 2021 Town Council held a public hearing on the subdivision plats (Phase 3 and 4) and approved both phases; and

WHEREAS, the Applicant did not record the Phase 4 plat within the required six (6) month timeline per Town Code and must re-apply for approval of the Phase 4 plat; and

WHEREAS, legal notice of the public hearing was published on the Utah Public Notice website on November 8th, 2021 according to the requirements of the Hideout Municipal Code and also published on the Town of Hideout's website and posted at three physical locations around Town; and

WHEREAS, the Planning Commission held a public hearing on November 18, 2021 to receive input on the proposed subdivision plat; and

WHEREAS, the Planning Commission held a public hearing on November 18, 2021 and forwarded a positive recommendation to Town Council for the proposed subdivision plat; and

WHEREAS, on December 9, 2021 the Hideout Town Council held a public hearing on the subdivision plat (Phase 4); and

WHEREAS, it is in the best interest of Hideout, Utah to approve the Deer Waters Phase 4 Subdivision plat in that this subdivision plat is intended to comply with the Hideout Municipal Code and the Technical Reports prepared by the Town Staff as well as all other recorded agreements.

NOW, THEREFORE BE IT ORDAINED 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 are approved subject to the following findings of fact, conclusions of law, and conditions of approval which are generally the same as those approved by the Town Council on April 8, 2021:

Findings of Fact

1. The Phase 4 subdivision plat was previously approved by the Planning Commission and Town Council (April 8, 2021) but expired prior to plat recordation. The currently proposed Phases 4 is the same land area and unit mix as the originally approved Phase 4
2. The property is located within the Town of Hideout along Shoreline Drive.
3. For Phase 4, the total plat area is approximately 5.77 acres and includes 22 lots.
4. Zoning for the property is primarily Mountain Residential (MR).
5. The Town of Hideout entered into a Master Development Agreement (MDA) with the developer on September 18, 2017. The originally approved density was 54 units; the Town and the developer informally negotiated a reduction of ten (10) units in October 2020. The proposed subdivision plats reflect this reduction and the total permitted density is 44 lots (units).
6. A park is proposed on the southwest corner of Phase 4.
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 existing road alignment or uses associated with this plat.
9. The final plats are required to be approved and signed by the Jordanelle Special Services District prior to recordation to ensure that requirements of the District are addressed.
10. Snow storage areas have been delineated on the plats.
11. Each Phase will have a separate final subdivision plat associated with it.

Conclusions of Law

1. The subdivision plat, as conditioned, complies with Hideout Municipal Code, Title 12 and the 2017 Master Development Agreement.
2. The subdivision plat, 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 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 plat, 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 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. 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.
4. 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.

5. All approved public trails, consistent with the Master Development Agreement and the Parks Open Space & Trails (POST) Plan, shall be shown on the plats.
6. 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 Ordinance 2021-O-17.
 - b. 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.
 - c. A fire protection and emergency access plan shall be submitted and approved by the Wasatch County Fire District prior to the issuance of any building permits.
 - d. The property is located within a water source protection zone. All sewer construction must comply with State of Utah drinking water regulations.
 - e. 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.
 - f. Existing public trails are agreed, by the recording of this plat, to be within ten (10') foot public trail easements and are subject to reasonable relocation by the Owner subject to Town Planner approval.
7. All streets are indicated at 26'-0" wide (23'-0" of asphalt plus curb and gutter). The Applicant agreed to meet the current Town Code requirements (26'-0" of asphalt plus curb and gutter); and a paved bike lane shall be incorporated into all new streets per Town code.
8. The Applicant has proposed offstreet visitor parking at four (4) locations throughout the development area (Phase 3 and Phase 4). These four (4) areas contain thirteen (13) parking spaces as per the plan set. The Applicant will incorporate between four and six additional parking spaces along Road D per Town Planner review.
9. Sheets G1.10 and G1.11 of the construction plan set should be updated to include 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.
10. Park/Playground: The park must be completed by October 31, 2022 (this has been extended from the November 30, 2021 date that was included in the April 8, 2021 Ordinance for Phases 3 and 4).
 - a. The proposed amenities and detailed site design for the park have not been provided and shall be included in the construction plan set. The final design must be approved by the Planning Commission. At minimum, this park shall include:
 - i. Two (2) sports courts; pickleball courts with a small fence (black vinyl coated chain link fencing or similar may be approved by the Town Planner) surrounding the courts at a height in accordance with the standards recommended by the USA Pickleball Association – the fence should be designed to preserve views into and out of the park area
 - ii. A playground w/play equipment for kids
 - iii. Seating and picnic areas (at least three separate locations)
 - iv. Landscaping including shade trees that connect to the trail landscaping
 - v. Two (2) bike racks

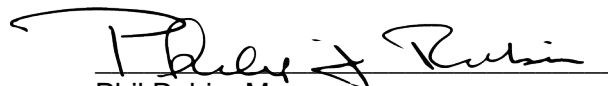
- vi. Four (4) benches around the pickleball courts (in addition to the other benches illustrated on the plan set)
 - vii. While no trash cans are proposed for the site, two (2) signs reminding users to remove any trash they bring in.
 - viii. Dripline irrigation for the trees and shrubs
 - ix. No fencing is proposed or approved. No chain link fencing is permitted around the park.
 - x. The above items must be reviewed and approved by the Town Planner prior to implementation.
11. Trails: Proposed trails (and surface type) to be completed as part of Phase 4 shall be included on the construction plan set and noted on the proposed subdivision with an easement to allow public use for pedestrians and bikes.
 12. Streetscape amenities; lighting, signage, etc. shall be provided – construction details, sign type (if proposed), and materials/colors.
 13. A Landscape Plan shall be provided for all of Phase 4 prior to commencement of any construction (and prior to issuance of any Building Permits) on Phase 4. 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.
 14. The Applicant shall submit a Construction Mitigation Plan (CMP) that is approved by the Town Planner and Town Engineer.
 15. A subdivision construction permit, improvement agreement, and all fees and bonds will be required prior to any construction.
 16. A final plat (mylar) is subject to review may require additional notes and corrections.
 17. Recording of the subdivision will require a performance bond in accordance with current Town code, or formal acceptance of all improvements prior to recordation.

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 TWon.

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

PASSED AND ADOPTED this 9th day of December, 2021.

TOWN OF HIDEOUT


Phil Rubin, Mayor

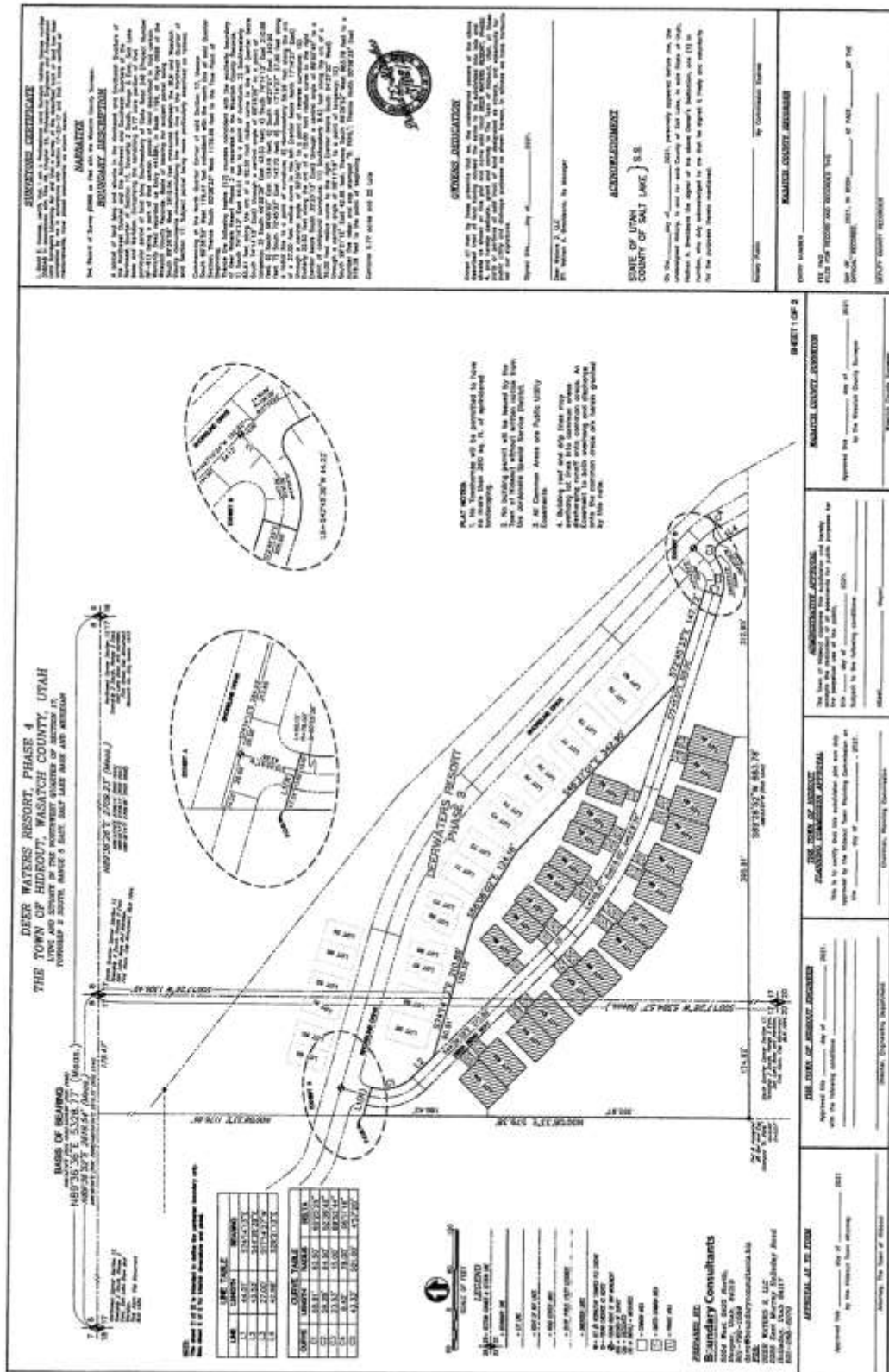
ATTEST:


Alicia Fairbourne, Town Clerk



Exhibit

Exhibit A – Proposed subdivision plat for Deer Waters Phase 4



File Attachments for Item:

3. Review and possible adoption of the Parks, Open Space and Trails Plan as part of the General Plan



Staff Review of POST Plan

To: Mayor Philip Rubin
Town of Hideout Council

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

Re: Parks, Open Space and Trails Plan (revised 31 October 2021)

Date: 1 December 2021

POST Plan is attached

Overview

The Parks, Open Space and Trails (POST) began in 2019 based upon input from the community during the General Plan process (2018 – 2019). During that extensive process, Hideout Town residents ranked trails and open space among their highest concerns and, ultimately, priorities.

As a result of this input, the Town contracted with Integrated Planning & Design to create a plan. A Steering Committee was created to help identify existing parks, open spaces and trails within the town, rank priorities and guide a plan for implementation of these priorities as well as help to obtain project funding (grants, etc.).

The POST Committee currently includes residents Mary Freeman, John Hopkins, Town Council Member Chris Baier and Planning Commissioner Rachel Cooper in addition to town staff.

Based on requests from the Planning Commissioners at the meeting last month (21 October 2021), the POST plan has been revised to include updated subdivision information – recreational amenities that have been constructed or will be constructed for town-wide use. In addition, some updated language regarding the recommended overpass/underpass for SR 248 has been included.

On November 18, 2021, the Planning Commission held a public hearing and forwarded a positive recommendation to Town Council for the POST Plan. Staff recommends the Town Council review the POST Plan, hold a public hearing and adopt the Plan as an addendum to the 2019 General Plan.



PARKS OPEN SPACE & TRAIL PLANNING

POST Planning
Let's Implement



Town of Hideout, UT

Acknowledgements

Steering Committee

Phil Rubin, Mayor
Chris Baier, Town Council
Hanz Johansson, Town Council (former)
Sara Goldkind, Planning Commission (former)
Jan McCosh, Town Administrator

Implementation Committee

Chris Baier, Town Council
Jan McCosh, Town Administrator
Kathleen Hopkins, Deputy Town Clerk
Rachel Cooper, Planning Commission
John Hopkins
Mary Freeman

Mayor

Phil Rubin, Mayor

Town Council

Chris Baier
Carol Haselton
Robert Nadelburg
Ralph Severini
Sherri Jacobs

Planning Commission

Anthony Matyszczyk, Chair
Bruce Woelfle
Donna Turner
Ryan Sapp
Glynnis Tihansky
Rachel Cooper

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10	How to Move Forward?	24	Priority #4 - Purchase Land for a Park Near the Town Center Roundabout and Tie Into the Trail in Dead Man’s Gulch That Could Connect to Jordanelle State Park in the Future
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Background & Town History

As one of Utah’s newest towns, Hideout was unquestionably settled and incorporated because of its natural beauty and strong connection to the landscape. Stunningly situated atop the waters of the Jordanelle watershed, the town continues to lure new residents on an almost daily basis. They come for the views, the mountain landscape, the water, and proximity to the region’s ski resorts and trail system – they come for the outdoors lifestyle.

Throughout the Wasatch Back, expectations are high pertaining to the outdoors and the way in which we can simultaneously protect and enjoy these special places. A commitment to the responsible enjoyment of the outdoors is deeply embedded within the culture of this region and this fundamental principle serves as the foundation of this parks, trails and open space plan.

The Town completed its General Plan in early 2019 and all three goals of the Community Vision statement directly or indirectly affect parks and open space and trails:

Preserve outstanding views

Cultivate an inviting neighborhood atmosphere

Build a connected community



How to Use This Plan

This plan is the result of considerable mapping and GIS analysis, subdivision and plat record review, demographic research and input from the community. It lays out a framework that is specifically tailored to the Town of Hideout and is designed for immediate implementation.

Park, open space and trail planning is hard work and likely requires an investment by the residents to buy those properties believed to be essential for a balanced community in the future. That is to say, what are the big things the community has to get right to ensure the community is fully connected by way of trails and sidewalks? What kind of gathering places do we need to plan for now to ensure our community can get together for a BBQ? What views would we die on our sword for and what areas should never be disturbed as their very existence has come to define us as a community?

The priorities presented at the end of this document capture much if not all of these ideals. They all cost money or time or require collaboration and negotiation...or all of the above. It is important to consider scheduling – land in this area has consistently increased in value over the past 30 years and this trend is likely to continue. Land that can be purchased today will be significantly less expensive than it will be in five or ten years. And remember that land is sold on the open market and if the Town doesn’t own it, it will likely be built upon. After that moment, there is no turning back the clock.

This planning document is titled Parks, Open Space and Trails (POST) Planning. It’s aptly named: with the completion of this document, the Town is now in the post-planning phase and ready to implement. There will be tweaks and there will be some residents who want to study the details of a recommendation further. While there is nothing wrong with that, now is not the time to look backwards and consistently analyze details to death. This plan was crafted to provide an easy-to-follow framework for the Town of Hideout to begin to implement a parks, open space and trails plan.



The Town's Profile By The Numbers

A few things stand out about Hideout. It is a new Town, having been incorporated in 2010. It is a small town, with less than 1,000 residents. And it is a young town, with a median age of only 26 (Utah is also a young state with a median age of 31, while the median age for the US is significantly higher at 38).

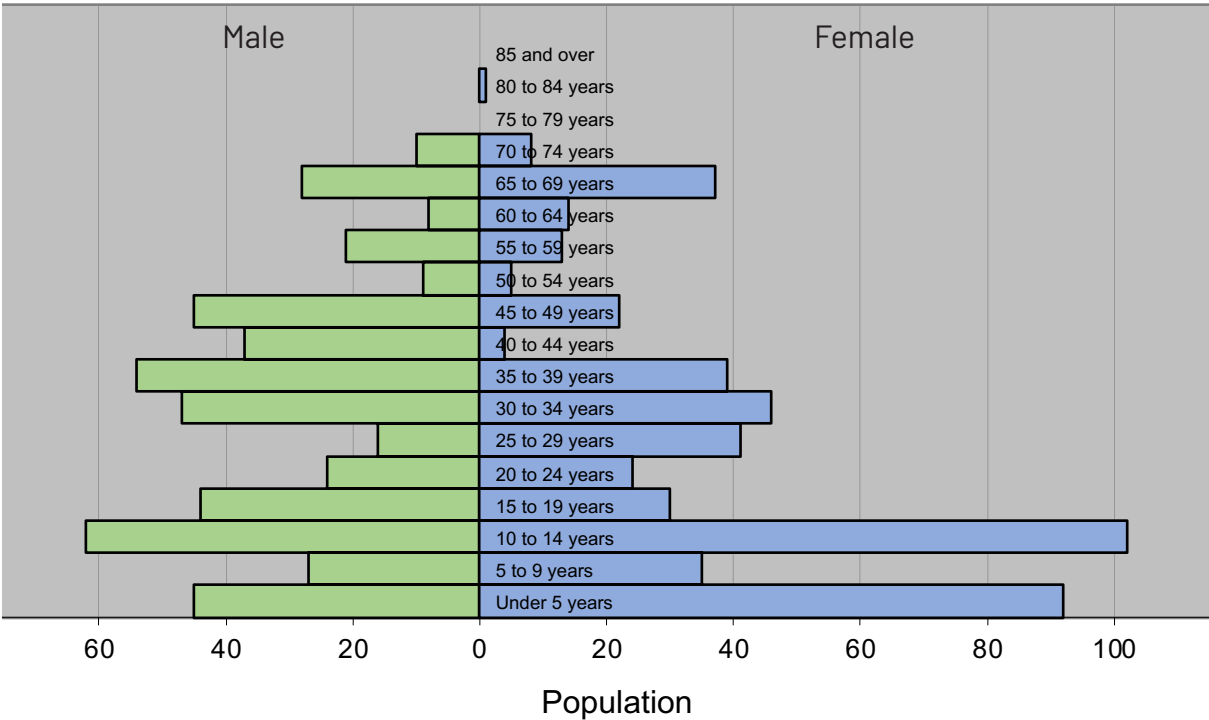
The population pyramid below illustrates the youthful demographics that make up the Town. As of the most recent American Community Survey Census data (2019), almost 80% of the Town is under the age of 40.

The Town has grown quickly over the past decade and is expected to continue to grow at a rapid pace over the next 20 years – about 73% per decade. This rapid rate of growth is estimated to triple the Town's population in only 20 years.

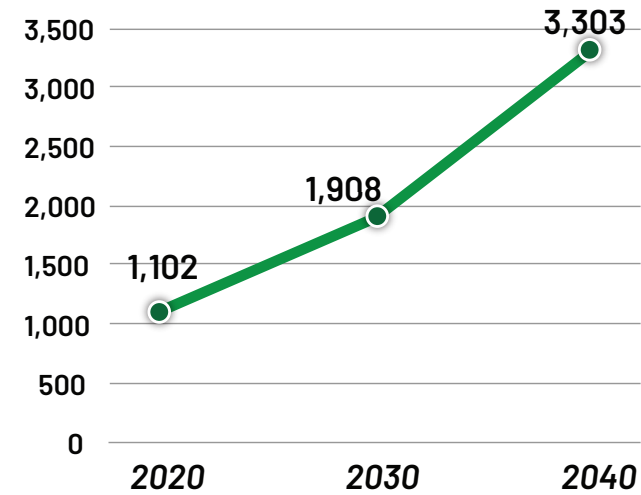
With this growth come expectations for the Town to ensure quality development, to plan for increased infrastructure and to ensure the appropriate recreational amenities are put into place to prepare for these new residents. The existing residents are young and desirable of outdoor opportunities and the demographic of many new residents is likely affluent and middle-aged or older with an expectation to buy into a place that offers outdoor opportunities as well...and they have choice. If these expectations are not met, they can and will move elsewhere.

Population by Age and Gender, 2019

Town of Hideout Population (2019)



Projected Population Growth, 2020-2040



Why Plan for POST?

Planning for recreational amenities matters because quality of life matters. And it matters more and more for communities located in desirable regions such as along America's coasts, in the mountain west or the Sunbelt. Hideout has the fortune of being a desirable, very desirable, place to live. Growth pressures are significant now and likely to increase over the next 20 years. As developers incrementally continue to chip away at the undeveloped mountainsides that overlook the Jordanelle Lake, residents will need assurances that public trails and parks and open space are consistently built or acquired to ensure their quality of life that demands a connection to the land.

As this development continues the land will continue to appreciate in value. Now is the time to take action.

Hideout must begin to proactively buy land that will be dedicated for parks, open space and trails. Simultaneously, the Town must continue to secure easements with all new subdivision approvals to ensure new private development is fully connected to the Town's trails and park system.

The Town's 2019 General Plan has 22 goals. 11 of the goals relate to Parks, Open Space and Trails planning:

Land Use Summary

Goal #1 **Preserve view sheds**
Preserve green space

Economic Development Summary

Goal #2 Enhance public gathering spaces
Enhance community connectivity

Goal #3 Improve the quality of life

Transportation Summary

Goal #1 **Improved pedestrian connectivity**
Improve bicycle infrastructure

Goal #2 **Map existing and planned trails**
Improve quantity of trails
Improve quality of trails

Public Facilities Summary

Goal #1 Create public spaces to congregate and recreate

Goal #2 Enhance and expand parks
Enhance and expand trails

Goal #5 **Create a Master Plan for the Town's trails, parks and open space**
Investigate possible access to public amenities

Environment Summary

Goal #1 Protect Hideout's stunning view sheds

Goal #3 Encourage interaction with the natural beauty of Hideout

Goal #4 Protect the local environment



19. What do you dislike about Hideout?



20. What would you like to see changed in Hideout?



21. If you could add one thing to the town, what would it be?

How To Move Forward?

It is a mistake to look too far ahead. Only one link of the chain of destiny can be handled at a time.



Winston Churchill

At the most fundamental level, ‘first we plan, and then we do.’ Planning is hard work and the Town’s successful completion of the 2019 General Plan was the first step to ensuring the Town understood the hard work ahead to build a community. Community rarely just happens; it is created.

The General Plan, like all general plans, does a couple of important things for the Town.

First, it represents a snapshot in time with the required data, graphs, mapping, etc. The Town is able to better comprehend the demographics that define the residents within the community, to understand the geography of land uses in place as well as what is available for future development, and to generally understand what the current ‘starting point’ looks like for the Town.

But data without in depth analysis are just a representation of ‘what is.’

The second and more essential component of the General Plan is its ability to be used as a decision-making document for the Town. Despite the most sophisticated ability to anticipate what lies ahead, not all future conditions can be known with certainty. Situations change, economic conditions improve or decline based upon international conditions, and what seemed important yesterday may be less so tomorrow. But the values of the General Plan must always serve as the Town’s north star:

Preserve outstanding views

Cultivate an inviting neighborhood atmosphere

Build a connected community

Providing the Town remains true to these values as defined by the residents, future decisions should result in recommendations such as those in the POST Plan that will result in the kind of Town that Hideout endeavors to become.

A Comprehensive Approach

The following pages outline in detail three very different but complimentary approaches to begin to realize the desired parks, open space and trails in the Town of Hideout – a regulatory approach, a partnership approach, and a financial approach. All three approaches should be deployed simultaneously.



Supplement the Regulatory Toolbox



Partnerships and Collaboration



Financing Tools



Supplement the Regulatory Toolbox

Zoning is the regulatory tool that implements the General Plan. The General Plan is a non-binding document that has no teeth in terms of project development review or application review and assessment. However, private development applications must categorically adhere to the detailed language and requirements contained within the Town's Zoning Ordinance.

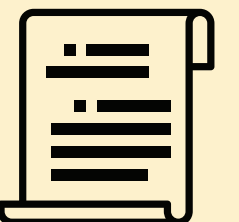
Within this ordinance, there are a number of sections in Title 10, Building and Development Regulations which have been revised over the past year and should be reviewed annually to ensure the proposed revisions capture the parks open space and trail requirements and amenities desired. Without continued review and revision, the Planning Commission and Town Council will face day-to-day obstacles when attempting to regulate private developers to safeguard the desired recreational amenities for the future.

What the Recent Revisions to the Zoning Ordinance Include?

10.08.32 PUBLIC TRAILS REQUIREMENTS

1. Public Trails shall be required within each development (within either Open Space or Public Space).
2. Where trails have been previously constructed or identified or approved, Subdivision plans for adjacent properties with the trail locations shown on the proposed Subdivision plan shall provide for the logical connection to the existing trail.
3. Trails should be located and constructed in such a manner as to minimize maintenance and maximize access. Alignment should utilize the natural topography of the land and should follow natural contours where possible, and preserve and promote natural elements, including geologic, scenic, wildlife and historic.
4. The trail grade shall not exceed half the grade of the hillside the trail is traversing to limit erosion. For example, if a trail crosses a hillside with a side slope of twenty percent (20%), the trail grade should not exceed ten percent (10%).
5. Trail proposals through Sensitive Lands will be considered on a case-by-case basis during the application process.
6. The subdivision plat shall show the width of trails, surface material proposed, where located, type of trail, and Open Space.

1. Trails connecting a proposed subdivision to the Town's rights-of-way, or adjacent paved multi-use trails, shall match construction materials and paving typology; a minimum of 10'-0" in width and asphalt paving (with a 6" base).
2. Trails connecting to or proposed for hiking or single-track mountain biking may be constructed with an armored (as needed) soft surface and no less than 4'-0" in width.
7. Subdivision developments shall meet minimum Open Space requirements of the zone classification in which the subdivision is located as set forth in Title 12.
 1. Except as otherwise allowed in the Town Code, areas which have been designated as a Sensitive Lands shall remain as Open Space but may be counted toward up to 33% of the Open Space requirement for the development. If any development has a larger amount of Sensitive Lands than is required to meet the Open Space requirement for such development, density allowances for the extra land required to be left in Open Space may be transferred to other areas if requested and if such transfer will not result in an over-crowding of the area to which it is being transferred.
 2. Open Space shall be designed to be as contiguous as possible.
 3. Wherever possible lands designated as Open Space should be usable for hiking and biking trails and small parks.
8. Provisions must be made for regular maintenance of all Open Spaces. In the case of Open Space that is left in its native conditions a management plan may be required.
9. The Town Parks Open Space & Trails (POST) Committee shall be responsible for review of all subdivision submittals and shall provide detailed recommendations to the Planning Commission.





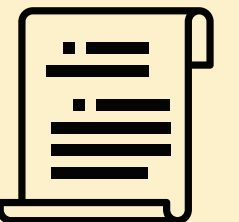
Supplement the Regulatory Toolbox (cont.)

What the Recent Revisions to the Zoning Ordinance Include?

10.08.34 PUBLIC SPACE REQUIREMENTS

1. In each Subdivision, land shall be reserved, and improvements installed for Public Space. Public Space may include parks and playgrounds or other recreation purposes. Such areas shall be shown and marked on the plat as “Reserved for Public Space”. Installation of recreational areas shall be constructed at the expense of the Applicant and built to Town Standards.
2. Public Space will be required in each subdivision based on the following formula which has been prepared: providing three (3) acres of Public Space per one hundred (100) residential lots or units; and two (2) acres per one hundred (100) commercial lots. Subdivisions with less than one hundred (100) residential or commercial units (or more) shall provide dedicated public space on a pro rata basis.
3. When the percentages from the above formula would create less than two (2) acres, the Planning Commission may require that the Public Space be located at a suitable place on the edge of the Subdivision so that additional land may be added at such time as the adjacent land is subdivided.
4. The Planning Commission may refer such proposed reservations to the Town Engineer or Town Planner for recommendation.
5. Land reserved for recreation purposes shall be of a character and location suitable for use as a playground, play field, or for other recreation purposes, and shall be relatively level and dry. Unless the Town Council approves a variation to the following standards, on a showing of good cause, subdivisions will include the following Public Space amenities (or equivalent):
 1. Subdivision between two (2) to twenty (20) lots shall include amenities such as a small park with community garden or a plaza with a covered seating area.
 2. Subdivisions between twenty-one (21) lots and fifty (50) lots shall provide amenities such as a park with play equipment or a dog walking park or a large community garden space with designated plots for residents.
 3. Subdivisions between fifty-one (51) lots and seventy-five (75) lots shall provide amenities such as a park with the equivalent of two (2) tennis courts and a gathering area.
 4. Subdivisions with greater than seventy-six (76) lots shall provide amenities such as a park area with seating, a ball field (soccer, base/softball, football or similar), and parking spaces.

5. For subdivisions with less than twenty (20) lots or proposed in areas with steep slopes where construction of Public Spaces would be environmentally damaging, the applicant may request a payment in lieu of the on-site construction of Public Space amenities as required in this section. The fee shall be set at 105% of the costs estimated for the required amenities. The applicant shall provide a detailed construction cost analysis that shall be reviewed by the Town Planner and Town Engineer.
6. All land to be reserved for dedication to the Town for park purposes shall have prior approval of the Town Council and shall be shown marked on the plat “Reserved for Public Park.”
7. The provisions of this section are minimum standards. None of the paragraphs above shall be construed as prohibiting a Developer from reserving other land for recreation purposes in addition to the requirements of this section.



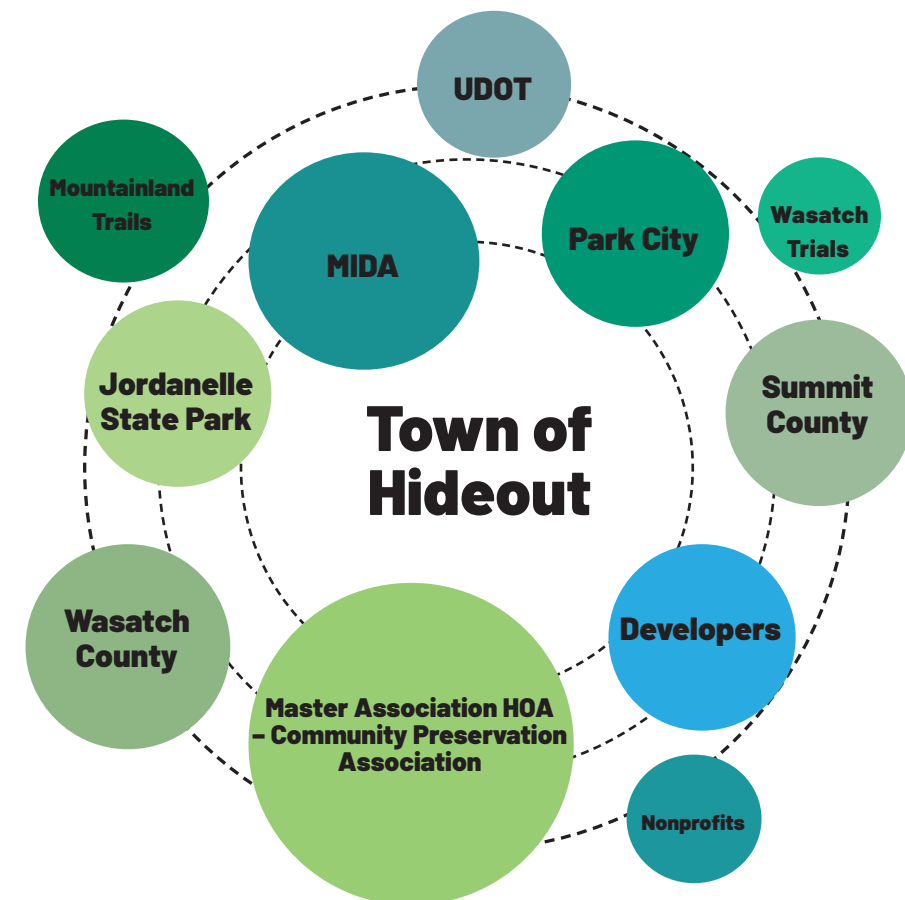


Partnerships and Collaborations

Hideout has an interesting and unique history. The Town began as a housing development in the early 2000s in unincorporated Wasatch County. What began as a one-man vision gradually evolved into a development housing a few hundred people. A Master Association (Homeowners Association - HOA) was initially created and the entire development and surrounding lands ultimately evolved into an incorporated Town within Wasatch County in 2010.

The growing pains associated with moving from a vision to a housing development to an HOA to a Town primarily exist as a result of misunderstandings and ideological differences. Today, the Town has grown beyond the boundaries of the Master Association HOA. With this growth has been an evolution in Town governance as well as an understanding that ‘what was’ is not always going to be ‘what is’ or what ‘will be.’

To bridge this gap, the Town will have to partner and collaborate with just about every entity in the region:



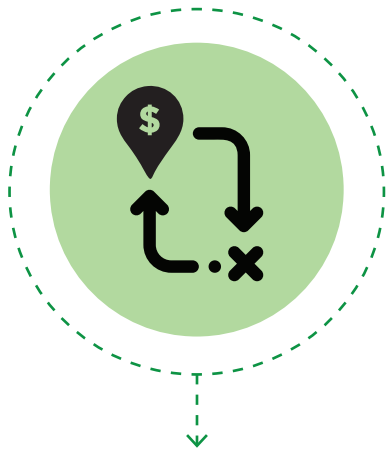
What continues to stand out for the Town of Hideout is the desire to create a better, more connected, community - one that isn't separated by jurisdictional boundaries. The residents of Hideout were very aligned in their input in the Community Survey and Town Hall meetings during the preparation of the General Plan. The residents shared concerns over the ongoing maintenance of the streets; they indicated a willingness to spend money for open space, parks and trails; and they had some very specific ideas regarding the Town Center and commercial growth opportunities.

The residents expressed a strong desire to work together as a small town in order to effectuate a desired future. This collaboration must include MIDA, the oversight entity that, as of 2020, has regulatory authority over land use development in the northern portion of Hideout. The purpose of the proposed MIDA project area is to provide the military with a “Morale, Welfare and Recreation” facility or hotel in a ski resort setting. Trails and connectivity will ensure the success of recreation in this area.

Finally, the Town and the Master Association HOA must work together to ensure each other's success. Collaboration after a period of limited interaction is hard. Issues of misinformation arise and mistrust grows on either side. But both have everything to lose by not working together and everything to gain by collaborating. This collaboration will require the following actions:

- Communication**
– openly and with compassion for the other side
- Cooperation**
– to ensure mutually beneficial results
- Compromise**
– in good faith and when necessary





Financing Tools

When it comes time to move beyond planning and implement projects, the primary issue is money – how to pay for it? The subsequent section includes a list of the top seven priority Parks, Open Space and Trails Projects for the Town; all come with a cost.

The Town’s total annual budget is approximately \$1mn and does not currently allow for additional appropriations for specific projects at this time. That may change in the future, but the time to acquire land is now given its almost certain appreciation in the Wasatch Back. There are a couple of likely options that the Town should consider to finance recreational infrastructure. One is to allocate a set aside amount from any deal negotiated with MIDA. Ideally this would be finalized during initial negotiations with MIDA but could be revisited after a year or two upon assessment of Town and MIDA finances. Ultimately, the Town must allocate a hefty line item for these projects. These negotiations are a once in a lifetime opportunity for the Town to definitively confirm its values and commitment to the environment and the outdoor amenities so strongly desired by the residents.

A second option is a bond; basically a tax imposed upon the Town itself to pay for projects that will benefit the community forever. There are many types of bonds but the most probable is a general obligation bond – a bond that is paid back by increased property tax revenues.

A third option is the use of impact fees. The Town could impose these fees (specifically dedicated to parks, trails and open space projects) on future development activity.

From the Resident Survey

More trails, and walking paths. Currently, most residents have to walk on the road, hazardous with all the construction vehicles.

“Favor paying for amenities or services through bonding rather having commercial enterprises underwrite through taxes as such commercial enterprises disrupt the tranquility of Hideout.”

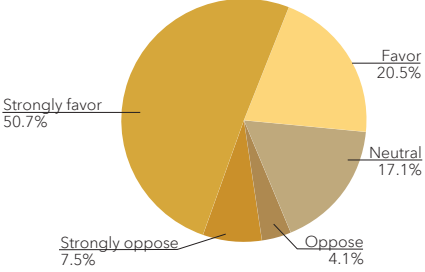
Please place further controls on developers so that our entry to Hideout canyon wouldn't look like it does - unfinished construction projects. Make them bond for performance with the town.

“[There is] no lake access”

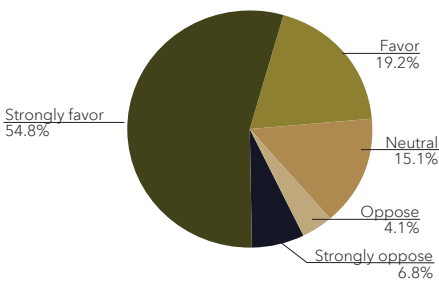
“We need a place where children can play”

There is a cost associated with any project – a ‘give’ for a ‘get.’ The community was very supportive of bonding for parks and trails as well as open space/green space during the recent General Plan rewrite. Over 71% ‘strongly favored’ or ‘favored’ the use of a bond for public parks and trails and more than 74% ‘strongly favored’ or ‘favored’ a bond for dedicated open/green space.

11a. Do you favor or oppose town bonding for the addition or improvement of public parks and trails?
Figure 6.2



11b. Do you favor or oppose town bonding for the addition or improvement of dedicated open/green space?
Figure 7.3



What Might a \$5mn Bond Look Like for Hideout?

A \$5mn General Obligation bond typically has a repayment timeline of 20 years with an interest rate determined by the credit rating for the Town at time of issuance. If the Town issued a \$5mn bond at an interest of 3.25% with a term of 20 years, how would that impact the +/- 1,000 residents of Hideout in +/- 500 housing units?

The following calculations illustrate what this might look like based upon a cursory assessment by Zions Public Finance Inc.:

- All property owners would see their local property taxes increase by about 12%. The annual repayments for a \$5mn bond would be in the \$350,000 range.
- According to the 2019 US Census, the median house value in Hideout is about \$700,000. Currently, that household is paying approximately \$8,025 per year in property taxes. This would increase by about \$775 per year (to a total of \$8,800) for twenty years to pay off the bond.
- This ‘average’ homeowner in Hideout would pay an additional \$65 per month for the recreational amenities paid for by the bond – an amount significantly less than the monthly HOA fees typical of the Wasatch Back.

This is just one bond scenario; the Town could decide to look at a \$10mn bond given the current national financial situation – one that is very favorable to lending at relatively low interest rates.



What Are the Town's Priorities and What Comes First?

When planning for recreational amenities, it can be easy to make the mistake of creating a lengthy laundry list of 'to do' items. Often the list can become so unruly that there is effectively no point of beginning. Fortunately, the Parks, Open Space and Trails (POST) Steering Committee was diligent and focused in this regard. They recognized early on the challenges associated with trying to do everything at once. Hideout is a small town and its response to acquiring land for open space and building trails and parks must be measured and responsible. The following seven priority projects are proposed and should be completed within the next five years.

A Definitive Path Toward Implementation

7 POST PRIORITIES

for the Town of Hideout

- PRIORITY 1**

Ensure Developer Compliance With Previously Approved Subdivisions
- PRIORITY 2**

Finalize Bike & Pedestrian Trails (Deer Springs and Rustler Plat)
- PRIORITY 3**

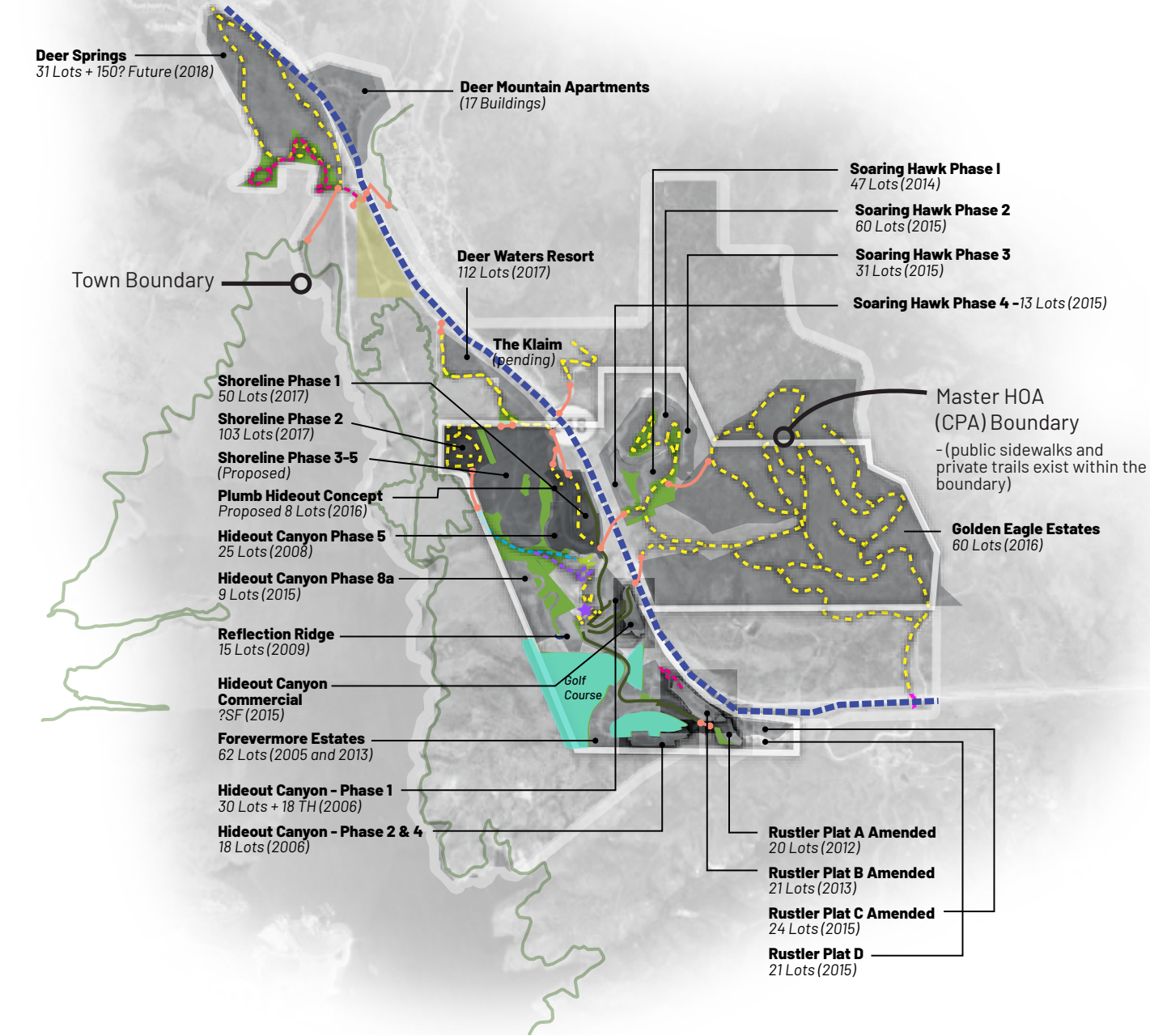
Collaborate With the Counties and Nearby Communities to Build the Spine on SR 248 – Coordinate Efforts with UDOT
- PRIORITY 4**

Purchase Land for a Park Near the Town Center Roundabout and Tie Into the Trail in Dead Man's Gulch That Connects to Jordanelle State Park
- PRIORITY 5**

Establish a Connection to Jordanelle State Park
- PRIORITY 6**

Connect the 'Last Mile' for All Constructed Trails and Parks
- PRIORITY 7**

Use Conservation Easements as a Partnership Tool to Protect the Land Under Power Lines for Parks/Trails and Explore Similar Opportunities on the Golf Course



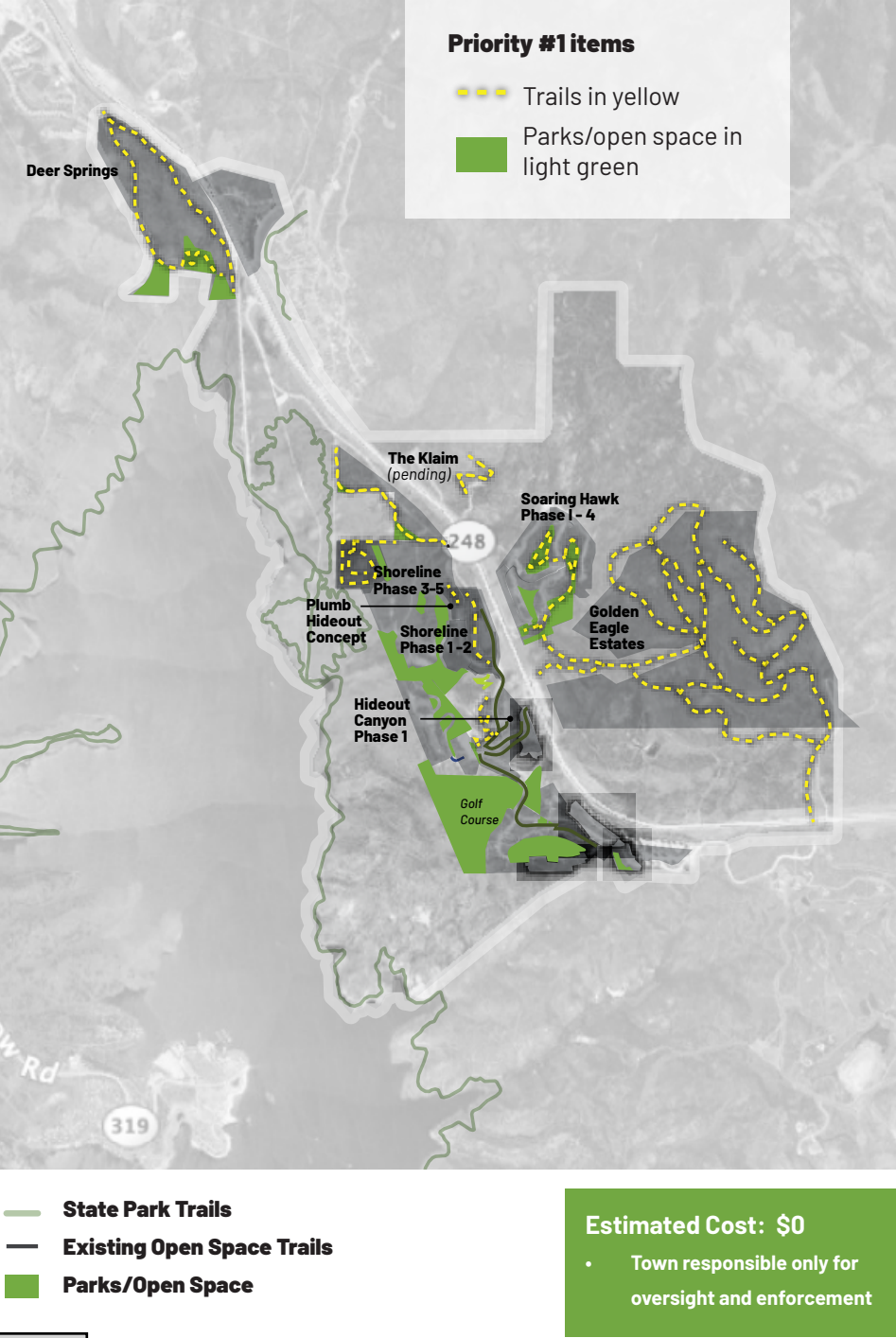
State Park Trails
Existing Open Space Trails

- PRIORITY 1**
- Developer Owed Trails
- PRIORITY 2**
- Ongoing Bike-Pedestrian Trail Construction
- PRIORITY 3**
- Park Acquisition and Construction
- PRIORITY 4**
- State Park Connection

- PRIORITY 5**
- SPINE
- PRIORITY 6**
- Connect: Soaring Hawk to Golden Eagle Shoreline 1 to Deer Waters to Spine
- PRIORITY 7**
- Conservation Easement to Golf Course

PRIORITY 1

Ensure Developer Compliance With Previously Approved Subdivisions



As part of this POST planning process, every subdivision approved by the Town was reviewed in detail and mapped. The final map for the Town includes all of these subdivisions as well as the parks, open space and trails that were included on the plat and/or required by the Planning Commission. The Town Council and/or the Planning Commission should ensure that each park area includes a variety of amenities scattered around Town including but not limited to: playground equipment for children, a tennis court, a few volleyball or pickle ball courts, etc. A community survey could be distributed to determine what is particularly desired at the present time. The following developments have committed to deed-restricted open space/parks and/or trails and appear to be noncompliant as of September 2021:

Soaring Hawk (Phases 1 – 4)
151 Lots (construction generally complete):
Development approvals were awarded in 2015 – 2016 and included open space and trails. The construction of the trails has not been completed and open space protections must be confirmed.

Hideout Canyon (Phase 1)
48 Lots (construction generally complete):
Development approvals were awarded in 2006 and included trail/sidewalk requirements that have not been completed; specifically along Longview Drive where sections are missing.



Sundown Ridge
4 Lots (under construction):
Development approvals were awarded in 2016 and included a trail or sidewalk connection at the end of Longview Drive (a cul-de-sac) connecting to the property to the north.

Deer Springs
248 Lots (currently under construction):
Development approvals were awarded in 2018 and included some park/open space land as well as trails (and an allowance for the Town to build its own trails on the park lands).

Deer Waters
102 Lots (under construction):
A park to be constructed by the Developer will be completed as part of Phase 4 of the development.

Shoreline (Phases 1 – 3)
153 Lots: (under construction):
Development approvals were awarded in 2017 with Final Subdivision approval in 2021 which included trails and/or sidewalks along or adjacent to the rights-of-way.

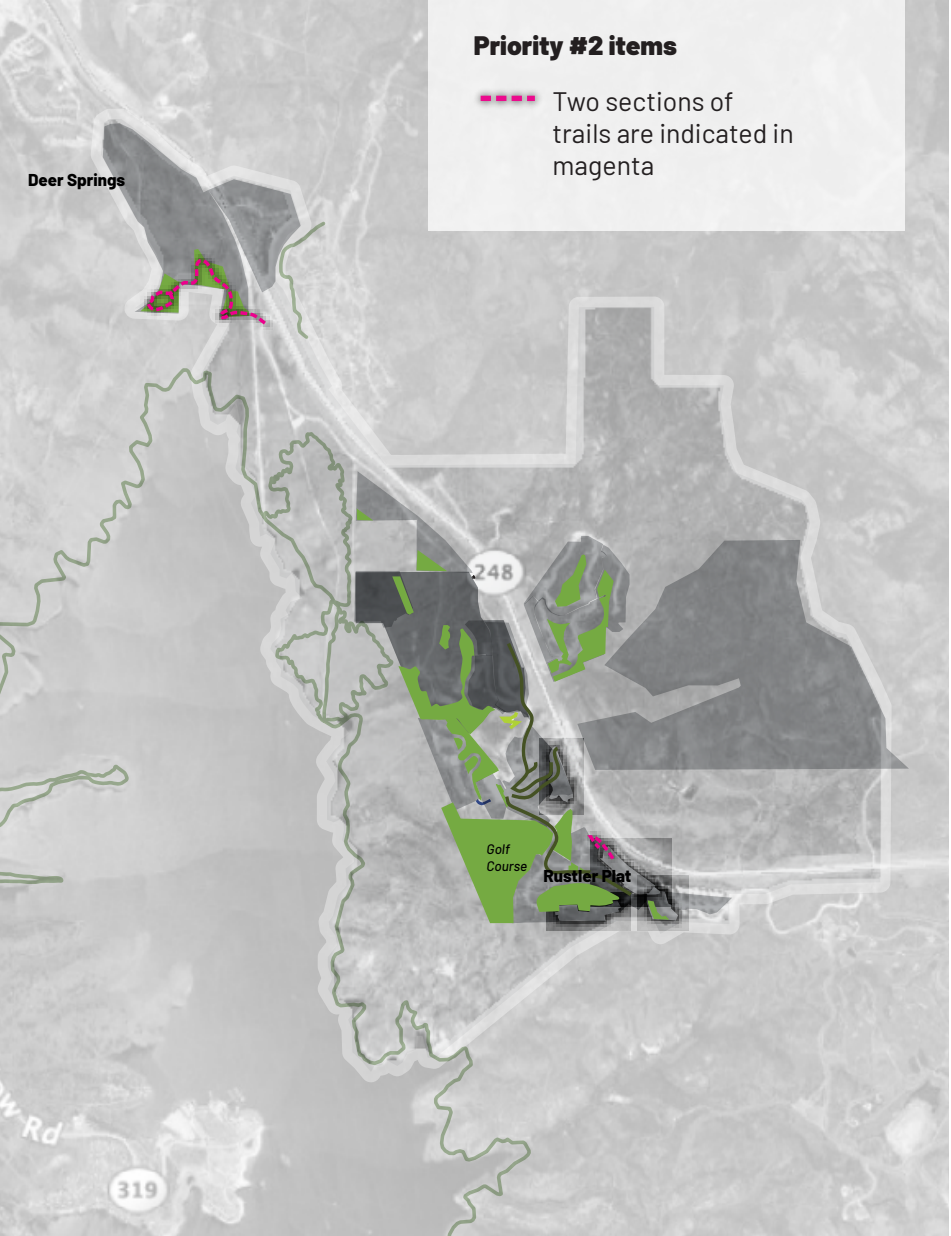
Golden Eagle (Phases 1-3)
314 Lots (under construction):
Development approvals were awarded in 2016 and included a significant number of trails and/or sidewalks throughout the proposed development area. The configuration of these trails has changed per different versions, but the concept has remained consistent – trail connectivity throughout the residential area and a trail connection down the mountain to SR 248.

KLAIM
+/- 80 units (under construction):
Development approvals have been finalized for this project which includes a short trail system has been conceptually proposed.

Lakeview
69 Lots (under construction):
Trails are distributed throughout the development and connect to a dog park (at the Jordanelle Park boundary line) and includes a stairway trail up to the park proposed in Deer Waters.

PRIORITY 2

Finalize Bike & Pedestrian Trails
(Deer Springs and Rustler Plat)



The Town has worked closely with the developer of Deer Springs (2018 approval) to secure an opportunity to build a bike or pedestrian trail on the southern end of the property and within the deed-restricted open space area. The details of the bike/ped trail or possible flow trail park have not been finalized but this public-private partnership is well underway and should be complete within the next year.

The second component of this priority is a walking path that is proposed in the open space just north of Rustler Plat (2013 approval). This could be an area for dog walking and is recommended to be a loop that extends from the northern end of North Sightline Circle and could connect to Lot 10 in Forevermore Court which is a steep sloped lot that may not be developable.

— State Park Trails

— Existing Open Space Trails

■ Parks/Open Space

Estimated Cost: \$50,000 - \$100,000

- Bike/ped trail or flow park
- Trail for dog walking

PRIORITY 3

Collaborate With the Counties and Nearby Communities to Build the Spine on SR 248 – Coordinate Efforts with UDOT

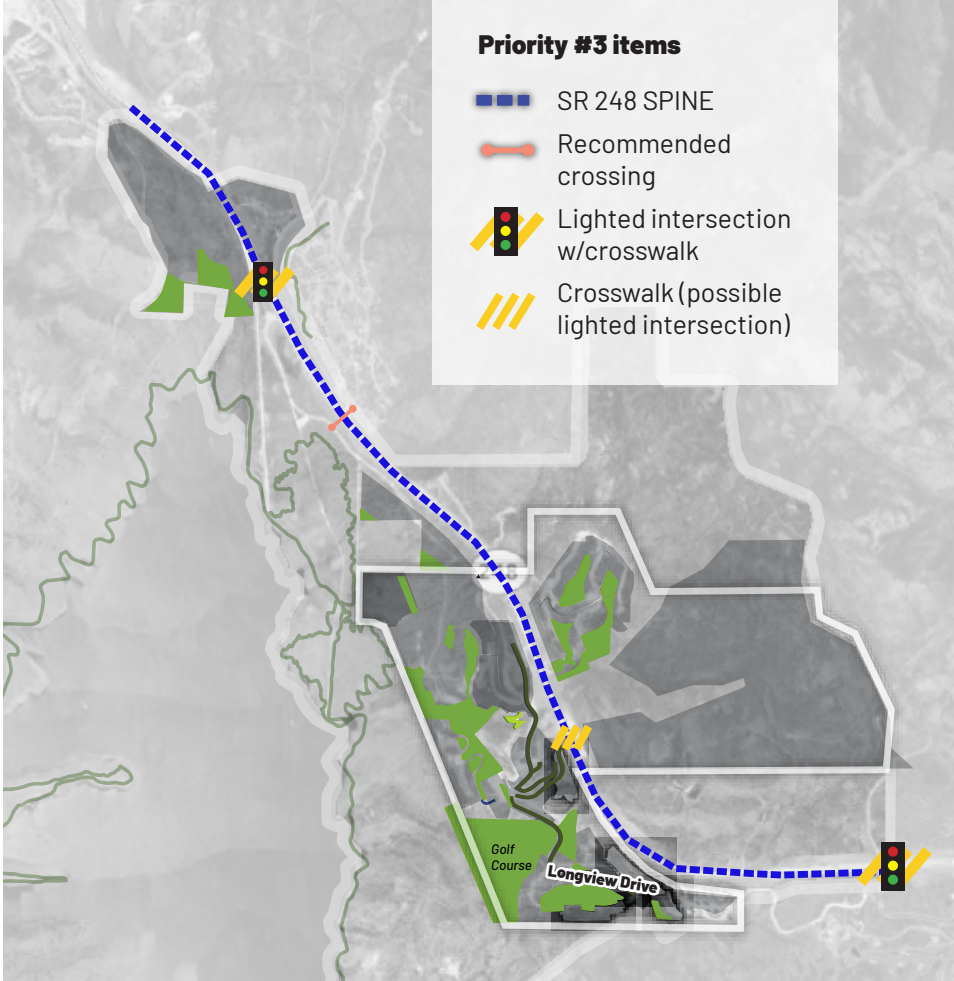
During the spring, summer and fall months, cyclists on SR 248 are a familiar sight; a sight that consistently reminds drivers of the need for a quality bike separated bike path that improves their safety as well as provides better connectivity to the Town. SR 248 spans almost four miles through the Town of Hideout and provides all access into and out of the Town.

Recommendations for the 'Spine' include:

- The Town should coordinate all efforts with the Utah Department of Transportation and Summit and Wasatch Counties.
- A focus on Context Sensitive Design (CSD) will be necessary when working through preliminary planning efforts with UDOT. This approach will give the Town the opportunity to maintain local authenticity in terms of design and approach.
- A financially collaborative approach will be required to build a 10' wide paved trail for cyclists and pedestrians that stretches from Park City (Quinn's Junction) to the Kamas Valley (+/-11 miles). Partners include: Wasatch County, Summit County, UDOT, Kamas, Park City, Tuhaye, the Master Association HOA in Hideout and others.

The 'Spine' is not only an opportunity to safeguard that Hideout is committed to bike and pedestrian safety along SR 248 but to demonstrate the Town's pledge to the ideals of 'connected communities' as presented in the 2019 General Plan – a regional approach to trail development.

Anecdotal input to date indicates that some within the community might see the 'Spine' as money spent that



— State Park Trails

— Existing Open Space Trails

■ Parks/Open Space

Estimated Cost: \$250,000 - \$400,000/mile

- 4 miles within Town limits
- 11 miles from Quinn's Junction to Kamas

primarily benefits outsiders or those passing through Town. The reality is that the only public right-of-way that links the many Hideout neighborhoods is SR 248; construction of this 'Spine' will allow for all trails/sidewalks and roads to funnel into this primary connector trail and link the entire community. As part of the 'Spine's' development, two under/over crossings are recommended: one at or near the

entrance to Tuhaye/Golden Eagle at Tuhaye Park Drive and the other at or near North Deer Mountain Boulevard or the Longview Drive intersection with SR 248.





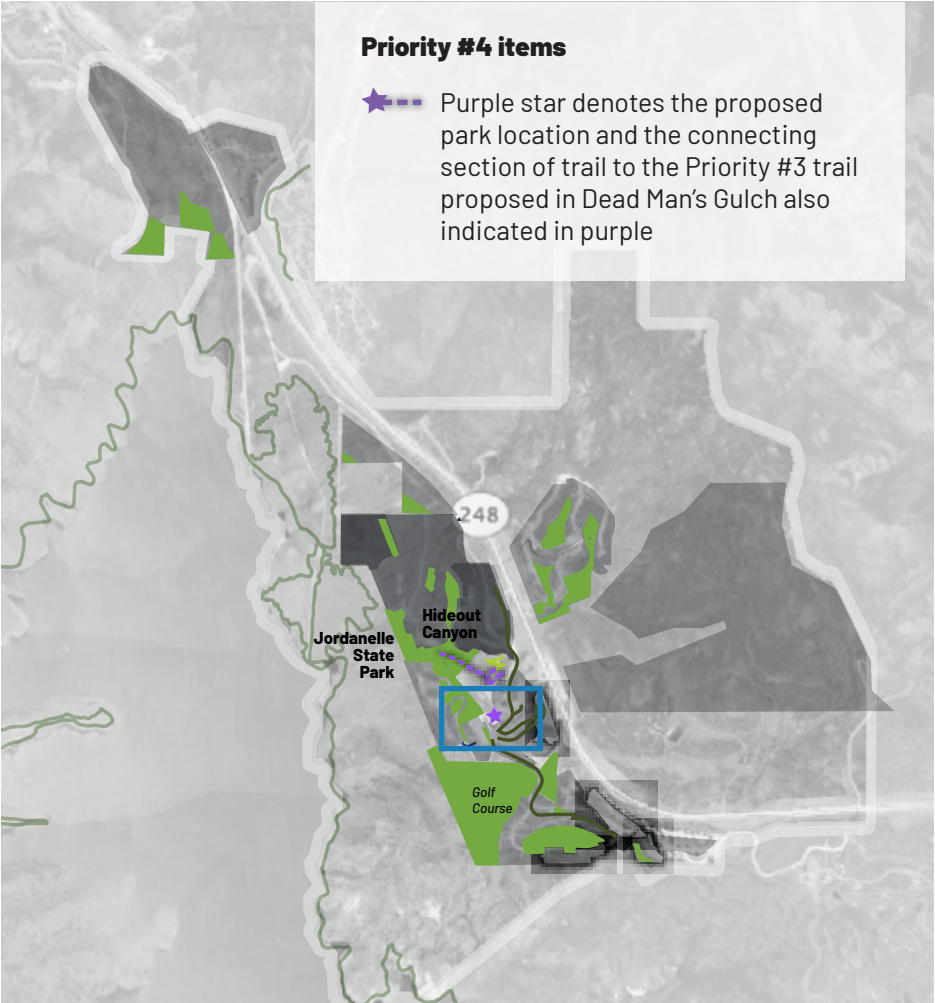
PRIORITY 4
Purchase Land for a Park Near the Town Center Roundabout and Tie Into the Trail in Dead Man's Gulch That Could Connect to Jordanelle State Park in the Future

The Town does not have a public park for residents at the present time. During the General Planning process, public input revealed that 74% of the residents 'strongly favored' or 'favored' a bond for dedicated open/green space. That is a level of support that any city or town can only hope for in terms of providing strong direction.

Hideout wants a park and the residents are willing to pay for it.

During the preparation of this plan, many different possibilities were explored and analyzed – based upon ease of accessibility, zoning and/or development plans, location and views, and size. Ultimately, the recommended location for a Town Park is the +/- 2 acre lot located near the Town roundabout and along Longview Drive at the intersection with North Hideout Trail – where the 'pile of rocks' is located. This area is not proposed for any residential development and could be easily accessed by any resident, on foot/bike or in a vehicle.

The land is currently owned by Bob Martino (Mustang Development) and is within the subdivision Hideout Canyon (Phase 1). The quality of the site in its existing condition requires imagination but that also potentially reduces the acquisition cost and allows for the Town to shape the land as desired in the future without having to touch undisturbed land located elsewhere in Town that might otherwise be suitable.



State Park Trails

Existing Open Space Trails

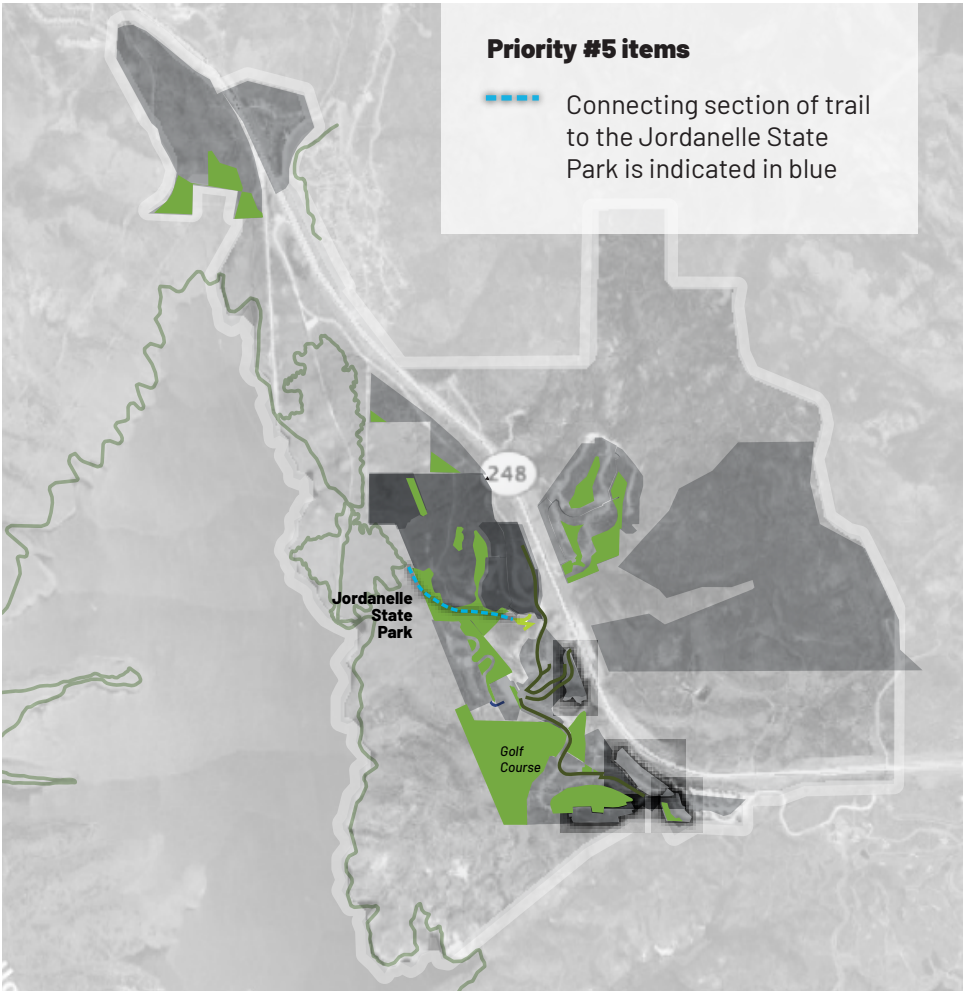
Parks/Open Space

Estimated Cost: \$1,150,000 - \$1,650,000

- Property acquisition
- Site preparation work
- Site improvements

A park in this location should include a clubhouse with community meeting spaces (and maybe a couple of courts for volleyball and/or pickle ball). This park can easily be connected to the trail in Dead Man's Gulch that links the Town to the Jordanelle State Park.

PRIORITY 5
Establish a Connection to Jordanelle State Park



State Park Trails

Existing Open Space Trails

Parks/Open Space

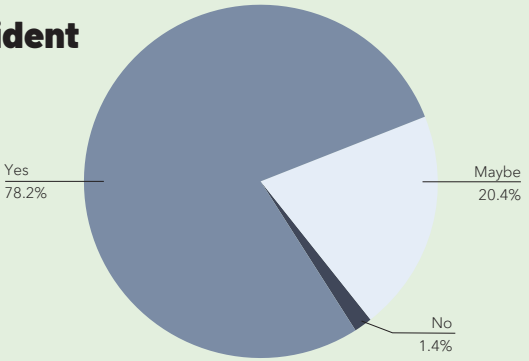
Estimated Cost: \$40,000 - \$75,000

- Assumes easements; no acquisition
- On site work; 'bridge' to State Park



From the Resident Survey

16a. Should the town work with Jordanelle State Park in order to provide future services?



When asked if the Town should work with the Jordanelle State Park to provide future services, almost 99% of respondents replied yes (78%) or maybe (20%). Presumably, future services that would benefit the residents of Hideout require trail connectivity.

There is an existing single-track trail that can be accessed from Longview Drive just west of the intersection with Shoreline Drive. This trail descends into Dead Man's Gulch for a distance of about 700' where it ends in the trees. This trail could be continued along the valley floor of the Gulch for another 1,000' where it could connect to the existing trail that drops down into the State Park. This would require negotiations on two fronts: one with the private property owner to secure easements for the trail. And the second piece would be to negotiate with the Sate Park to ensure access (likely with an annual fee) for the residents of the Town.

Logistically, depending on the negotiations with the State Park, the Town should coordinate with developers to acquire 'bridge' properties (very small, perhaps 10' wide by 20' long) on which to build the connecting trail piece. The State Park may not allow trails in/out of the park to connect directly to private land. The Town has successfully negotiated these bridge connections with the developers of Lakeview and Shoreline Development. These sites should be designed as 'proof of concept.'

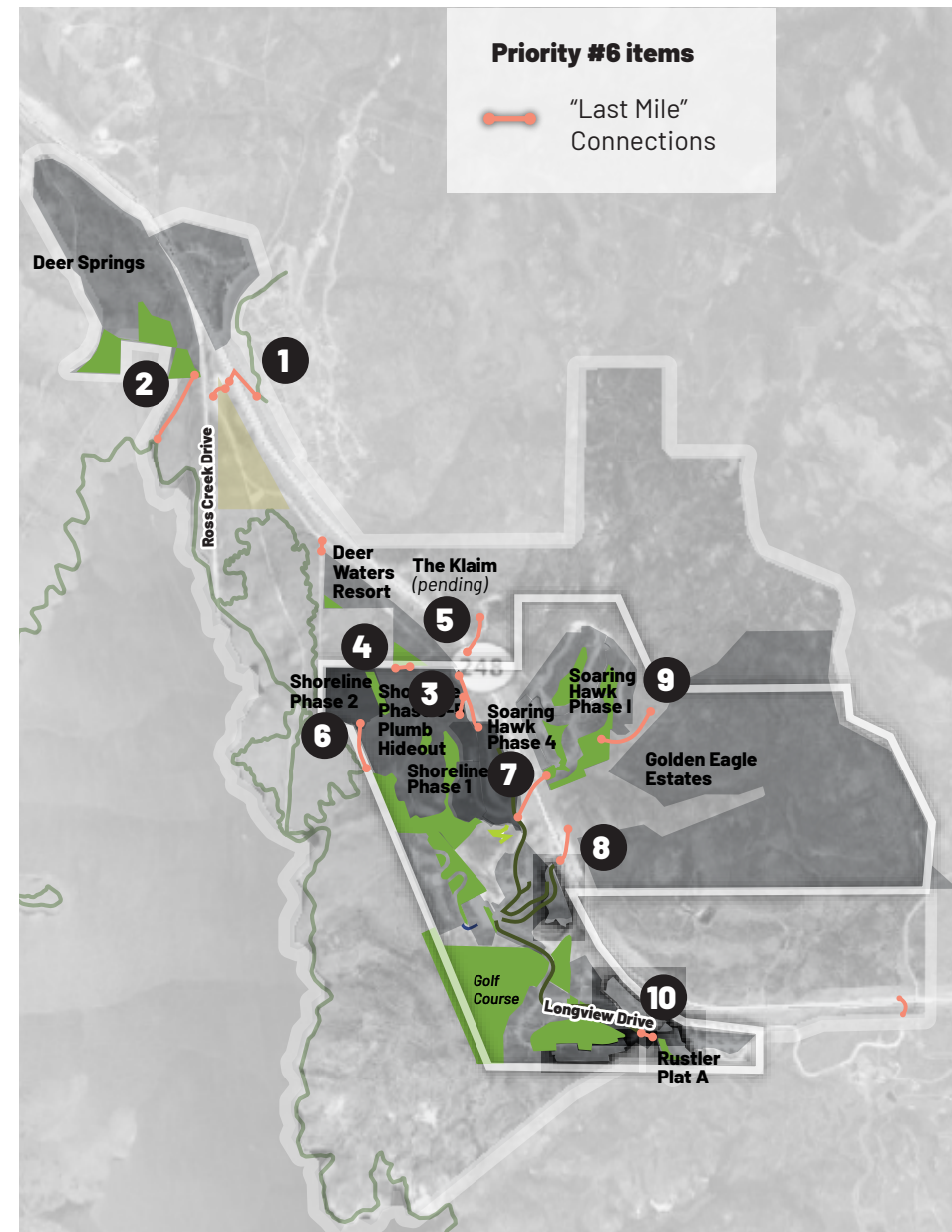


PRIORITY 6

Connect the 'Last Mile' for All Constructed Trails and Parks

In many ways the challenges associated with community trails are similar to those issues that confront public transportation – how to easily link the final connections to ensure users can and will effortlessly navigate the system. These final pieces, the links, are generally small in scale but necessary in terms of ‘completing’ the network. In transportation planning these final links are often referred to as the ‘last mile.’

Assuming the prior priorities are completed as recommended, the following ‘last mile’ connections should be completed:



Priority #6 items

“Last Mile” Connections

- 1 Connect the existing trail that runs parallel to Ross Creek Drive down the slope to the ‘Spine’ on SR248 and to the over/under pass near North Deer Mountain Boulevard or Longview Drive intersection with SR248.
- 2 Connect the trails within the Deer Springs development to the existing Jordanelle State Park trail just west of Ross Creek and alongside the north end of the lake.
- 3 Connect the trail(s) on the southern end of Deer Waters Resort to the north end of Plumb Hideout and Shoreline – Phase 1 – where private development trails have been completed.
- 4 Connect Deer Waters Resort to Shoreline – Phase 2. This is a short but necessary connection.
- 5 Connect The Klaim trail(s) down the mountain to SR248 ‘Spine.’
- 6 Connect Shoreline – Phase 2 to the intersection of the Town’s trail and the Jordanelle State Park at the bottom of Dead Man’s Gulch.
- 7 Connect Soaring Hawk – Phase 4 down the mountain to the ‘Spine’ and then across SR248 to Shoreline – Phase 1(to Shoreline Drive).
- 8 Connect the easternmost trail that was constructed as part of the development approval for Golden Eagle Estates down the slope to the ‘Spine’ on SR248.
- 9 Connect Soaring Hawk Phase 1 trail (in the green/open space) to the trail system proposed by Golden Eagle Estates.
- 10 Connect the existing trail along Longview Drive to the open space at the eastern end of Rustler Plat A – this could be a future park area and a connection point to a trail that may follow the powerline easement that crosses East Lasso Trail at Longview Drive.

- 7 Connect Soaring Hawk – Phase 4 down the mountain to the ‘Spine’ and then across SR248 to Shoreline – Phase 1(to Shoreline Drive).
- 8 Connect the easternmost trail that was constructed as part of the development approval for Golden Eagle Estates down the slope to the ‘Spine’ on SR248.
- 9 Connect Soaring Hawk Phase 1 trail (in the green/open space) to the trail system proposed by Golden Eagle Estates.
- 10 Connect the existing trail along Longview Drive to the open space at the eastern end of Rustler Plat A – this could be a future park area and a connection point to a trail that may follow the powerline easement that crosses East Lasso Trail at Longview Drive.

The Town should partner with the Bureau of Land Management (BLM), owner of this triangular piece of land and the Ross Creek Trailhead, to either take partial ownership of this area or secure easements to connect Deer Springs to Deer Waters via a new trail. If the Town cannot acquire this land, improved sidewalks or a paved trail along Longview Drive should be incorporated into the existing right-of-way.

The challenges associated with some of these trails is that many of the recommended connections cross from one development/ neighborhood to another and there may be concerns relative to ‘ownership’ and HOA restrictions – this is particularly true with the Master Association HOA that has, to date, looked upon these connections as unfavorable. These issues can be overcome in a few ways:

- The Town must partner and collaborate with the Master Association HOA and Bob Martino/Mustang Development in particular. A win-win opportunity is possible and should be explored.
- Recognize that the allowance of any trail connections may require signage to let users know when they are on public or private trails. The Master Association HOA might request some form of legal indemnification should an accident of some type ensue on their property.
- A possible solution to the public vs. private trail use might be for the Master Association HOA to grant easements along the private trails to the Town thus removing private accountability for user accidents. The granting of a short-term easement as a trial run of sorts could mitigate any hesitation on the part of the Master Association HOA.

Estimated Cost: \$500,000 - \$750,000

- Assumes easements; no acquisition
- Site preparation work; path creation

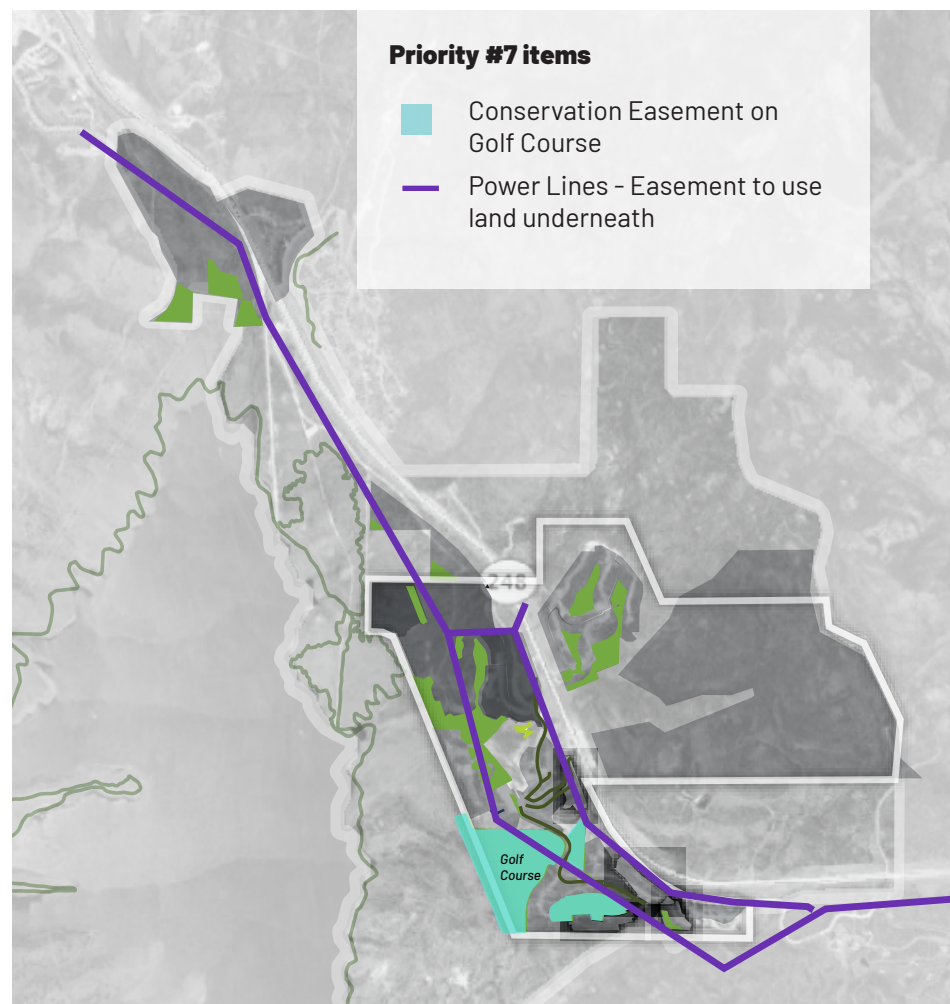
PRIORITY 7

Use Conservation Easements as a Partnership Tool to Protect the Land Under Power Lines for Parks/Trails and Explore Similar Opportunities on the Golf Course & Other Unbuilt Areas

The land under the existing utility power lines offers a significant amount of space to negotiate use for trails, linear parks, or similar. Discussions with Rocky Mountain Power can be lengthy and cumbersome but the long-term results could yield great potential, particularly on the southern end of the Town where connections to Tuhaye are desired.

The golf course is owned by Mustang Development and provides open space and recreational opportunities for its members. The RSPA designation for this land generally protects the land and ensures its use as a resort amenity but the long-term viability of the golf course remains in question given changing demographics and recreational choices. Concerns about the future use of this property could be mitigated by the overlay of a conservation easement on the golf course. This would be written to exclude any development on this site while guaranteeing the land to be preserved as open space or parkland – for the future of the community.

Utah Open Lands or similar entities could assist the Town to secure a conservation easement. In addition, there are other methodologies to ensure the protection of this asset well into the future. The owner may be willing to enter into a Development Agreement subject to conditions guaranteed by the Town – another example of a partnership opportunity.



Estimated Cost: \$375,000 - \$1,975,000

- Assumes easements (legal fees); no acquisition
- Varies based upon trail type - natural walking/ biking trail or 10' paved
- Site preparation work to path construction
- Conservation Easement on Golf Course estimate: \$150,000 - \$1,500,000

- State Park Trails
- Existing Power Line Easements
- Parks/Open Space

Build It Before They Come and Maintain It Diligently!

While parks, open space and trails are almost universally desired within any community, it is much easier to design and build this recreational infrastructure before all residential and commercial structures are in place. That allows the parks and trails to become the defining elements as the community grows; these become the skeletal framework, similar to roads, around which new development is built.

And maintenance is essential to ensuring a safe and quality recreational experience. The Town should allocate an annual maintenance budget and verify that the HOAs responsible for parks, open space and trails understand their ongoing maintenance responsibilities as well.

Appendix

Definitions

Open and Recreational Spaces

Open space is any open piece of land that is undeveloped (has no buildings or other built structures) and is typically accessible to the public. In some cases, open space may be used for recreational or trail purposes as outlined below while there may be some instances that open space is purchased or acquired for view shed purposes only. In these cases, the land may not be made available for public use.

A **park** is an area of natural, semi-natural or planted space set aside for public enjoyment and recreation or for the protection of wildlife or natural habitats. Some parks may include playground equipment, benches, or a shelter for community gatherings.

A **sports field** is an area on which sports are played; these include but are not limited to: baseball, soccer, football, pickle-ball, volleyball, or similar.

A **plaza** is typically a public square, marketplace, or similar open space in a built-up area and for use by the public.

A **town center** is the commercial or geographical center or core area of a town. Town centers are traditionally associated with shopping or retail. They are also the center of communications with major public transport hubs such as train or bus stations.

A **conservation easement** is an easement, covenant, restriction, or condition in a deed, will, or other instrument signed by or on behalf of the record owner of the underlying real property for the purpose of preserving and maintaining land or water areas predominantly in a natural state, scenic, or open condition, or for recreational, agricultural, cultural, wildlife habitat, or other use or condition consistent with the protection of open land.

A **trail easement** (or **use easement**) is a perpetual legal agreement that allows others to use someone’s land in the manner specifically provided for within the easement.

Common Areas (HOA)

The CC&Rs typically define general **common areas** those available for the use of all the homeowners in the development. The majority of common elements in a development are usually ‘general’ common elements. Their exact location should be depicted in the development’s plat or map. In a single-family home development, often all of the common elements are general common elements. General common elements might include such things as a pool, a park, or a clubhouse.



POST Planning

Let's Implement

Town of Hideout, UT

File Attachments for Item:

4. Continued discussion and possible approval of the Official Zoning Map of the Town of Hideout



Staff Report for Proposed Zoning Map

To: Hideout Town Council and Mayor Rubin

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

Re: Zoning Map – Updated

Date: 1 December 2021

The recommended Zoning Map is attached.

At the October 21, 2021 Planning Commission meeting, staff presented a Zoning Map that, based on our research, most accurately represented current zoning district designations within the Town. The Planning Commission favorably recommended this map to the Town Council. The only changes to the current zoning district designations on the map are the following:

- Deer Mountain Affordable Housing – this area was zoned Mountain (M) or simply designated by its land use, ‘residential affordable housing’ on prior maps. However, the existing conditions on the ground include multi-unit structures that are generally indicative of medium- or high-density residential developments. Therefore, to better match the existing built environment, this area is recommended to change to Residential Medium Density (RMD).
- Lakeview Estates – the prior maps illustrated this as Mountain (M) but this area was rezoned by the Town Council, with a favorable recommendation from the Planning Commission, on June 27, 2019. This area was rezoned to Residential Medium Density (RMD).
- Designation of the Town-owned land just south of Deer Springs and at the Ross Creek entrance as Neighborhood Commercial (NC) Zoning.
 - On November 10, 2021, the Town Council reviewed the proposed Zoning Map and had questions regarding the Neighborhood Commercial (NC) designation and the fiscal impact on the Town. Town Council continued the public hearing to the December 9, 2021 meeting while Staff researched this issue. Staff contacted the Wasatch County Assessor and confirmed that the Town is exempt from property taxes regardless of zoning designation. The Assessor did indicate that if the Town opted to lease the property for a commercial enterprise, the end user would be responsible for paying the taxes on the property based on the actual use. This would be a pass-through cost, sent to the parcel owner, and then



forwarded to the end user to pay. The end user would pay a 'privilege tax' (essentially equal to what the property taxes would be for a private owner). The Town must clarify this tax burden in any lease agreement – 'the lessee shall pay all taxes associated with the proposed use.'

- Right-of-way designation clarification – what appeared to be a road along the west side of Shoreline, Lakeview, and Deer Waters subdivisions has now been clearly identified as an access (and utility) easement.

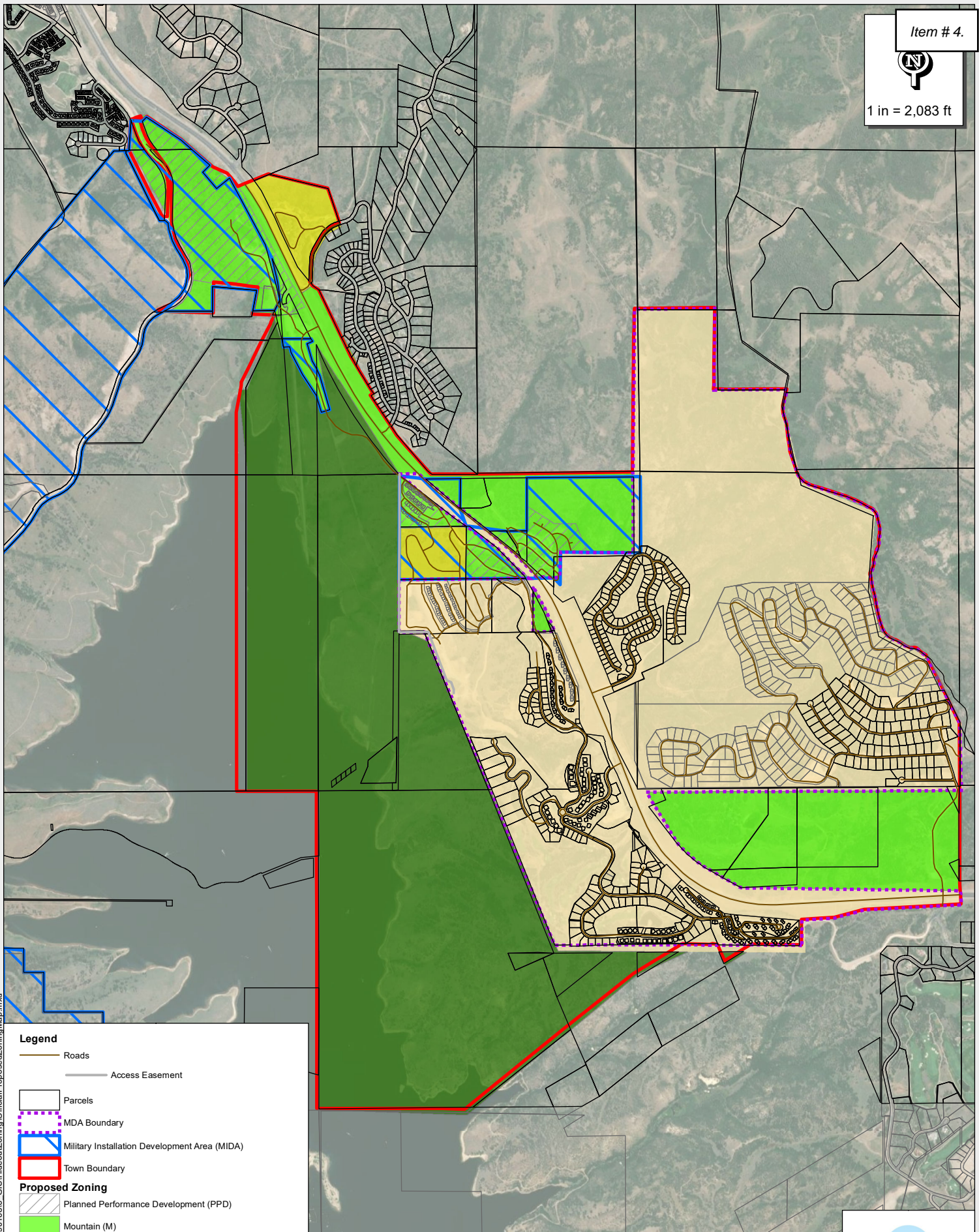
No additional changes or clarifications are recommended for the Zoning Map at this time. The ratification of this map, to the best of our understanding, reflects current conditions and will provide the most accurate compilation of prior maps to date. Once adopted, this will serve as the Town's official Zoning Map.

The Density Pod map that reflects the development areas within the MDA is not part of the Zoning Map. Mustang has a different Density Pod map which Staff is working with them to reconcile.


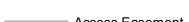


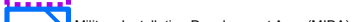

Staff recommends the Town Council review the proposed Zoning Map, hold a public hearing and adopt this map as the Town's Official Zoning Map.








1 in = 2,083 ft



Legend

-  Roads
-  Access Easement
-  Parcels
-  MDA Boundary
-  Military Installation Development Area (MIDA)
-  Town Boundary

Proposed Zoning

-  Planned Performance Development (PPD)
-  Mountain (M)
-  Open Space (OS)
-  Residential Medium Density (RMD)
-  Resort Specially Planned Area (RSPA)



File Attachments for Item:

1. Update from Wasatch County Sheriff's Office regarding first year of service



Jared W. Rigby, Sheriff

Division Commanders

Brian Gardner - Investigations
Jeremy Hales - Comm./Emerg. Mgmt.
Josh Probst - Patrol
Josh Harris - Corrections
Kam Kohler - Search & Rescue

**HIDEOUT STATISTICAL REPORT
Calls for Law Enforcement Service
January 1, 2021 to December 8, 2021**

NATURE OF INCIDENT	TOTAL # OF INCIDENTS
911 Hangup	1
Agency Assist	8
Alarm, Motion	17
Alarm, Panic	1
Animal Problem	3
Burglary	1
Child Abuse	6
Citizen Assist	15
Citizen Dispute	4
Civil Complaint	1
Custody Problem	2
Directed Patrol	3
Disorderly	1
Domestic/Cohab	3
Drugs	3
DUI	2
Fire	2
Fleeing	1
Fraud	4
Impound	13
Intoxication	1
Juvenile Problem	2
Keep the Peace	2
Lost Property	1
Medical	3
Missing Person	1
Noise Complaint	9
Parking Problem	5
PD Traffic Accident	7
Phone Harrassment	2
PI Traffic Accident	2
Rape	1
Runaway Child	1



NATURE OF INCIDENT	TOTAL # OF INCIDENTS
Sex Offense	3
Suspicious	13
Theft	2
Theft – Automobile	1
Threat	1
Tobacco Problem	1
Traffic Hazard	4
Traffic Stop	1
Trespassing	1
Vicious Animal	2
VIN Inspection	6
Welfare Check	2
TOTAL INCIDENTS	165



File Attachments for Item:

3. Update on MIDA



Item # 3.

MRF Project Area Update to Hideout Town Council

East facing from the Mayflower Village: Lakeside
Mayflower, The Pointe, SkyRidge, Hideout

Item # 3.



SkyRidge Mountain Community + Jordanelle Parkway

Item # 3.



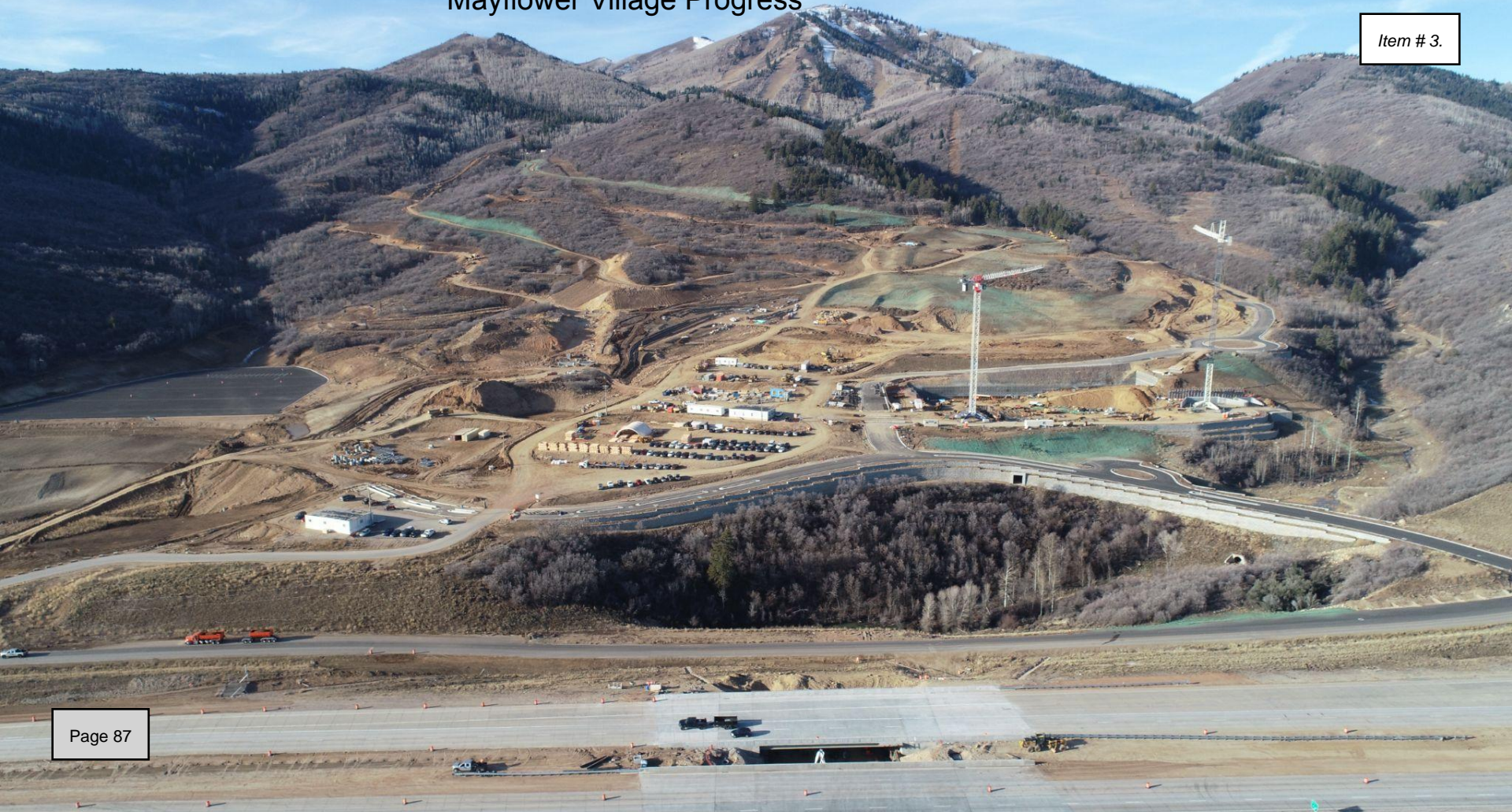
North Portal Progress

Item # 3.



Mayflower Village Progress

Item # 3.



South Portal Progress



Ross Creek and Crandall Point Trail Improvements

Item # 3.



File Attachments for Item:

4. Discussion regarding adoption of the 2016 Wildland/Urban Interface Code and Appendix C

CHAPTER 1 ADMINISTRATION

SECTION 101 GENERAL

101.1 Title. These regulations shall be known as the Wildland-Urban Interface Code of Wasatch County, hereinafter referred to as “this code.”

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure or premises within the wildland-urban interface areas in this jurisdiction.

Buildings or conditions in existence at the time of the adoption of this code are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this code, provided such continued use does not constitute a distinct danger to life or property.

Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings or structures.

101.3 Objective. The objective of this code is to establish minimum regulations consistent with nationally recognized good practice for the safeguarding of life and property. Regulations in this code are intended to mitigate the risk to life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels.

The unrestricted use of property in wildland-urban interface areas is a potential threat to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fires and to provide adequate fire-protection facilities to control the spread of fire in wildland-urban interface areas shall be in accordance with this code.

This code shall supplement the jurisdiction’s building and fire codes, if such codes have been adopted, to provide for special regulations to mitigate the fire- and life-safety hazards of the wildland-urban interface areas.

101.4 Retroactivity. The provisions of the code shall apply to conditions arising after the adoption thereof, conditions not legally in existence at the adoption of this code, to conditions which, in the opinion of the code official, constitute a distinct hazard to life or property.

101.5 Additions or alterations.

Additions or alterations may be made to any building or structure without requiring the existing building or structure to comply with all of the requirements of this code, provided the addition or alteration conforms to that required for a new building or structure.

Exception: Provisions of this code that specifically apply to existing conditions are retroactive. See Sections 601.1 and Appendix A.

Additions or alterations shall not be made to an existing building or structure that will cause the existing building or

structure to be in violation of any of the provisions of this code nor shall such additions or alterations cause the existing building or structure to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or structure to become structurally unsafe or overloaded; will not provide adequate access in compliance with the provisions of this code or will obstruct existing exits or access; will create a fire hazard; will reduce required fire resistance or will otherwise create conditions dangerous to human life.

101.6 Maintenance. All buildings, structures, landscape materials, vegetation, defensible space or other devices or safeguards required by this code shall be maintained in conformance to the code edition under which installed. The owner or the owner’s designated agent shall be responsible for the maintenance of buildings, structures, landscape materials and vegetation.

SECTION 102 AUTHORITY OF THE CODE OFFICIAL

102.1 Powers and duties of the code official. The code official is hereby authorized to administer and enforce this code, or designated sections thereof, and all ordinances of the jurisdiction pertaining to designated wildland-urban interface areas. For such purposes, the code official shall have the powers of a law enforcement officer.

102.2 Interpretations, rules and regulations. The code official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance to the intent and purpose of this code.

A copy of such rules and regulations shall be filed with the clerk of the jurisdiction and shall be in effect immediately thereafter. Additional copies shall be available for distribution to the public.

102.3 Liability of the code official. The code official charged with the enforcement of this code, acting in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered personally liable for damages that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties. A suit brought against the code official or employee because of such act or omission performed by the code official or employee in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by this jurisdiction. The code enforcement agency or its parent jurisdiction shall not be held as assuming any liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

102.4 Other agencies. When requested to do so by the code official, other officials of this jurisdiction shall assist and cooperate with the code official in the discharge of the duties required by this code.

SECTION 103 COMPLIANCE ALTERNATIVES

103.1 Practical difficulties. When there are practical difficulties involved in carrying out the provisions of this code, the code official is authorized to grant modifications for individual cases on application in writing by the owner or a duly authorized representative. The code official shall first find that a special individual reason makes enforcement of the strict letter of this code impractical, the modification is in conformance to the intent and purpose of this code, and the modification does not lessen any fire protection requirements or any degree of structural integrity. The details of any action granting modifications shall be recorded and entered into the files of the code enforcement agency.

If the code official determines that difficult terrain, danger of erosion or other unusual circumstances make strict compliance with the vegetation control provisions of the code detrimental to safety or impractical, enforcement thereof may be suspended, provided that reasonable alternative measures are taken.

103.2 Technical assistance. To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to the inspection of the code official, the code official is authorized to require the owner or the person in possession or control of the building or premises to provide, without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the code official and the owner and shall analyze the fire safety of the design, operation or use of the building or premises, the facilities and appurtenances situated thereon and fuel management for purposes of establishing fire hazard severity to recommend necessary changes.

103.3 Alternative materials or methods. The code official, in concurrence with approval from the building official and fire chief, is authorized to approve alternative materials or methods, provided that the code official finds that the proposed design, use or operation satisfactorily complies with the intent of this code and that the alternative is, for the purpose intended, at least equivalent to the level of quality, strength, effectiveness, fire resistance, durability and safety prescribed by this code. Approvals under the authority herein contained shall be subject to the approval of the building official whenever the alternate material or method involves matters regulated by the International Building Code.

The code official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting

approval of an alternate shall be recorded and entered files of the code enforcement agency.

SECTION 104 APPEALS

104.1 General. To determine the suitability of alternative materials and methods and to provide for reasonable interpretations of the provisions of this code, there shall be and hereby is created a board of appeals consisting of five members who are qualified by experience and training to pass judgment on pertinent matters. The code official, building official and fire chief shall be ex officio members, and the code official shall act as secretary of the board. The board of appeals shall be appointed by the legislative body and shall hold office at their discretion. The board shall adopt reasonable rules and regulations for conducting its investigations and shall render decisions and findings in writing to the code official, with a duplicate copy to the applicant.

104.2 Limitations of authority. The board of appeals shall not have authority relative to interpretation of the administrative provisions of this code and shall not have authority to waive requirements of this code.

SECTION 105 PERMITS

105.1 General. When not otherwise provided in the requirements of the building or fire code, permits are required in accordance with Section 105.

105.2 Permits required. Unless otherwise exempted, no building or structure regulated by this code shall be erected, constructed, altered, repaired, moved, removed, converted, demolished, or changed in use or occupancy unless a separate permit for each building or structure has first been obtained from the code official.

When required by the code official, a permit shall be obtained for the following activities, operations, practices or functions within an wildland-urban interface area:

1. Automobile wrecking yard.
2. Candles and open flames in assembly areas.
3. Explosives or blasting agents.
4. Fireworks.
5. Flammable or combustible liquids.
6. Hazardous materials.
7. Liquefied petroleum gases.
8. Lumberyards.
9. Motor vehicle fuel-dispensing stations.
10. Open burning.
11. Pyrotechnical special effects material.
12. Tents, canopies and temporary membrane structures.

13. Tire storage.
14. Welding and cutting operations.
15. Other activities as determined by the code official.

105.3 Work exempt from permit. Unless otherwise provided in the requirements of the International Building Code or International Fire Code, a permit shall not be required for the following:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²) and the structure is located more than 50 feet (15 240 mm) from the nearest adjacent structure.
2. Fences not over 6 feet (1829 mm) high. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

The code official is authorized to stipulate conditions for permits. Permits shall not be issued when public safety would be at risk, as determined by the code official.

105.4 Permit application. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work, activity, operation, practice or function to be covered by the permit for which application is made.
2. Describe the land on which the proposed work, activity, operation, practice or function is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building, work, activity, operation, practice or function.
3. Indicate the use or occupancy for which the proposed work, activity, operation, practice or function is intended.
4. Be accompanied by plans, diagrams, computation and specifications and other data as required in Section 106 of this code.
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
6. Be signed by the applicant or the applicant's authorized agent.
7. Give such other data and information as may be required by the code official.

105.5 Permit approval. Before a permit is issued, the code official, or an authorized representative, shall review and approve all permitted uses, occupancies or structures. Where laws or regulations are enforceable by other agencies or

departments, a joint approval shall be obtained from all agencies or departments concerned.

105.6 Permit issuance. The application, plans, specifications and other data filed by an applicant for a permit shall be reviewed by the code official. If the code official finds that the work described in an application for a permit and the plan, specifications and other data filed therewith conform to the requirements of this code, the code official is allowed to issue a permit to the applicant.

When the code official issues the permit, the code official shall endorse in writing or stamp the plans and specifications APPROVED. Such approved plans and specifications shall not be changed, modified or altered without authorization from the code official, and all work regulated by this code shall be done in accordance with the approved plans.

105.7 Validity of permit. The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or conceal the provisions of this code or other ordinances of the jurisdiction shall not be valid.

105.8 Expiration. Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the building, use or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building, use or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The code official may extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.

105.9 Retention of permits. Permits shall at all times be kept on the premises designated therein and shall at all times be subject to inspection by the code official or other authorized representative.

105.10 Revocation of permits. Permits issued under this code may be suspended or revoked when it is determined by the code official that:

1. It is used by a person other than the person to whom the permit was issued.
2. It is used for a location other than that for which the permit was issued.
3. Any of the conditions or limitations set forth in the permit have been violated.

4. The permittee fails, refuses or neglects to comply with any order or notice duly served on him under the provisions of this code within the time provided therein.
5. There has been any false statement or misrepresentation as to material fact in the application or plans on which the permit or application was made.
6. When the permit is issued in error or in violation of any other ordinance, regulations or provisions of this code.

The code official is allowed to, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code.

SECTION 106 PLANS AND SPECIFICATIONS

106.1 General. Plans, engineering calculations, diagrams and other data shall be submitted in at least two sets with each application for a permit. When such plans are not prepared by an architect or engineer, the code official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The code official may require plans, computations and specifications to be prepared and designed by an architect or engineer licensed by the state to practice as such even if not required by state law.

Exception: Submission of plans, calculations, construction inspection requirements and other data, if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

106.2 Information on plans and specifications. Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed, and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

106.3 Site plan. In addition to the requirements for plans in the International Building Code, site plans shall include topography, width and percent of grade of access roads, landscape and vegetation details, locations of structures or building envelopes, existing or proposed overhead utilities, occupancy classification of buildings, types of ignition-resistant construction of buildings, structures and their appendages, roof classification of buildings, and site water supply systems.

106.4 Vegetation management plans. When utilized by the permit applicant pursuant to Section 502, vegetation management plans shall be prepared and shall be submitted to the code official for review and approval as part of the plans required for a permit. See Appendix B.

106.5 Fire protection plan. When required by the code official pursuant to Section 405, a fire protection plan shall be prepared and shall be submitted to the code official for review and approved as a part of the plans required for a permit.

106.6 Other data and substantiation. When required by the code official, the plans and specifications shall include classification of fuel loading, fuel model light, medium or heavy, and substantiating data to verify classification of fire-resistive vegetation.

106.7 Vicinity plan. In addition to the requirements for site plans, plans shall include details regarding the vicinity within 300 feet (91 440 mm) of property lines, including other structures, slope, vegetation, fuel breaks, water supply systems and access roads.

106.8 Retention of plans. One set of approved plans, specifications and computations shall be retained by the code official for a period of not less than 90 days from date of completion of the work covered therein; and one set of approved plans and specifications shall be returned to the applicant, and said set shall be kept on the site of the building, use or work at all times during which the work authorized thereby is in progress.

SECTION 107 INSPECTION AND ENFORCEMENT

107.1 Inspection.

107.1.1 General. All construction or work for which a permit is required by this code shall be subject to inspection by the code official and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the code official.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the code official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

A survey of the lot may be required by the code official to verify that the mitigation features are provided and the building or structure is located in accordance with the approved plans.

107.1.2 Authority to inspect. The code official shall inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the code official for the purpose of ascertaining and causing to be corrected any conditions that could reasonably be expected to cause fire or contribute to its spread, or any violation of the purpose of this code and of any other law or standard affecting fire safety.

107.1.3 Reinspections. To determine compliance with this code, the code official may cause a structure to be reinspected. A fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

Reinspection fees may be assessed when the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the code official.

To obtain a reinspection, the applicant shall pay the reinspection fee as set forth in the fee schedule adopted by the jurisdiction. When reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

107.2 Enforcement.

107.2.1 Authorization to issue corrective orders and notices. When the code official finds any building or premises that are in violation of this code, the code official is authorized to issue corrective orders and notices.

107.2.2 Service of orders and notices. Orders and notices authorized or required by this code shall be given or served on the owner, operator, occupant or other person responsible for the condition or violation either by verbal notification, personal service, or delivering the same to, and leaving it with, a person of suitable age and discretion on the premises; or, if no such person is found on the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of said premises and by mailing a copy thereof to such person by registered or certified mail to the person's last known address.

Orders or notices that are given verbally shall be confirmed by service in writing as herein provided.

107.3 Right of entry. Whenever necessary to make an inspection to enforce any of the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in any building or on any premises any condition that makes such building or premises unsafe, the code official is authorized to enter such building or premises at all reasonable times to inspect the same or to perform any duty authorized by this code, provided that if such building or premises is occupied, the code official shall first present proper credentials and request entry; and if such building or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry.

If such entry is refused, the code official shall have recourse to every remedy provided by law to secure entry. Owners, occupants or any other persons having charge, care or control of any building or premises, shall, after proper request is made as herein provided, promptly permit entry therein by the code official for the purpose of inspection and examination pursuant to this code.

107.4 Compliance with orders and notices.

107.4.1 General compliance. Orders and notices issued or served as provided by this code shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the corrective order or notice pertains.

If the building or premises is not occupied, such corrective orders or notices shall be complied with by the owner.

107.4.2 Compliance with tags. A building or premises shall not be used when in violation of this code as noted on a tag affixed in accordance with Section 107.4.1.

107.4.3 Removal and destruction of signs and tags. A sign or tag posted or affixed by the code official shall not be mutilated, destroyed or removed without authorization by the code official.

107.4.4 Citations. Persons operating or maintaining an occupancy, premises or vehicle subject to this code who allow a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises or vehicle when ordered or notified to do so by the code official shall be guilty of a misdemeanor.

107.4.5 Unsafe conditions. Buildings, structures or premises that constitute a fire hazard or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage or abandonment as specified in this code or any other ordinance, are unsafe conditions. Unsafe buildings or structures shall not be used. Unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal, pursuant to applicable state and local laws and codes.

SECTION 108 CERTIFICATE OF COMPLETION

108.1 General. No building, structure or premises shall be used or occupied, and no change in the existing occupancy classification of a building, structure, premise or portion thereof shall be made until the code official has issued a certificate of completion therefor as provided herein. The certificate of occupancy shall not be issued until the certificate of completion indicating that the project is in compliance with this code has been issued by the code official.

108.2 Certificate of occupancy. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other pertinent laws and ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other laws or ordinances of the jurisdiction shall not be valid.

CHAPTER 2 DEFINITIONS

SECTION 201 GENERAL

201.1 Scope. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter, and the singular number includes the plural and the plural the singular.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in other International Codes, such terms shall have the meanings ascribed to them as in those codes.

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have their ordinarily accepted meanings such as the context implies.

SECTION 202 DEFINITIONS

ACCESSORY STRUCTURE. A building or structure used to shelter or support any material, equipment, chattel or occupancy other than a habitable building.

APPROVED. Approval by the code official as the result of review, investigation or tests conducted by the code official or by reason of accepted principles or tests by national authorities, or technical or scientific organizations.

BRUSH, TALL. Arbor-like varieties of brush species and/or short varieties of broad-leaf trees that grow in compact groups or clumps. These groups or clumps reach heights of 4 to 20 feet. In Utah, this includes primary varieties of oak, maples, chokecherry, serviceberry, and mahogany, but may also include other species.

BRUSH, SHORT. Low growing species that reach heights of 1 to 3 feet. Sagebrush, snowberry, and rabbit brush are some varieties.

BUILDING. Any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING OFFICIAL. The officer or other designated authority charged with the administration and enforcement of the International Building Code, or the building official's duly authorized representative.

CERTIFICATE OF COMPLETION. Written documentation that the project or work for which a permit was issued has been completed in conformance with requirements of this code.

CODE OFFICIAL. The official designated by the jurisdiction to interpret and enforce this code, or the code official's authorized representative.

DEFENSIBLE SPACE. An area either natural or man-made, where material capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur.

DRIVEWAY. A vehicular ingress and egress route that serves no more than two buildings or structures, not including accessory structures, or more than five dwelling units.

FIRE AREA. The floor area, in square feet (square meters), used to determine the adequate water supply.

FIRE CHIEF. The chief officer or the chief officer's authorized representative of the fire department serving the jurisdiction.

FIRE PROTECTION PLAN. A document prepared for a specific project or development proposed for the wildland-urban interface area. It describes ways to minimize and mitigate the fire problems created by the project or development, with the purpose of reducing impact on the community's fire protection delivery system.

FIRE WEATHER. Weather conditions favorable to the ignition and rapid spread of fire. In wildfires, this generally includes high temperatures combined with strong winds and low humidity.

FIRE-RESISTANCE-RATED CONSTRUCTION. The use of materials and systems in the design and construction of a building or structure to safeguard against the spread of fire within a building or structure and the spread of fire to or from buildings or structures to the wildland-urban interface area.

FLAME SPREAD RATING. As used herein refers to rating obtained according to tests conducted as specified by a nationally recognized standard.

FUEL BREAK. An area, strategically located for fighting anticipated fires, where the native vegetation has been permanently modified or replaced so that fires burning into it can be more easily controlled. Fuel breaks divide fire-prone areas into smaller areas for easier fire control and to provide access for fire fighting.

FUEL, HEAVY. Vegetation consisting of round wood 3 inches (76 mm) or larger in diameter. The amount of fuel (vegetation) would be 6 tons per acre or greater.

FUEL, LIGHT. Vegetation consisting of round wood less than ¼ inch (6.4 mm) in diameter. The amount of fuel (vegetation) would be ½ ton to 2 tons per acre.

FUEL, MEDIUM. Vegetation consisting of round wood ¼ to 3 inches (6.4 mm to 76 mm) in diameter. The amount of fuel (vegetation) would be 2 to 6 tons per acre.

FUEL MODIFICATION. A method of modifying fuel load by reducing the amount of nonfire-resistive vegetation or altering the type of vegetation to reduce the fuel load.

FUEL MOSAIC. A fuel modification system that provides for the creation of islands and irregular boundaries to reduce the visual and ecological impact of fuel modification.

FUEL-LOADING. The oven-dry weight of fuels in a given area, usually expressed in pounds per acre (lb/a) (kg/ha). Fuel loading may be referenced to fuel size or timelag categories, and may include surface fuels or total fuels.

GREEN BELT. A fuel break designated for a use other than fire protection.

HAZARDOUS MATERIALS. As defined in the International Fire Code.

HEAVY TIMBER CONSTRUCTION. As described in the International Building Code.

LEGISLATIVE BODY. The governing body of the political jurisdiction administering this code.

LOG WALL CONSTRUCTION. A type of construction in which exterior walls are constructed of solid wood members and where the smallest horizontal dimension of each solid wood member is at least 6 inches (152 mm).

MULTILAYERED GLAZED PANELS. Window or door assemblies that consist of two or more independently glazed panels installed parallel to each other, having a sealed air gap in between, within a frame designed to fill completely the window or door opening in which the assembly is intended to be installed.

NONCOMBUSTIBLE. As applied to building construction material means a material that, in the form in which it is used, is either one of the following:

1. Material of which no part will ignite and burn when subjected to fire. Any material conforming to ASTM E 136 shall be considered noncombustible within the meaning of this section.
2. Material having a structural base of noncombustible material as defined in Item 1 above, with a surfacing material not over 1/8 inch (3.2 mm) thick, which has a flame spread rating of 50 or less. Flame spread rating as used herein refers to rating obtained according to tests conducted as specified in ASTM E 84.

“Noncombustible” does not apply to surface finish materials. Material required to be noncombustible for reduced clearances to flues, heating appliances or other sources of high temperature shall refer to material conforming to Item 1. No material shall be classed as noncombustible that is subject to increase in combustibility or flame spread rating, beyond the limits herein established, through the effects of age, moisture or other atmospheric condition.

NONCOMBUSTIBLE ROOF COVERING. One of the following:

1. Cement shingles or sheets.

2. Exposed concrete slab roof.
3. Ferrous or copper shingles or sheets.
4. Slate shingles.
5. Clay or concrete roofing tile.
6. Approved roof covering of noncombustible material.

SLOPE. The variation of terrain from the horizontal; the number of feet (meters) rise or fall per 100 feet (30 480 mm) measured horizontally, expressed as a percentage.

STRUCTURE. That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some manner.

TREE CROWN. The primary and secondary branches growing out from the main stem, together with twigs and foliage.

UNENCLOSED ACCESSORY STRUCTURE. An accessory structure without a complete exterior wall system enclosing the area under roof or floor above.

WILDFIRE. An uncontrolled fire spreading through vegetative fuels, exposing and possibly consuming structures.

WILDLAND. An area in which development is essentially nonexistent, except for roads, railroads, power lines and similar facilities.

WILDLAND-URBAN INTERFACE. The line, area, or zone where structures or other human development (including critical infrastructure that if destroyed would result in hardship to communities) meet or intermingle with undeveloped wildland or vegetative fuel.

CHAPTER 3

WILDLAND-URBAN INTERFACE AREAS

SECTION 301

WILDLAND-URBAN INTERFACE AREA DESIGNATIONS

301.1 Declaration. The legislative body shall declare the wildland-urban interface areas within the jurisdiction. The wildland-urban interface areas shall be based on the maps created in accordance with section 302.

301.2 Mapping. In cooperation, the code official and the Division of Forestry, Fire and State Lands (FFSL) wildfire representative, will create or review Wildland-Urban Interface Area maps, to be recorded and filed with the clerk of the jurisdiction. These areas shall become effective immediately thereafter.

301.3 Review of wildland-urban interface areas. The code official and the FFSL wildfire representative shall reevaluate and recommend modification to the wildland-urban interface areas in accordance with Section 302.1 on a three-year basis or more frequently as deemed necessary by the legislative body.

CHAPTER 4 WILDLAND-URBAN INTERFACE AREA REQUIREMENTS

SECTION 401 GENERAL

401.1 Scope. Wildland-urban interface areas shall be provided with emergency vehicle access and water supply in accordance with this chapter.

401.2 Objective. The objective of this chapter is to establish the minimum requirements for emergency vehicle access and water supply for buildings and structures located in the wildland-urban interface areas.

401.3 General safety precautions. General safety precautions shall be in accordance with this chapter. See also Appendix A.

SECTION 402 APPLICABILITY

402.1 Subdivisions. Subdivisions shall comply with Sections 402.1.1 and 402.1.2.

402.1.1 Access. New subdivisions, as determined by this jurisdiction, shall be provided with fire apparatus access roads in accordance with the International Fire Code and access requirements in accordance with Section 403.

402.1.2 Water supply. New subdivisions as determined by this jurisdiction shall be provided with water supply in accordance with Section 404.

402.2 Individual structures. Individual structures shall comply with Sections 402.2.1 and 402.2.2.

402.2.1 Access.

Individual structures hereafter constructed or relocated into or within wildland-urban interface areas shall be provided with fire apparatus access in accordance with the International Fire Code and driveways in accordance with Section 403.2. Marking of fire protection equipment shall be provided in accordance with Section 403.5 and address markers shall be provided in accordance with Section 403.6.

402.2.2 Water supply.

Individual structures hereafter constructed or relocated into or within wildland-urban interface areas shall be provided with a conforming water supply in accordance with Section 404.

Exceptions:

1. Structures constructed to meet the requirements for the class of ignition-resistant construction specified in Table 503.1 for a nonconforming water supply.
2. Buildings containing only private garages, carports, sheds and agricultural buildings with a floor area of not more than 600 square feet (56 m²).

402.3 Existing conditions. Existing buildings shall be provided with address markers in accordance with Section 403.6. Existing roads and fire protection equipment shall be provided with markings in accordance with Sections 403.4 and 403.5, respectively.

SECTION 403 ACCESS

403.1 Restricted access. Where emergency vehicle access is restricted because of secured access roads or driveways or where immediate access is necessary for life-saving or fire-fighting purposes, the code official is authorized to require a key box to be installed in an accessible location. The key box shall be of a type approved by the code official and shall contain keys to gain necessary access as required by the code official.

403.2 Driveways. Driveways shall be provided when any portion of an exterior wall of the first story of a building is located more than 150 feet (45 720 mm) from a fire apparatus access road. Driveways shall provide a minimum unobstructed width of 20 feet (3658 mm) and a minimum unobstructed height of 13 feet 6 inches (4115 mm). Driveways in excess of 150 feet (45 720 mm) in length shall be provided with turnarounds.

A driveway shall not serve in excess of five dwelling units.

Driveway turnarounds shall have inside turning radii of not less than 30 feet (9144 mm) and outside turning radii of not less than 45 feet (13 716 mm). Driveways that connect with a road or roads at more than one point may be considered as having a turnaround if all changes of direction meet the radii requirements for driveway turnarounds.

Vehicle load limits shall be posted at both entrances to bridges on driveways and private roads. Design loads for bridges shall be established by the code official.

403.3 Fire apparatus access road. When required, fire apparatus access roads shall be all-weather roads with a minimum width of 20 feet (6096 mm) and a clear height of 13 feet 6 inches (4115 mm); shall be designed to accommodate the loads and turning radii for fire apparatus; and have a gradient negotiable by the specific fire apparatus normally used at that location within the jurisdiction. Dead-end roads in excess of 150 feet (45 720 mm) in length shall be provided with turnarounds as approved by the code official. An all-weather road surface shall be any surface material acceptable to the code official that would normally allow the passage of emergency service vehicles to protect structures and wildlands within the jurisdiction.

403.4 Marking of roads. Approved signs or other approved notices shall be provided and maintained for access roads and driveways to identify such roads and prohibit the obstruction thereof or both.

All road identification signs and supports shall be of noncombustible materials. Signs shall have minimum 4-inch-high (102 mm) reflective letters with ½ inch (12.7 mm) stroke on a contrasting 6-inch-high (152 mm) sign. Road identification signage shall be mounted at a height of 7 feet (2134 mm) from the road surface to the bottom of the sign.

403.5 Marking of fire protection equipment. Fire protection equipment and fire hydrants shall be clearly identified in a manner approved by the code official to prevent obstruction.

403.6 Address markers. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located.

Address signs along one-way roads shall be visible from both the intended direction of travel and the opposite direction.

Where multiple addresses are required at a single driveway, they shall be mounted on a single post, and additional signs shall be posted at locations where driveways divide.

Where a roadway provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site.

403.7 Grade. The gradient for fire apparatus access roads and driveways shall not exceed the maximum approved by the code official. It will be up to the code official to ascertain the standard based on local fire equipment. The grade shall not exceed 12 percent.

SECTION 404 WATER SUPPLY

404.1 General. When provided in order to qualify as a conforming water supply for the purpose of Table 503.1, an approved water source shall have an adequate water supply for the use of the fire protection service to protect buildings and structures from exterior fire sources or to suppress structure fires within the wildland-urban interface area of the jurisdiction in accordance with this section.

404.2 Water sources. The point at which a water source is available for use shall be located not more than 1,000 feet (305 m) from the building and be approved by the code official. The distance shall be measured along an unobstructed line of travel.

Water sources shall comply with the following:

1. Man-made water sources shall have a minimum usable water volume as determined by the adequate water supply needs in accordance with Section 404.5. This water source shall be equipped with an approved hydrant. The water level of the water source shall be maintained by rainfall, water pumped from a well, water hauled by a tanker, or by seasonal high water of a stream or river. The design, construction, location,

water level maintenance, access, and access maintenance of man-made water sources shall be approved by the code official.

2. Natural water sources shall have a minimum annual water level or flow sufficient to meet the adequate water supply needs in accordance with Section 404.5. This water level or flow shall not be rendered unusable because of freezing. This water source shall have an approved draft site with an approved hydrant. Adequate water flow and rights for access to the water source shall be ensured in a form acceptable to the code official.

404.3 Draft sites. Approved draft sites shall be provided at all natural water sources intended for use as fire protection for compliance with this code. The design, construction, location, access and access maintenance of draft sites shall be approved by the code official.

The pumper access point shall be either an emergency vehicle access area alongside a conforming access road or an approved driveway no longer than 150 feet (45 720 mm). Pumper access points and access driveways shall be designed and constructed in accordance with all codes and ordinances enforced by this jurisdiction. Pumper access points shall not require the pumper apparatus to obstruct a road or driveway.

404.4 Hydrants. All hydrants shall be designed and constructed in accordance with nationally recognized standards. The location and access shall be approved by the code official.

404.5 Adequate water supply. Adequate water supply shall be determined for purposes of initial attack and flame front control as follows:

1. One- and two-family dwellings. The required water supply for one- and two-family dwellings having a fire area that does not exceed 3,600 square feet (334 m²) shall be 1,000 gallons per minute (63.1 L/s) for a minimum duration of 30 minutes. The required water supply for one- and two-family dwellings having a fire area in excess of 3,600 square feet (334 m²) shall be 1,500 gallons per minute (95 L/s) for a minimum duration of two hours.

Exception: A reduction in required flow rate of 50 percent, as approved by the code official, is allowed when the building is provided with an approved automatic sprinkler system.

2. Buildings other than one- and two-family dwellings. The water supply required for buildings other than one- and two-family dwellings shall be as approved by the code official but shall not be less than 1,500 gallons per minute (95 L/s) for a duration of two hours.

Exception: A reduction in required flow rate of up to 75 percent, as approved by the code official, is allowed when the building is provided with an approved automatic sprinkler

system. The resulting water supply shall not be less than 1,500 gallons per minute (94.6 L/s).

404.6 Fire department. The water system required by this code can only be considered conforming for purposes of determining the level of ignition-resistant construction. (See Table 503.1)

404.7 Obstructions. Access to all water sources required by this code shall be unobstructed at all times. The code official shall not be deterred or hindered from gaining immediate access to water source equipment, fire protection equipment or hydrants.

404.8 Identification. Water sources, draft sites, hydrants and fire protection equipment shall be clearly identified in a manner approved by the code official to identify location and to prevent obstruction by parking and other obstructions.

404.9 Testing and maintenance. Water sources, draft sites, hydrants and other fire protection equipment required by this code shall be subject to periodic tests as required by the fire code official. The fire code official shall establish a periodic testing schedule. Costs are to be covered by the water provider. All such equipment installed under the provisions of this code shall be maintained in an operative condition at all times and shall be repaired or replaced where defective. Additions, repairs, alterations and servicing of such fire protection equipment and resources shall be in accordance with approved standards. Mains and appurtenances shall be installed in accordance with R309 Environmental Quality, Drinking Water Rules of the State of Utah and with standards as established by the Wasatch County and its special service districts.

404.10 Reliability. Water supply reliability shall comply with Sections 404.10.1 through 404.10.3.

404.10.1 Objective. The objective of this section is to increase the reliability of water supplies by reducing the exposure of vegetative fuels to electrically powered systems.

404.10.2 Clearance of fuel. Defensible space shall be provided around water tank structures, water supply pumps and pump houses in accordance with Section 603.

404.10.3 Standby power. Stationary water supply facilities within the wildland-urban interface area dependent on electrical power supplied by power grid to meet adequate water supply demands shall provide functional standby power systems in accordance with the current "National Electrical Code" to ensure that an uninterrupted water supply is maintained. The standby power source shall be capable of providing power for a minimum of two hours.

Exceptions:

1. When approved by the code official, a standby power supply is not required where the primary power service to the stationary water supply facility is underground or there is an onsite generator.

2. A standby power supply is not required where the stationary water supply facility serves no more than one single-family dwelling.

Item # 4.

SECTION 405 FIRE PROTECTION PLAN

405.1 Purpose. The plan is to provide a basis to determine overall compliance with this code, for determination of Ignition Resistant Construction (IRC) (see Table 503.1) and for determining the need for alternative material and methods.

405.2 General. When required by the code official, a fire protection plan shall be prepared.

405.3 Content. The plan shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

405.4 Cost. The cost of fire protection plan preparation and review shall be the responsibility of the applicant.

405.5 Plan retention. The fire protection plan shall be retained by the code official.

CHAPTER 5 SPECIAL BUILDING CONSTRUCTION REGULATIONS

SECTION 501 GENERAL

501.1 Scope. Buildings and structures shall be constructed in accordance with the International Building Code and this code.

Exceptions:

1. Accessory structures not exceeding 120 square feet (11 m²) in floor area when located at least 50 feet (15 240 mm) from buildings containing habitable spaces.
2. Agricultural buildings at least 50 feet (15 240 mm) from buildings containing habitable spaces.

501.2 Objective. The objective of this chapter is to establish minimum standards to locate, design and construct buildings and structures or portions thereof for the protection of life and property, to resist damage from wildfires, and to mitigate building and structure fires from spreading to wildland fuels. The minimum standards set forth in this chapter vary with the critical fire weather, slope and fuel type to provide increased protection, above the requirements set forth in the International Building Code, from the various levels of hazards.

SECTION 502 FIRE HAZARD SEVERITY

502.1 General. The fire hazard severity of building sites for all buildings hereafter constructed, modified or relocated into wildland-urban interface areas shall be established in accordance with Appendix C.

502.2 Fire hazard severity reduction. The fire hazard severity is allowed to be reduced by implementing a vegetation management plan in accordance with Appendix B.

SECTION 503 IGNITION-RESISTANT CONSTRUCTION

503.1 General. Buildings and structures hereafter constructed, modified or relocated into or within wildland-urban interface areas shall meet the construction requirements in accordance with Table 503.1. Class 1, Class 2 or Class 3 ignition-resistant construction shall be in accordance with Sections 504, 505 and 506, respectively.

SECTION 504 CLASS 1 IGNITION-RESISTANT CONSTRUCTION

504.1 General. Class 1 ignition-resistant construction shall be in accordance with Sections 504.2 through 504.11

504.2 Roof covering. Roofs shall have a Class A roof covering or a Class A roof assembly. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be firestopped to preclude entry of flames or embers.

504.3 Protection of eaves. Eaves and soffits shall be protected on the exposed underside by materials approved for a minimum of 1-hour fire-resistance-rated construction,

**TABLE 503.1
IGNITION-RESISTANT CONSTRUCTION ^a**

DEFENSIBLE SPACE ^c	FIRE HAZARD SEVERITY					
	Moderate Hazard		High Hazard		Extreme Hazard	
	Water Supply ^b		Water Supply ^b		Water Supply ^b	
	Conforming ^d	Nonconforming ^e	Conforming ^d	Nonconforming ^e	Conforming ^d	Nonconforming ^e
Nonconforming	IR 2	IR 1	IR 1	IR 1 N.C.	IR 1 N.C.	Not Permitted
Conforming	IR 3	IR 2	IR 2	IR 1	IR 1	IR 1 N.C.
1.5 x Conforming	Not Required	IR 3	IR 3	IR 2	IR 2	IR 1

- a. Access shall be in accordance with Section 402.
- b. Subdivisions shall have a conforming water supply in accordance with Section 402.1.
IR 1 = Ignition-resistant construction in accordance with Section 504
IR 2 = Ignition-resistant construction in accordance with Section 505.
IR 3 = Ignition-resistant construction in accordance with Section 506.
N.C. = Exterior walls shall have a fire-resistance rating of not less than 1-hour and the exterior surfaces of such walls shall be noncombustible. Usage of log wall construction is allowed.
- c. Conformance based on Section 603.
- d. Conformance based on Section 404.
- e. A nonconforming water supply is any water system or source that does not comply with Section 404, including situations where there is no water supply for structure protection or fire suppression.

2-inch (51 mm) nominal dimension lumber, or 1-inch (25.4 mm) nominal fire-retardant-treated lumber or 3/4-inch (19 mm) nominal fire-retardant-treated plywood, identified for exterior use and meeting the requirements of Section 2303.2 of the International Building Code. Fascias are required and shall be protected on the backside by materials approved for a minimum of 1-hour fire-resistance-rated construction or 2-inch (51 mm) nominal dimension lumber.

504.4 Gutters and downspouts. Gutters and downspouts shall be constructed of noncombustible material.

504.5 Exterior walls. Exterior walls of buildings or structures shall be constructed with materials approved for a minimum of 1-hour fire-resistance-rated construction on the exterior side or constructed with approved noncombustible materials.

Exception: Heavy timber or log wall construction.

Such material shall extend from the top of the foundation to the underside of the roof sheathing.

504.6 Unenclosed underfloor protection. Buildings or structures shall have all underfloor areas enclosed to the ground with exterior walls in accordance with Section 504.5.

Exception: Complete enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy timber construction.

504.7 Appendages and projections. Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be a minimum of 1-hour fire-resistance-rated construction, heavy timber construction or constructed of approved noncombustible materials or fire-retardant-treated wood identified for exterior use and meeting the requirements of Section 2303.2 of the International Building Code.

When the attached structure is located and constructed so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all underfloor areas enclosed to within 6 inches (152 mm) of the ground, with exterior wall construction in accordance with Section 504.5.

504.8 Exterior glazing. Exterior windows, window walls and glazed doors, windows within exterior doors, and skylights shall be tempered glass, multilayered glazed panels, glass block or have a fire protection rating of not less than 20 minutes.

504.9 Exterior doors. Exterior doors shall be approved noncombustible construction, solid core wood not less than 1 3/4 inches thick (45 mm), or have a fire protection rating of not less than 20 minutes. Windows within doors and glazed doors shall be in accordance with Section 504.8.

Exception: Vehicle access doors.

504.10 Vents. Attic ventilation openings, foundation or underfloor vents, or other ventilation openings in vertical exterior walls and vents through roofs shall not exceed 144 square inches (0.0929 m²) each. Such vents shall be covered

with noncombustible corrosion-resistant mesh with openings not to exceed 1/4 inch (6.4 mm), or shall be designed and approved to prevent flame or ember penetration into the structure.

Attic ventilation openings shall not be located in soffits, in eave overhangs, between rafters at eaves, or in other overhang areas. Gable end and dormer vents shall be located at least 10 feet (3048 mm) from property lines. Underfloor ventilation openings shall be located as close to grade as practical.

504.11 Detached accessory structures. Detached accessory structures located less than 50 feet (15 240 mm) from a building containing habitable space shall have exterior walls constructed with materials approved for a minimum of 1-hour fire-resistance-rated construction, heavy timber, log wall construction or constructed with approved noncombustible materials on the exterior side.

When the detached structure is located and constructed so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all underfloor areas enclosed to within 6 inches (152 mm) of the ground, with exterior wall construction in accordance with Section 504.5 or underfloor protection in accordance with Section 504.6.

Exception: The enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy-timber construction.

See Section 504.2 for roof requirements.

SECTION 505 CLASS 2 IGNITION-RESISTANT CONSTRUCTION

505.1 General. Class 2 ignition-resistant construction shall be in accordance with Sections 505.2 through 505.11.

505.2 Roof covering. Roofs shall have at least a Class A roof covering, Class B roof assembly or an approved noncombustible roof covering. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be firestopped to preclude entry of flames or embers.

505.3 Protection of eaves. Combustible eaves, fascias and soffits shall be enclosed with solid materials with a minimum thickness of 3/4 inch (19 mm). No exposed rafter tails shall be permitted unless constructed of heavy timber materials.

505.4 Gutters and downspouts. Gutters and downspouts shall be constructed of noncombustible material.

505.5 Exterior walls. Exterior walls of buildings or structures shall be constructed with materials approved for a minimum of 1-hour fire-resistance-rated construction on the exterior side or constructed with approved noncombustible materials.

Exception: Heavy timber or log wall construction.

Such material shall extend from the top of the foundation to the underside of the roof sheathing.

505.6 Unenclosed underfloor protection. Buildings or structures shall have all underfloor areas enclosed to the ground, with exterior walls in accordance with Section 505.5.

Exception: Complete enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy timber construction.

505.7 Appendages and projections. Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be a minimum of 1-hour fire-resistance-rated construction, heavy timber construction or constructed of approved noncombustible materials or fire-retardant-treated wood identified for exterior use and meeting the requirements of Section 2303.2 of the International Building Code.

When the attached structure is located and constructed so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all underfloor areas enclosed to within 6 inches (152 mm) of the ground, with exterior wall construction in accordance with Section 505.5.

505.8 Exterior glazing. Exterior windows, window walls and glazed doors, windows within exterior doors, and skylights shall be tempered glass, multilayered glazed panels, glass block or have a fire-protection rating of not less than 20 minutes.

505.9 Exterior doors. Exterior doors shall be approved noncombustible construction, solid core wood not less than 1¾-inches thick (45 mm), or have a fire protection rating of not less than 20 minutes. Windows within doors and glazed doors shall be in accordance with Section 505.8.

Exception: Vehicle access doors.

505.10 Vents. Attic ventilation openings, foundation or underfloor vents or other ventilation openings in vertical exterior walls and vents through roofs shall not exceed 144 square inches (0.0929 m²) each. Such vents shall be covered with noncombustible corrosion-resistant mesh with openings not to exceed ¼ inch (6.4 mm) or shall be designed and approved to prevent flame or ember penetration into the structure.

Attic ventilation openings shall not be located in soffits, in eave overhangs, between rafters at eaves, or in other overhang areas. Gable end and dormer vents shall be located at least 10 feet (3048 mm) from property lines. Underfloor ventilation openings shall be located as close to grade as practical.

505.11 Detached accessory structures. Detached accessory structures located less than 50 feet (15 240 mm) from a building containing habitable space shall have exterior walls constructed with materials approved for a minimum of 1-hour fire-resistance-rated construction, heavy

timber, log wall construction, or constructed with approved noncombustible material on the exterior side.

When the detached structure is located and constructed so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all underfloor areas enclosed to within 6 inches (152 mm) of the ground, with exterior wall construction in accordance with Section 505.5 or underfloor protection in accordance with Section 505.6.

Exception: The enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy-timber construction.

See Section 505.2 for roof requirements.

SECTION 506 CLASS 3 IGNITION-RESISTANT CONSTRUCTION

506.1 General. Class 3 ignition-resistant construction shall be in accordance with Sections 506.2 through 506.4.

506.2 Roof covering. Roofs shall have at least a Class A roof covering, Class C roof assembly or an approved noncombustible roof covering. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be firestopped to preclude entry of flames or embers.

506.3 Unenclosed underfloor protection. Buildings or structures shall have all underfloor areas enclosed to the ground with exterior walls.

Exception: Complete enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy timber construction.

506.4 Vents. Attic ventilation openings, soffit vents, foundation or underfloor vents or other ventilation openings in vertical exterior walls and vents through roofs shall not exceed 144 square inches (0.0929 m²) each. Such vents shall be covered with noncombustible corrosion-resistant mesh with openings not to exceed ¼ inch (6.4 mm).

SECTION 507 REPLACEMENT OR REPAIR OF ROOF COVERINGS

507.1 General. The roof covering on buildings or structures in existence prior to the adoption of this code that are replaced or have 25 percent or more replaced in a 12-month period shall be replaced with a roof covering required for new construction based on the type of ignition-resistant construction specified in accordance with Section 503.

CHAPTER 6 FIRE PROTECTION REQUIREMENTS

SECTION 601 GENERAL

601.1 Scope. The provisions of this chapter establish general requirements for new and existing buildings, structures and premises located within wildland-urban interface areas.

601.2 Objective. The objective of this chapter is to establish minimum requirements to mitigate the risk to life and property from wildland fire exposures, exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels.

SECTION 602 AUTOMATIC SPRINKLER SYSTEMS

602.1 General. An approved automatic sprinkler system shall be installed in all occupancies in new buildings required to meet the requirements for Class 1 ignition-resistant construction in Chapter 5. The installation of the automatic sprinkler systems shall be in accordance with nationally recognized standards.

SECTION 603 DEFENSIBLE SPACE

603.1 Objective. Provisions of this section are intended to modify the fuel load in areas adjacent to structures to create a defensible space.

603.2 Fuel modification. In order to qualify as a conforming defensible space for individual buildings or structures on a property, fuel modification shall be provided within a distance from buildings or structures as specified in Table 603.2. For all other purposes, the fuel modification distance shall not be less than 30 feet (91 467 mm) or to the property line, whichever is less. Distances specified in Table 603.2 shall be measured on a horizontal plane from the perimeter or projection of the building or structure as

shown in Figure 603.2. Distances specified in Table 603.2 may be modified by the code official because of a site-specific analysis based on local conditions and the fire protection plan.

Persons owning, leasing, controlling, operating or maintaining buildings or structures requiring defensible spaces are responsible for modifying or removing nonfire-resistive vegetation on the property owned, leased or controlled by said person.

Trees are allowed within the defensible space, provided the horizontal distance between crowns of adjacent overhead electrical facilities or unmodified fuel is not less than 10 feet (3048 mm). Deadwood and litter shall be regularly removed from trees.

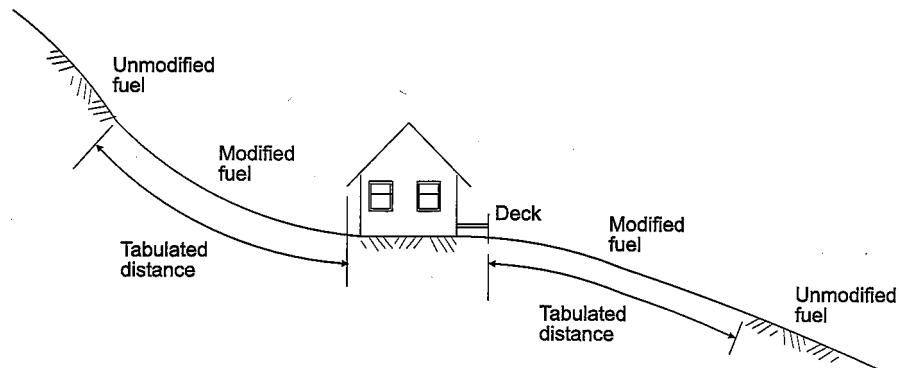
Where ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents or similar plants are used as ground cover, they are allowed to be within the designated defensible space, provided they do not form a means of transmitting fire from the native growth to any structure.

**TABLE 603.2
REQUIRED DEFENSIBLE SPACE**

WILDLAND-URBAN INTERFACE AREA	FUEL MODIFICATION DISTANCE (feet) ^a
Moderate hazard	30
High hazard	50
Extreme hazard	100

For SI: 1 foot = 304.8 mm.

a. Distances are allowed to be increased due to site-specific analysis based on local conditions and the fire protection plan.



**FIGURE 603.2
MEASUREMENTS OF FUEL MODIFICATION DISTANCE**

SECTION 604 MAINTENANCE OF DEFENSIBLE SPACE

604.1 General. Defensible spaces required by Section 603 shall be maintained in accordance with Section 604.

604.2 Modified area. Nonfire-resistive vegetation or growth shall be kept clear of buildings or structures, in accordance with Section 603, in such a manner as to provide a clear area for fire suppression operations.

604.3 Responsibility. Persons owning, leasing, controlling, operating or maintaining buildings or structures are responsible for maintenance of defensible spaces. Maintenance of the defensible space shall include modifying or removing nonfire-resistive vegetation and keeping leaves, needles and other dead vegetative material regularly removed from roofs of buildings and structures.

604.4 Trees. Tree crowns extending to within 10 feet (3048 mm) of any structure shall be pruned to maintain a minimum horizontal clearance of 10 feet (3048 mm). Tree crowns within the defensible space shall be pruned to remove limbs located less than 6 feet (1829 mm) above the ground surface adjacent to the trees.

Portions of tree crowns that extend within 10 feet (3048 mm) of the outlet of a chimney shall be pruned to maintain a minimum horizontal clearance of 10 feet (3048 mm).

Deadwood and litter shall be regularly removed from trees.

SECTION 605 SPARK ARRESTERS

605.1 General. Chimneys serving fireplaces, barbecues, incinerators or decorative heating appliances in which solid or liquid fuel is used, shall be provided with a spark arrester.

Spark arresters shall be constructed of woven or welded screening of 12 USA standard gage wire (0.1046 inch) (2.66 mm) having openings not exceeding ½ inch (12.7 mm).

605.2 Net free area. The net free area of the spark arrester shall not be less than four times the net free area of the outlet of the chimney.

SECTION 606 LIQUEFIED PETROLEUM GAS INSTALLATIONS

606.1 General. The storage of liquefied petroleum gas (LP-gas) and the installation and maintenance of pertinent equipment shall be in accordance with the International Fire Code or, in the absence thereof, recognized standards.

606.2 Location of containers.

LP-gas containers shall be located within the defensible space in accordance with the International Fire Code.

SECTION 607 STORAGE OF FIREWOOD AND COMBUSTIBLE MATERIALS

607.1 General. Firewood and combustible material shall not be stored in unenclosed spaces beneath buildings or structures, or on decks or under eaves, canopies or other projections or overhangs. When required by the code official, storage of firewood and combustible material stored in the defensible space shall be located a minimum of 20 feet (6096 mm) from structures and separated from the crown of trees by a minimum horizontal distance of 15 feet (4572 mm).

607.2 Storage for off-site use. Firewood and combustible materials not for consumption on the premises shall be stored so as to not pose a hazard. See Appendix A.

Item # 4.

APPENDIX A GENERAL REQUIREMENTS

The provisions contained in this appendix are optional.

SECTION A101 GENERAL

A101.1 Scope. The provisions of this appendix establish general requirements applicable to new and existing properties located within wildland-urban interface areas.

A101.2 Objective. The objective of this appendix is to provide necessary fire-protection measures to reduce the threat of wildfire in an wildland-urban interface area and improve the capability of controlling such fires.

SECTION A102 VEGETATION CONTROL

A102.1 General. Vegetation control shall comply with Sections A102.2 through A102.4.

A102.2 Clearance of brush or vegetative growth from roadways. The code official is authorized to require areas within 10 feet (3048 mm) on each side of portions of fire apparatus access roads and driveways to be cleared of nonfire-resistive vegetation growth.

Exception: Single specimens of trees, ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents or similar plants used as ground cover, provided they do not form a means of readily transmitting fire.

A102.3 Clearance of brush and vegetative growth from electrical transmission and distribution lines.

A102.3.1 General.

Clearance of brush and vegetative growth from electrical transmission and distribution lines shall be in accordance with Section A102.3.

Exception: Section A102.3 does not authorize persons not having legal right of entry to enter on or damage the property of others without consent of the owner.

A102.3.2 Support clearance. Persons owning, controlling, operating or maintaining electrical transmission or distribution lines shall have an approved program in place that identifies poles or towers with equipment and hardware types that have a history of becoming an ignition source, and provides a combustible free space consisting of a clearing of not less than 10 feet (3048 mm) in each direction from the outer circumference of such pole or tower during such periods of time as designated by the code official.

Exception: Lines used exclusively as telephone, telegraph, messenger call, alarm transmission or other lines classed as communication circuits by a public utility.

A102.3.3 Electrical distribution and transmission line clearances.

A102.3.3.1 General. Clearances between vegetation and electrical lines shall be in accordance with Section A102.3.3.

A102.3.3.2 Trimming clearance. At the time of trimming, clearances not less than those established by Table A102.3.3.2 shall be provided. The radial clearances shown below are minimum clearances that shall be established, at time of trimming, between the vegetation and the energized conductors and associated live parts.

Exception: The code official is authorized to establish minimum clearances different than those specified by Table A102.3.3.2 when evidence substantiating such other clearances is submitted to and approved by the code official.

**TABLE A102.3.3.2
MINIMUM CLEARANCES BETWEEN VEGETATION
AND ELECTRICAL LINES AT TIME OF TRIMMING**

LINE VOLTAGE	MINIMUM RADIAL CLEARANCE FROM CONDUCTOR (feet)
2,400-72,000	4
72,001-110,000	6
110,001-300,000	10
300,001 or more	15

For SI: 1 foot = 304.8 mm.

A102.3.3.3 Minimum clearance to be maintained. Clearances not less than those established by Table A102.3.3.3 shall be maintained during such periods of time as designated by the code official. The site-specific clearance achieved, at time of pruning, shall vary based on species growth rates, the utility company-specific trim cycle, the potential line sway due to wind, line sag due to electrical loading and ambient temperature and the tree's location in proximity to the high voltage lines.

Exception: The code official is authorized to establish minimum clearances different than those specified by Table A102.3.3.3 when evidence substantiating such other clearances is submitted to and approved by the code official.

TABLE A102.3.3.3
MINIMUM CLEARANCES BETWEEN VEGETATION
AND ELECTRICAL LINES TO BE MAINTAINED

LINE VOLTAGE	MINIMUM CLEARANCE (inches)
750-35,000	6
35,001-60,000	12
60,001-115,000	19
115,001-230,000	30.5
230,001-500,000	115

For SI: 1 inch = 25.4 mm.

A102.3.3.4 Electrical power line emergencies. During emergencies, the utility shall perform the required work to the extent necessary to clear the hazard. An emergency can include situations such as trees falling into power lines, or trees in violation of Table A102.3.3.3.

A102.4 Correction of condition. The code official is authorized to give notice to the owner of the property on which conditions regulated by Section A102 exist to correct such conditions. If the owner fails to correct such conditions, the legislative body of the jurisdiction is authorized to cause the same to be done and make the expense of such correction a lien on the property where such condition exists.

SECTION A103 ACCESS RESTRICTIONS

A103.1 Restricted entry to public lands. The code official is authorized to determine and publicly announce when wildland-urban interface areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of wildland-urban interface areas, except public roadways, inhabited areas or established trails and campsites that have not been closed during such time when the wildland-urban interface area is closed to entry, is prohibited.

Exceptions:

1. Residents and owners of private property within wildland-urban interface areas and their invitees and guests going to or being on their lands.
2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department and members of the Wildland Firefighting Service.

A103.2 Trespassing on posted private property.

A103.2.1 General. When the code official determines that a specific area within an wildland-urban interface area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be restricted or closed until changed conditions warrant termination of such restriction or closure. Such areas shall be posted in accordance with Section A103.2.2.

A103.2.2 Signs. Approved signs prohibiting entry by unauthorized persons and referring to this code shall be placed on every closed area.

A103.2.3 Trespassing. Entering and remaining within areas closed and posted is prohibited.

Exception: Owners and occupiers of private or public property within closed and posted areas; their guests or invitees; authorized persons engaged in the operation and maintenance of necessary utilities such as electrical power, gas, telephone, water and sewer; and local, state and federal public officers and their authorized agents acting in the course of duty.

A103.3 Use of fire roads and defensible space.

Motorcycles, motor scooters and motor vehicles shall not be driven or parked on, and trespassing is prohibited on, fire roads or defensible space beyond the point where travel is restricted by a cable, gate or sign, without the permission of the property owners. Vehicles shall not be parked in a manner that obstructs the entrance to a fire road or defensible space.

Exception: Public officers acting within their scope of duty.

Radio and television aerials, guy wires thereto, and other obstructions shall not be installed or maintained on fire roads or defensible spaces, unless located 16 feet (4877 mm) or more above such fire road or defensible space.

A103.4 Use of motorcycles, motor scooters, ultralight aircraft and motor vehicles. Motorcycles, motor scooters, ultralight aircraft and motor vehicles shall not be operated within wildland-urban interface areas, without a permit by the code official, except on clearly established public or private roads. Permission from the property owner shall be presented when requesting a permit.

A103.5 Tampering with locks, barricades, signs and address markers. Locks, barricades, seals, cables, signs and address markers installed within wildland-urban interface areas, by or under the control of the code official, shall not be tampered with, mutilated, destroyed or removed.

Gates, doors, barriers and locks installed by or under the control of the code official shall not be unlocked.

SECTION A104 IGNITION SOURCE CONTROL

A104.1 General. Ignition sources shall be in accordance with Section A104.

A104.2 Objective. Regulations in this section are intended to provide the minimum requirements to prevent the occurrence of wildfires.

A104.3 Clearance from ignition sources. Clearance between ignition sources and grass, brush or other combustible materials shall be maintained a minimum of 30 feet (9144 mm).

A104.4 Smoking. When required by the code official, signs shall be posted stating NO SMOKING. No person shall

smoke within 15 feet (4572 mm) of combustible materials or nonfire-resistive vegetation.

Exception: Places of habitation or in the boundaries of established smoking areas or campsites as designated by the code official.

A104.5 Equipment and devices generating heat, sparks or open flames. Equipment and devices generating heat, sparks or open flames capable of igniting nearby combustibles shall not be used in wildland-urban interface areas without a permit from the code official.

Exception: Use of approved equipment in habited premises or designated campsites that are a minimum of 30 feet (9144 mm) from grass-, grain-, brush- or forest-covered areas.

A104.6 Fireworks. Fireworks shall not be used or possessed in wildland-urban interface areas.

Exception: Fireworks allowed by the code official under permit in accordance with the International Fire Code when not prohibited by applicable local or state laws, ordinances and regulations.

The code official is authorized to seize, take, remove or cause to be removed fireworks in violation of this section.

A104.7 Outdoor fires.

A104.7.1 General. No person shall build, ignite or maintain any outdoor fire of any kind for any purpose in or on any wildland-urban interface area, except by the authority of a written permit from the code official.

Exception: Outdoor fires within inhabited premises or designated campsites where such fires are in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator or grill and are a minimum of 30 feet (9144 mm) from any combustible material or nonfire-resistive vegetation.

A104.7.2 Permits. Permits shall incorporate such terms and conditions that will reasonably safeguard public safety and property. Outdoor fires shall not be built, ignited or maintained in or on hazardous fire areas under the following conditions:

1. When high winds are blowing,
2. When a person 17 years old or over is not present at all times to watch and tend such fire, or
3. When a public announcement is made that open burning is prohibited.

A104.7.3 Restrictions. No person shall use a permanent barbecue, portable barbecue, outdoor fireplace or grill for the disposal of rubbish, trash or combustible waste material.

A104.8 Incinerators, outdoor fireplaces, permanent barbecues and grills. Incinerators, outdoor fireplaces, permanent barbecues and grills shall not be built, installed or maintained in wildland-urban interface areas without approval of the code official.

Incinerators, outdoor fireplaces, permanent barbecues grills shall be maintained in good repair and in a safe condition at all times. Openings in such appliances shall be provided with an approved spark arrestor, screen or door.

Exception: When approved by the code official, unprotected openings in barbecues and grills necessary for proper functioning.

A104.9 Reckless behavior. The code official is authorized to stop any actions of a person or persons if the official determines that the action is reckless and could result in an ignition of fire or spread of fire.

A104.10 Planting vegetation under or adjacent to energized electrical lines. No vegetation shall be planted under or adjacent to energized power lines that, at maturity, shall grow within 10 feet (3048 mm) of the energized conductors.

SECTION A105 CONTROL OF STORAGE

A105.1 General. In addition to the requirements of the International Fire Code, storage and use of the materials shall be in accordance with Section A105.

A105.2 Hazardous materials. Hazardous materials in excess of 10 gallons (37.8 L) of liquid, 200 cubic feet (5.66 m³) of gas, or 10 pounds (4.54 kg) of solids require a permit and shall comply with nationally recognized standards for storage and use.

A105.3 Explosives. Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported or disposed of within wildland-urban interface areas, except by permit from the code official.

A105.4 Combustible materials.

A105.4.1 General. Outside storage of combustible materials such as, but not limited to, wood, rubber tires, building materials or paper products shall comply with the other applicable sections of this code and this section.

A105.4.2 Individual piles. Individual piles shall not exceed 5,000 square feet (465 m²) of contiguous area. Piles shall not exceed 50,000 cubic feet (1416 m³) in volume or 10 feet (3048 mm) in height.

A105.4.3 Separation. A clear space of at least 40 feet (12 192 mm) shall be provided between piles. The clear space shall not contain combustible material or nonfire-resistive vegetation.

SECTION A106 DUMPING

A106.1 Waste material. Waste material shall not be placed, deposited or dumped in wildland-urban interface areas, or in, on or along trails, roadways or highways or against structures in wildland-urban interface areas.

Exception: Approved public and approved private dumping areas.

A106.2 Ashes and coals. Ashes and coals shall not be placed, deposited or dumped in or on wildland-urban interface areas.

Exceptions:

1. In the hearth of an established fire pit, camp stove or fireplace.
2. In a noncombustible container with a tightfitting lid, which is kept or maintained in a safe location not less than 10 feet (3048 mm) from nonfire-resistive vegetation or structures.
3. Where such ashes or coals are buried and covered with 1 foot (305 mm) of mineral earth not less than 25 feet (7620 mm) from nonfire-resistive vegetation or structures.

**SECTION A107
PROTECTION OF PUMPS AND
WATER STORAGE FACILITIES**

A107.1 General. The reliability of the water supply shall be in accordance with Section A107.

A107.2 Objective. The intent of this section is to increase the reliability of water storage and pumping facilities and to protect such systems against loss from intrusion by fire.

A107.3 Fuel modification area. Water storage and pumping facilities shall be provided with a defensible space of not less than 30 feet (9144 mm) clear of nonfire-resistive vegetation or growth around and adjacent to such facilities.

Persons owning, controlling, operating or maintaining water storage and pumping systems requiring this defensible space are responsible for clearing and removing nonfire-resistive vegetation and maintaining the defensible space on the property owned, leased or controlled by said person.

A107.4 Trees. Portions of trees that extend to within 30 feet (9144 mm) of combustible portions of water storage and pumping facilities shall be removed.

A107.5 Protection of electrical power supplies. When electrical pumps are used to provide the required water supply, such pumps shall be connected to a standby power source to automatically maintain electrical power in the event of power loss. The standby power source shall be capable of providing power for a minimum of two hours in accordance with the ICC Electrical Code.

Exception: A standby power source is not required where the primary power service to pumps are underground and approved by the code official.

**SECTION A108
LAND USE LIMITATIONS**

A108.1 General. Temporary fairs, carnivals, public exhibitions and similar uses must comply with all other provisions of this code in addition to enhanced ingress and egress requirements.

A108.2 Objective. The increased public use of land or structures in wildland-urban interface areas also increases

the potential threat to life safety. The provisions of this section are intended to reduce that threat.

A108.3 Permits. Temporary fairs, carnivals, public exhibitions or similar uses shall not be allowed in a designated wildland-urban interface area, except by permit from the code official.

Permits shall incorporate such terms and conditions that will reasonably safeguard public safety and property.

A108.4 Access roadways. In addition to the requirements in Section 403, access roadways shall be a minimum of 24 feet (7315 mm) wide and posted NO PARKING. Two access roadways shall be provided to serve the permitted use area.

When required by the code official to facilitate emergency operations, approved emergency vehicle operating areas shall be provided.

**SECTION A109
REFERENCED STANDARDS**

IFC-2006 International Fire Code A104.6, A105.1

APPENDIX B

VEGETATION MANAGEMENT PLAN

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

SECTION B101

GENERAL

B101.1 Scope. Vegetation management plans shall be submitted to the code official for review and approval as part of the plans required for a permit.

B101.2 Plan content. Vegetation management plans shall describe all actions that will be taken to prevent a fire from being carried toward or away from the building. A vegetation management plan shall include at least the following information:

1. A copy of the site plan.
2. Methods and timetables for controlling, changing or modifying areas on the property. Elements of the plan shall include removal of slash, snags, vegetation that may grow into overhead electrical lines, other ground fuels, ladder fuels and dead trees, and the thinning of live trees.
3. A plan for maintaining the proposed fuel-reduction measures.

B101.3 Fuel modification. To be considered a fuel modification for purposes of this code, continuous maintenance of the clearance is required.

APPENDIX C
FIRE HAZARD SEVERITY FORM

Item # 4.

This appendix is to be used to determine the fire hazard severity.

Owner Name: _____ Building Address: _____

A. Subdivision Design (Fire District)

1. Ingress/Egress

Two or more primary roads 1_____
One road 10_____
One-lane road in, one-lane road out 15_____

2. Width of Primary Road

20 feet or more 1_____
Less than 20 feet 5_____

3. Accessibility

Road grade 5% or less 1_____
Road grade 5-10% 5_____
Road grade greater than 10% 10_____

4. Secondary Road Terminus

Loop roads, cul-de-sacs with an outside turning radius of 45 feet or greater 1_____
Cul-de-sac turnaround 5_____
Dead-end roads 200 feet or less in length 8_____
Dead-end roads greater than 200 feet in length 10_____

5. Street Signs

Present and approved 0_____
Present but unapproved 3_____
Not present 5_____

B. Vegetation (IUWIC Definitions)

1. Fuel Types (within the defensible space)

Surface Lawn/noncombustible 1_____
Grass/short brush 5_____
Scattered dead/down woody material 10_____
Abundant dead/down wood material 15_____
Overstory
Deciduous trees (except tall brush) 3_____
Mixed deciduous trees and tall brush 10_____
Clumped/scattered conifers and/or tall brush 15_____
Contiguous conifer and/or tall brush 20_____

2. Defensible Space (Lot Specific)

70% or more of lots completed 1_____
30% or more of lots completed 10_____
Less than 30% of lots completed 20_____

C. Topography

Located on flat, base of hill or setback at crest of hill 1_____
On slope with 0-20% grade 5_____
On slope with 21-30% grade 10_____
On slope with 31% grade or greater 15_____
At crest of hill with unmitigated vegetation below 20_____

D. Roofing Material

Class A Fire Rated 1_____
Class B Fire Rated 5_____
Class C Fire Rated 10_____
Non-rated 20_____

E. Fire Protection—Water Source

1000 GPM hydrant within 600 feet 1_____
Hydrant farther than 600 feet or draft site 5_____
Approved water source 20 min or less round trip 10_____
Approved water source farther than 20 min, and 45 min or less round trip 15_____
Approved water source farther than 45 min round trip 20_____

F. Siding and Decking

Noncombustible siding/deck 1_____
Combustible side/no deck 5_____
Noncombustible siding/combustible deck 10_____
Combustible siding and deck 15_____

G. Utilities (gas and/or electrical)

All underground utilities 1_____
One underground, one aboveground 3_____
All aboveground 5_____

Total for Subdivision or Site

0

Moderate Hazard 50-75
High Hazard 76-100
Extreme Hazard 101+

Fire District Approval _____

Approval Date & Stamp _____

File Attachments for Item:

5. Discussion and possible approval of an extension beyond the six-month timeline noted in Ordinance 2021-O-09 to record Shoreline Phases 2A (Amended) and 3 plat maps

Phase 3 is making good progress, however due to the time to order manholes and parts, we won't have curb/gutter down this fall. All the underground sewer/water/storm will be completed.

GCD will install the curb/gutter and asphalt soon as weather permits in the spring 2022.

At that point, the plats will get recorded. So a 6 month extension from now is plenty of time to record both plats in the spring 2022, once work is complete.

Thanks
Glen Gabler
GCD

File Attachments for Item:

6. Discussion and possible approval of changes to the deed restrictions for the Lakeview Estates Subdivision



Staff Report for Lakeview Estates Deed Restrictions

To: Mayor Philip Rubin
Town of Hideout Council

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

Re: Lakeview Estates – Proposed Changes to Deed Restrictions

Date: 1 December 2021

Submittals: Subdivision Plat for Phase 4

On June 27, 2019, the Town Council voted to rezone the Lakeview Estates Subdivision from Mountain (M) to Residential Medium Density (RMD). The RMD zoning classification gave the developer additional density on the site. While the Town Council was agreeable to the additional density allowed by the RMD zoning designation, they did require some height and setback limitations that were similar to the Mountain (M) and/or Residential Single-Family (RSF) zoning designation. In particular, the Council recommended and approved a set of Deed Restrictions for the subdivision that included the following:

- Maximum Building Height – 35'-0"
- Minimum Front Setback / Driveway Length – 25'-0"

In late 2019 and early 2020, the developer worked with the Town staff to redesign much of the originally designed subdivision. This redesign connected the Lakeview Estates neighborhood to the Shoreline neighborhood, preserved additional open space, expanded park amenities, and eliminated very tall retaining walls. As a result of this redesign (and specifically to reduce the retaining wall heights), some front yard setbacks were reduced from the minimum 25'-0" to 20'-0" (minimum). The Planning Commission and Town Council (on May 28, 2020) approved the redesign and specifically indicated support for these setback reductions (noted in the minutes). However, the Deed Restrictions were never formally revised. That is the purpose of this staff report and requested action.

The only change proposed at this time is the reduction of the minimum front setback from 25'-0" to 20'-0" (see the attached Exhibit).

Staff recommends the Town Council review the proposed changes and approve the recommended changes to the Lakeview Estates Deed Restrictions.

When Recorded Return To:

TOWN OF HIDEOUT

Attn: Town Clerk

10860 N. Hideout Trail

Hideout, Utah 84036

Tax Parcel No.: 00-0020-8159

Ent 465529 Bk 1257 Pg 491-499
 Date: 09-JUL-2019 4:39:01PM
 Fee: \$40.00 Check Filed By: TC
 PEGGY FOY SULSER, Recorder
 WASATCH COUNTY CORPORATION
 For: VANDEN AKKER JOEL

DEED RESTRICTION

This *Deed Restriction* ("**Restriction**") is made with respect to the Property, as identified below, for the benefit of the Town of Hideout, a political subdivision of the State of Utah ("**Town**"), by the following individuals and entities (collectively, referred to herein as "**Owner**");

Jill Vanden Akker nka Jill Vanden Akker Martin, as to a ¼ interest in the Property;

Nakker Properties L.P., an Idaho limited partnership, as to a ¼ interest in the Property;

Joel Wright Vanden Akker and Leigh M. Vanden Akker, trustees of the Joel & Leigh Vanden Akker Family Trust dated December 28, 2000, as to a ¼ interest in the Property; and

Joel Vanden Akker, Jill Vanden Akker Martin & Richard Van Den Akker, trustees of the RJJ Trust dated August 1, 2009, as to a ¼ interest in the Property.

RECITALS

A. Owner owns certain real property ("**Property**") located in Wasatch County, known as Wasatch County Tax Parcel No. 00-0020-9604, and more particularly described on **Exhibit A** hereto.

B. Owner desires to rezone the property from "Mountain" to the "Residential Medium Density" classification identified in Section 11.07.143 of the Town's code.

C. Owner is willing to voluntarily enter into this Restriction for the express benefit of the Town in connection with the rezone of the Property.

RESTRICTION

For valuable consideration, acknowledged and received, Owner agrees as follows for the benefit of the Town:

1. **Building Height**. No residential structure, home, building, or improvement on the Property will exceed a height of thirty-five (35) feet above the natural grade of the Property at the measured from the lowest exposed portion of such structure.

2. Front Setback. The front setback for each residential structure within the Property will be at least twenty-five feet (25').

CUT 3. Minimum Driveway Length. Residential structures will have a minimum driveway length of twenty-five feet (25').

ADD 3. Minimum Driveway Length. Residential structures will have a minimum driveway length of twenty feet (20'). Adjacent structures should generally have a staggered or alternating pattern of driveway lengths of twenty feet (20') or twenty-five feet (25') or greater if applicable.

4. Front Elevations. To encourage a non-uniform feel of structures on the Property, the front elevation of each residential structure will vary from the residential structure on either side as follows: either (a) such front elevation will have an offset of at least five feet (5') from adjacent residential structures relative to the distance to the edge of payment; or (b) the vertical plane of such front elevation will vary at least fifteen degrees (15°) from the vertical plane of adjoining structures.

5. Density. The density for development on the Property will be limited to six (6) residential lots per acre. No more than one (1) detached single-family residence may be constructed on each lot within the Property. Attached residences or multi-family dwellings are not permitted on the Property.

6. Application of Restrictions. The restrictions set forth in this Restriction shall apply to development of the Property; provided, however, that if any applicable zoning ordinance or regulation is modified or amended to provide for more restrictive terms or conditions (i.e. lower building height, increased setbacks and driveway length, additional elevation requirements, or lower density) and such modification or amendment becomes effective prior to the date a completed development application has submitted to the town, the more restrictive terms or conditions will apply.

7. Run with the Land. This Restriction and the terms and conditions hereof will run with the land and be binding on Owner's successors, assigns, beneficiaries, and grantees. The Restriction will survive subdivision of the Property and will apply in full force to each lot created on the Property.

8. Enforcement by the Town. The Town may enforce this Restriction against Owner, and any successor, assign, beneficiary, or grantee having, or claiming, any interest in the Property. The Town may enforce this Restriction through any applicable procedure or proceeding including, without limitation, actions in law or equity. The Town may deny any development application or permit request which fails to comply with the terms and conditions of this Restriction. In the event of any proceeding to interpret or enforce this Restriction, the prevailing party shall be entitled to an award of costs and fees incurred, including reasonable attorneys' fees. The Town's right to enforce this Restriction does not create a right of enforcement in any third-parties.

LEGAL DESCRIPTION OF THE PROPERTY

Beginning at a point South 89°33'19" West along the section line 3996.525 feet and South 0°15'12" West 880.56 feet from the Northeast corner of Section 17, Township 2 South, Range 5 East, Salt Lake Base and Meridian, and running thence North 89°28'38" East 1110.39 feet; thence South 0°05'38" West 877.09 feet; thence South 89°23'57" West 1112.85 feet to the west line of the east 1/2 of the Northwest Quarter of said Section 17; thence North 0°15'12" East along said west line 878.64 feet to the point of beginning.

Area 22.40 acres, more or less.

OWNER

JOEL WRIGHT VANDEN AKKER AND LEIGH M.
VANDEN AKKER, trustees of the Joel & Leigh
Vanden Akker Family Trust dated December 28,
2000

Joel Vanden Akker 7/8/19

Joel Wright Vanden Akker, Trustee

Leigh M. Vanden Akker 7/8/19

Leigh M. Vanden Akker, Trustee

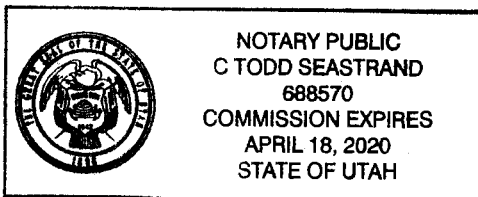
STATE OF UTAH)

COUNTY OF Salt Lake)
SS:

The foregoing DEED RESTRICTION was acknowledged before me this 8 day
of July, 2019, by Joel Wright Vanden Akker and Leigh M. Vanden Akker,
as Trustees of the Joel & Leigh Vanden Akker Family Trust dated December 28, 2000.

[Seal]

C. Todd Seastrand
NOTARY PUBLIC



DATED the 1st day of July 2019.

OWNER

Jill Vanden Akker NKA
Jill Vanden Akker Martin

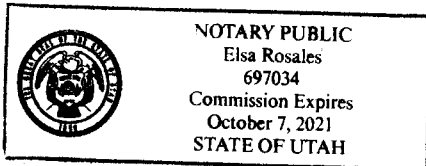
JILL VANDEN AKKER NKA
JILL VANDEN AKKER MARTIN


STATE OF UTAH)
COUNTY OF DAVIS ss:)

The foregoing DEED RESTRICTION was acknowledged before me this 1 day of July, 2019, by Jill Vanden Akker nka Jill Vanden Akker Martin.

[Seal]

Elsa Rosales
NOTARY PUBLIC

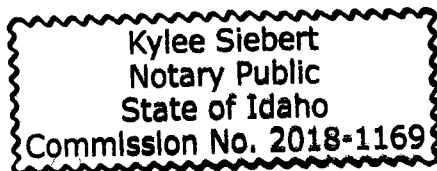


OWNER**NAKKER PROPERTIES, L.P., an Idaho limited partnership**By: Name: Richard Van Den AkkerTitle: General Partner

IDAHO
 STATE OF ~~UTAH~~)
 SS:
 COUNTY OF ADA)

The foregoing DEED RESTRICTION was acknowledged before me this 1 day
 of July, 2019, by Richard Van Den Akker as General Partner
 of Nakker Properties L.P..

[Seal]



Exp June 25, 2024


 NOTARY PUBLIC

OWNER

**JOEL VANDEN AKKER, JILL VANDEN AKKER
MARTIN, AND RICHARD VAN DEN AKKER,
trustees of the RJJ Trust dated August 1, 2009**

Joel Vanden Akker, Trustee

Vill Oansen Akker Mark

Jill Vanden Akker Martin, Trustee

Richard Van Den Akker, Trustee


STATE OF UTAH)

COUNTY OF Davis SS:

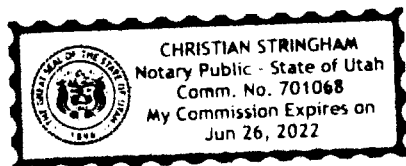
The foregoing DEED RESTRICTION was acknowledged before me this 6 day of July, 2019, by Joel Vanden Akker, Jill Vanden Akker Martin, and Richard Van Den Akker, as trustees of the RJJ Trust dated August 1, 2009.

[Seal]

Trust dated August 1, 2009.



NOTARY PUBLIC



When Recorded Return To:

TOWN OF HIDEOUT
Attn: Town Clerk
10860 N. Hideout Trail
Hideout, Utah 84036

Tax Parcel No.: 00-0020-8159

AMENDED DEED RESTRICTION

This *Deed Restriction* (“**Restriction**”) is made with respect to the Property, as identified below, for the benefit of the Town of Hideout, a political subdivision of the State of Utah (“**Town**”), by the following individuals and entities (collectively, referred to herein as “**Owner**”):

Holmes Lakeview Estates, LLC

RECITALS

A. Owner owns certain real property (“**Property**”) located in Wasatch County, known as Wasatch County Tax Parcel No. 00-0020-9604, and more particularly described on **Exhibit A** hereto.

B. On July 9, 2019, the prior Owner entered into a Deed Restriction entry number 465529, Bk 1257, Pg. 491-499, in exchange for a rezone the property from “Mountain” to the “Residential Medium Density” classification identified in Section 11.07.143 of the Town’s code.

C. Owner is willing to voluntarily enter into this Restriction for the express benefit of the Town in connection with the rezone of the Property.

D. The proposed revision results in a better subdivision layout, overall design, a reduced site and number of retaining walls, less density, and the proposed 20’ front setback meets the requirements of the current zone.

RESTRICTION

For valuable consideration, acknowledged and received, Owner agrees as follows for the benefit of the Town:

1. Building Height. No residential structure, home, building, or improvement on the Property will exceed a height of thirty-five (35) feet above the natural grade of the Property at the measured from the lowest exposed portion of such structure.

2. Front Setback. The front setback for each residential structure within the Property will be at least twenty feet (20’). ~~twenty-five feet (25’)~~.

3. Minimum Driveway Length. Residential structures will have a minimum driveway length of twenty-five feet (25').

4. Front Elevations. To encourage a non-uniform feel of structures on the Property, the front elevation of each residential structure will vary from the residential structure on either side as follows: either (a) such front elevation will have an offset of at least five feet (5') from adjacent residential structures relative to the distance to the edge of payment; or (b) the vertical plane of such front elevation will vary at least fifteen degrees (15°) from the vertical plane of adjoining structures.

5. Density. The density for development on the Property will be limited to six (6) residential lots per acre. No more than one (1) detached single-family residence may be constructed on each lot within the Property. Attached residences or multi-family dwellings are not permitted on the Property.

6. Application of Restrictions. The restrictions set forth in this Restriction shall apply to development of the Property; provided, however, that if any applicable zoning ordinance or regulation is modified or amended to provide for more restrictive terms or conditions (i.e. lower building height, increased setbacks and driveway length, additional elevation requirements, or lower density) and such modification or amendment becomes effective prior to the date a completed development application has submitted to the town, the more restrictive terms or conditions will apply.

7. Run with the Land. This Restriction and the terms and conditions hereof will run with the land and be binding on Owner's successors, assigns, beneficiaries, and grantees. The Restriction will survive subdivision of the Property and will apply in full force to each lot created on the Property.

8. Enforcement by the Town. The Town may enforce this Restriction against Owner, and any successor, assign, beneficiary, or grantee having, or claiming, any interest in the Property. The Town may enforce this Restriction through any applicable procedure or proceeding including, without limitation, actions in law or equity. The Town may deny any development application or permit request which fails to comply with the terms and conditions of this Restriction. In the event of any proceeding to interpret or enforce this Restriction, the prevailing party shall be entitled to an award of costs and fees incurred, including reasonable attorneys' fees. The Town's right to enforce this Restriction does not create a right of enforcement in any third-parties.

//

//

DATED the _____ day of _____ 2021.

OWNER

JILL VANDEN AKKER NKA
JILL VANDEN AKKER MARTIN

STATE OF UTAH)
 ss:
COUNTY OF _____)

The foregoing DEED RESTRICTION was acknowledged before me this ____ day of _____, 2021, by Jill Vanden Akker nka Jill Vanden Akker Martin.

[Seal]

NOTARY PUBLIC

OWNER**NAKKER PROPERTIES, L.P., an Idaho limited partnership**

By: _____

Name: _____

Title: _____

STATE OF UTAH)

ss:

COUNTY OF _____)

The foregoing DEED RESTRICTION was acknowledged before me this ____ day
 of _____, 2021, by _____ as _____
 of Nakker Properties L.P..

[Seal]

NOTARY PUBLIC

OWNER

JOEL WRIGHT VANDEN AKKER AND LEIGH M. VANDEN AKKER, trustees of the Joel & Leigh Vanden Akker Family Trust dated December 28, 2000

Joel Wright Vanden Akker, Trustee

Leigh M. Vanden Akker, Trustee

STATE OF UTAH)
)
) ss:
)
COUNTY OF _____)

The foregoing DEED RESTRICTION was acknowledged before me this ____ day of _____, 2021, by Joel Wright Vanden Akker and Leigh M. Vanden Akker, as Trustees of the Joel & Leigh Vanden Akker Family Trust dated December 28, 2000.

[Seal]

NOTARY PUBLIC

OWNER

**JOEL VANDEN AKKER, JILL VANDEN AKKER
MARTIN, AND RICHARD VAN DEN AKKER,
trustees of the RJJ Trust dated August 1, 2009**

Joel Vanden Akker, Trustee

Jill Vanden Akker Martin, Trustee

Richard Van Den Akker, Trustee

STATE OF UTAH)
)
) SS:
)
COUNTY OF _____)

The foregoing DEED RESTRICTION was acknowledged before me this ____ day of _____, 2021, by Joel Vanden Akker, Jill Vanden Akker Martin, and Richard Van Den Akker, as trustees of the RJJ Trust dated August 1, 2009.

[Seal]

NOTARY PUBLIC

EXHIBIT A
(Legal Description of Property)

File Attachments for Item:

7. Presentation of fiscal first quarter financials

Hideout, Utah
September 30, 2021
Basic Financial Statements

Prepared by
Wesley Bingham, CPA

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Town of Hideout
Budget Comparison Report
10 General Fund - 07/01/2021 to 09/30/2021
25.00% of the fiscal year has expired

	Period Actual	YTD Actual	Annual Budget	Over/(Under)	Percentage
Change In Net Position					
Revenue:					
Taxes					
3110 Property taxes - current	66.13	66.13	151,800.00	(151,733.87)	0.04%
3120 Prior year property taxes - delinquent	77.94	706.30	30,000.00	(29,293.70)	2.35%
3124 Fee-in-lieu of property taxes	491.88	1,456.60	10,700.00	(9,243.40)	13.61%
3130 Sales tax	0.00	10,947.70	146,185.00	(135,237.30)	7.49%
3135 Telecomm Tax Revenue	0.00	0.00	2,000.00	(2,000.00)	0.00%
3137 Franchise Fee Revenue	0.00	576.38	0.00	576.38	0.00%
3140 Municipal energy taxes	0.00	8,039.60	57,417.00	(49,377.40)	14.00%
Total Taxes	635.95	21,792.71	398,102.00	(376,309.29)	5.47%
Licenses and permits					
3210 Business licenses	0.00	75.00	1,050.00	(975.00)	7.14%
3221 Building permits	78,641.15	138,170.65	750,750.00	(612,579.35)	18.40%
3222 Roadway Fee	11,000.00	16,000.00	52,500.00	(36,500.00)	30.48%
3229 Subdivision fees	3,500.00	24,000.00	555,000.00	(531,000.00)	4.32%
3230 Inspection Fees	0.00	287,644.21	0.00	287,644.21	0.00%
Total Licenses and permits	93,141.15	465,889.86	1,359,300.00	(893,410.14)	34.27%
Charges for services					
3490 Other services revenue	1,122.78	1,546.08	19,000.00	(17,453.92)	8.14%
Total Charges for services	1,122.78	1,546.08	19,000.00	(17,453.92)	8.14%
Fines and forfeitures					
3510 Fines and forfeitures	(600.00)	3,875.00	2,000.00	1,875.00	193.75%
Total Fines and forfeitures	(600.00)	3,875.00	2,000.00	1,875.00	193.75%
Interest					
3610 Interest earnings	2.81	126.09	3,000.00	(2,873.91)	4.20%
Total Interest	2.81	126.09	3,000.00	(2,873.91)	4.20%
Miscellaneous revenue					
3620 Building rental income	0.00	0.00	100.00	(100.00)	0.00%
3690 Other revenue	0.00	911.41	2,000.00	(1,088.59)	45.57%
Total Miscellaneous revenue	0.00	911.41	2,100.00	(1,188.59)	43.40%
Total Revenue:	94,302.69	494,141.15	1,783,502.00	(1,289,360.85)	27.71%
Expenditures:					
General government					
Administrative					
5001.1 Admin Contract services	321.98	1,068.73	5,000.00	(3,931.27)	21.37%
5001.2 Admin Council pay	0.00	323.26	3,600.00	(3,276.74)	8.98%
5001.4 Admin Insurance	508.69	9,889.74	12,000.00	(2,110.26)	82.41%
5001.6 Admin Mileage reimbursement	309.85	1,005.17	2,600.00	(1,594.83)	38.66%
5001.7 Admin Office supplies	2,899.54	4,128.79	3,000.00	1,128.79	137.63%
5001.8 Admin Personnel	11,588.34	42,032.03	121,527.00	(79,494.97)	34.59%
5001.9 Admin Public notices	0.00	0.00	3,000.00	(3,000.00)	0.00%
5001.A Admin Security Alarm Monitoring	120.00	360.00	1,000.00	(640.00)	36.00%
5003 Admin Benefits	6,446.37	18,186.79	39,510.00	(21,323.21)	46.03%
5004 Admin Other	2,661.46	2,855.38	1,000.00	1,855.38	285.54%
5010 Admin Information Technology	1,255.00	6,140.00	12,000.00	(5,860.00)	51.17%
5016 Admin Telephone	966.59	2,255.14	5,500.00	(3,244.86)	41.00%
5017 Admin Training	0.00	251.86	875.00	(623.14)	28.78%
5018 Admin Website	0.00	723.00	350.00	373.00	206.57%
5019 Admin Membership	313.00	1,186.00	1,200.00	(14.00)	98.83%
5030 Admin Repairs & maintenance	866.79	1,266.79	4,200.00	(2,933.21)	30.16%
5050 Admin Utilities	919.77	4,206.37	4,000.00	206.37	105.16%
5069 Miscellaneous	0.00	0.00	500.00	(500.00)	0.00%
Total Administrative	29,177.38	95,879.05	220,862.00	(124,982.95)	43.41%
Professional services					
5002.1 Accounting	0.00	0.00	12,000.00	(12,000.00)	0.00%
5002.2 Legal	9,272.00	22,977.00	135,000.00	(112,023.00)	17.02%
5002.3 Engineering	1,513.75	50,264.35	140,000.00	(89,735.65)	35.90%
5002.4 Building inspection	25,950.53	67,995.58	275,000.00	(207,004.42)	24.73%
5002.5 Plan prints	772.66	1,213.66	2,500.00	(1,286.34)	48.55%
5002.50 Engineering DRC Review	0.00	0.00	45,000.00	(45,000.00)	0.00%
5002.6 Auditor	0.00	0.00	12,000.00	(12,000.00)	0.00%
5002.60 Planning	6,950.00	17,675.00	372,500.00	(354,825.00)	4.74%

Town of Hideout
Budget Comparison Report
10 General Fund - 07/01/2021 to 09/30/2021
25.00% of the fiscal year has expired

	<u>Period Actual</u>	<u>YTD Actual</u>	<u>Annual Budget</u>	<u>Over/(Under)</u>	<u>Percentage</u>
5002.65 Building Plan Review	0.00	0.00	45,000.00	(45,000.00)	0.00%
Total Professional services	44,458.94	160,125.59	1,039,000.00	(878,874.41)	15.41%
Total General government	73,636.32	256,004.64	1,259,862.00	(1,003,857.36)	20.32%
Public Safety					
5103 Safety Maintenance	0.00	0.00	5,000.00	(5,000.00)	0.00%
5105 Safety Police department	0.00	0.00	75,000.00	(75,000.00)	0.00%
5305 Animal Services	2,153.02	2,153.02	10,500.00	(8,346.98)	20.50%
Total Public Safety	2,153.02	2,153.02	90,500.00	(88,346.98)	2.38%
Streets					
5201 Streets Personnel	2,131.67	7,408.84	74,390.00	(66,981.16)	9.96%
5202 Streets Auto maintenance	4,532.43	9,020.60	2,500.00	6,520.60	360.82%
5203 Streets Benefits	518.87	1,805.40	29,943.00	(28,137.60)	6.03%
5204 Streets Fuel	606.45	1,690.00	5,000.00	(3,310.00)	33.80%
5205 Streets Materials & Supplies	1,845.51	9,208.65	16,000.00	(6,791.35)	57.55%
5208 Streets Repair & maintenance	424.58	424.58	25,000.00	(24,575.42)	1.70%
5210 Streets Insurance	0.00	0.00	1,000.00	(1,000.00)	0.00%
Total Streets	10,059.51	29,558.07	153,833.00	(124,274.93)	19.21%
Parks					
5450 Parks and Recreation	190.96	1,390.96	5,000.00	(3,609.04)	27.82%
5480 CAPITAL PROJECTS	1,485.00	1,485.00	0.00	1,485.00	0.00%
Total Parks	1,675.96	2,875.96	5,000.00	(2,124.04)	57.52%
Miscellaneous					
5650 Community Development	186.87	1,628.83	15,000.00	(13,371.17)	10.86%
Total Miscellaneous	186.87	1,628.83	15,000.00	(13,371.17)	10.86%
Debt service					
5800 Principal	29,796.82	29,796.82	15,000.00	14,796.82	198.65%
5801 Interest	11,961.06	11,961.06	11,500.00	461.06	104.01%
Total Debt service	41,757.88	41,757.88	26,500.00	15,257.88	157.58%
Total Expenditures:	129,469.56	333,978.40	1,550,695.00	(1,216,716.60)	21.54%
Total Change In Net Position	(35,166.87)	160,162.75	232,807.00	(72,644.25)	68.80%

Town of Hideout
Budget Comparison Report
22 Covid 19 Fund - 07/01/2021 to 09/30/2021
25.00% of the fiscal year has expired

	<u>Period Actual</u>	<u>YTD Actual</u>	<u>Annual Budget</u>	<u>Over/(Under)</u>	<u>Percentage</u>
Change In Net Position					
Revenue:					
Intergovernmental revenue					
3310 Grant Revenue	0.00	59,057.00	107,000.00	(47,943.00)	55.19%
Total Intergovernmental revenue	0.00	59,057.00	107,000.00	(47,943.00)	55.19%
Total Revenue:	0.00	59,057.00	107,000.00	(47,943.00)	55.19%
Expenditures:					
Public Safety					
5105 Safety Police department	0.00	0.00	75,000.00	(75,000.00)	0.00%
5231 Fire District Services	0.00	0.00	5,000.00	(5,000.00)	0.00%
Total Public Safety	0.00	0.00	80,000.00	(80,000.00)	0.00%
Streets					
5208 Repair & Maintenance	0.00	0.00	27,000.00	(27,000.00)	0.00%
Total Streets	0.00	0.00	27,000.00	(27,000.00)	0.00%
Total Expenditures:	0.00	0.00	107,000.00	(107,000.00)	0.00%
Total Change In Net Position	0.00	59,057.00	0.00	59,057.00	0.00%

Town of Hideout
Budget Comparison Report
23 Municipal Services - MIDA - 07/01/2021 to 09/30/2021
25.00% of the fiscal year has expired

	<u>Period Actual</u>	<u>YTD Actual</u>	<u>Annual Budget</u>	<u>Over/(Under)</u>	<u>Percentage</u>
Change In Net Position					
Revenue:					
Taxes					
3130 MIDA - Sales tax	0.00	35.00	0.00	35.00	0.00%
Total Taxes	0.00	35.00	0.00	35.00	0.00%
Total Revenue:	0.00	35.00	0.00	35.00	0.00%
Total Change In Net Position	0.00	35.00	0.00	35.00	0.00%

Town of Hideout
Budget Comparison Report
46 Capital Projects - Street Impact - 07/01/2021 to 09/30/2021
25.00% of the fiscal year has expired

	<u>Period Actual</u>	<u>YTD Actual</u>	<u>Annual Budget</u>	<u>Over/(Under)</u>	<u>Percentage</u>
Income or Expense					
Income From Operations:					
Operating income					
3000 Street Impact Fee	0.00	0.00	300,000.00	(300,000.00)	0.00%
Total Operating income	<u>0.00</u>	<u>0.00</u>	<u>300,000.00</u>	<u>(300,000.00)</u>	<u>0.00%</u>
Operating expense					
4073 Improvements Other Than Buildings	0.00	0.00	300,000.00	(300,000.00)	0.00%
Total Operating expense	<u>0.00</u>	<u>0.00</u>	<u>300,000.00</u>	<u>(300,000.00)</u>	<u>0.00%</u>
Total Income From Operations:	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00%</u>
Total Income or Expense	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00%</u>

Town of Hideout
Budget Comparison Report
48 Class C Road Fund - 07/01/2021 to 09/30/2021
25.00% of the fiscal year has expired

Item # 7.

	<u>Period Actual</u>	<u>YTD Actual</u>	<u>Annual Budget</u>	<u>Over/(Under)</u>	<u>Percentage</u>
Change In Net Position					
Revenue:					
Intergovernmental revenue					
3356 Class C road allotment	0.00	8,062.11	78,000.00	(69,937.89)	10.34%
Total Intergovernmental revenue	<u>0.00</u>	<u>8,062.11</u>	<u>78,000.00</u>	<u>(69,937.89)</u>	<u>10.34%</u>
Total Revenue:	<u>0.00</u>	<u>8,062.11</u>	<u>78,000.00</u>	<u>(69,937.89)</u>	<u>10.34%</u>
Total Change In Net Position	<u>0.00</u>	<u>8,062.11</u>	<u>78,000.00</u>	<u>(69,937.89)</u>	<u>10.34%</u>
Income or Expense					
Income From Operations:					
Operating expense					
4073 Improvements Other Than Buildings	0.00	0.00	78,000.00	(78,000.00)	0.00%
Total Operating expense	<u>0.00</u>	<u>0.00</u>	<u>78,000.00</u>	<u>(78,000.00)</u>	<u>0.00%</u>
Total Income From Operations:	<u>0.00</u>	<u>0.00</u>	<u>78,000.00</u>	<u>(78,000.00)</u>	<u>0.00%</u>
Total Income or Expense	<u>0.00</u>	<u>0.00</u>	<u>78,000.00</u>	<u>(78,000.00)</u>	<u>0.00%</u>

Town of Hideout
Budget Comparison Report
51 Water Fund - 07/01/2021 to 09/30/2021
25.00% of the fiscal year has expired

	<u>Period Actual</u>	<u>YTD Actual</u>	<u>Annual Budget</u>	<u>Over/(Under)</u>	<u>Percentage</u>
Income or Expense					
Income From Operations:					
Operating income					
5110 Interest earnings	0.00	0.00	3,527.00	(3,527.00)	0.00%
5140 Water service	63,042.45	199,234.73	561,000.00	(361,765.27)	35.51%
5141 Standby water	(61.10)	(164.84)	140,383.00	(140,547.84)	-0.12%
5142 Water reservation fee	0.00	0.00	50,000.00	(50,000.00)	0.00%
5143 Meter rental	0.00	1,850.00	1,000.00	850.00	185.00%
5145 Storm water service	2,531.93	7,228.94	26,400.00	(19,171.06)	27.38%
5150 Sewer service	16,077.73	46,864.30	184,800.00	(137,935.70)	25.36%
5310 Connection fees	32,440.00	46,910.00	188,000.00	(141,090.00)	24.95%
5315 Water Transfer fees	300.00	1,020.00	4,254.00	(3,234.00)	23.98%
5410 Late penalties and fees	136.59	420.33	5,103.00	(4,682.67)	8.24%
5490 Other operating income	0.00	0.00	3,023.00	(3,023.00)	0.00%
Total Operating income	114,467.60	303,363.46	1,167,490.00	(864,126.54)	25.98%
Operating expense					
6001.1 Insurance	0.00	0.00	6,500.00	(6,500.00)	0.00%
6005 Accounting and Audit	0.00	0.00	6,500.00	(6,500.00)	0.00%
6010 Information Technology	0.00	0.00	11,500.00	(11,500.00)	0.00%
6016 Telephone	0.00	0.00	5,200.00	(5,200.00)	0.00%
6017 Training	0.00	0.00	1,625.00	(1,625.00)	0.00%
6018 Website	0.00	0.00	650.00	(650.00)	0.00%
6140 Engineering	477.50	1,812.50	92,500.00	(90,687.50)	1.96%
6150 Legal	0.00	1,680.00	25,000.00	(23,320.00)	6.72%
6210 Meters	7,217.69	16,334.73	34,000.00	(17,665.27)	48.04%
6240 Office expenses	0.00	0.00	6,000.00	(6,000.00)	0.00%
6250 Operating expenses	4,631.00	4,631.00	17,000.00	(12,369.00)	27.24%
6305 Repairs and Maint - Sewer	0.00	23,224.25	31,200.00	(7,975.75)	74.44%
6310 Repairs and Maint - Water	1,474.00	5,205.00	88,700.00	(83,495.00)	5.87%
6350 Salaries and wages	20,657.08	58,587.29	259,000.00	(200,412.71)	22.62%
6355 Benefits	4,865.44	13,510.77	84,000.00	(70,489.23)	16.08%
6360 Software and technology	0.00	0.00	1,600.00	(1,600.00)	0.00%
6390 Utilities	0.00	0.00	3,000.00	(3,000.00)	0.00%
6405 JSSD - Sewer	4,336.69	13,986.08	43,000.00	(29,013.92)	32.53%
6410 JSSD - Water	23,062.50	69,187.50	290,000.00	(220,812.50)	23.86%
6412 Water reservation fees	0.00	0.00	55,300.00	(55,300.00)	0.00%
Total Operating expense	66,721.90	208,159.12	1,062,275.00	(854,115.88)	19.60%
Total Income From Operations:	47,745.70	95,204.34	105,215.00	(10,010.66)	90.49%
Total Income or Expense	47,745.70	95,204.34	105,215.00	(10,010.66)	90.49%

Town of Hideout
Budget Comparison Report
56 Culinary Water Impact - 07/01/2021 to 09/30/2021
25.00% of the fiscal year has expired

	<u>Period Actual</u>	<u>YTD Actual</u>	<u>Annual Budget</u>	<u>Over/(Under)</u>	<u>Percentage</u>
Income or Expense					
Income From Operations:					
Operating income					
3000 Culinary Water Impact Fee	0.00	0.00	375,000.00	(375,000.00)	0.00%
Total Operating income	<u>0.00</u>	<u>0.00</u>	<u>375,000.00</u>	<u>(375,000.00)</u>	<u>0.00%</u>
Total Income From Operations:	<u>0.00</u>	<u>0.00</u>	<u>375,000.00</u>	<u>(375,000.00)</u>	<u>0.00%</u>
Total Income or Expense	<u>0.00</u>	<u>0.00</u>	<u>375,000.00</u>	<u>(375,000.00)</u>	<u>0.00%</u>

File Attachments for Item:

8. Consideration and possible adoption of the Hideout Sewer Management Plan

Sanitary Sewer Management Plan

Introduction

The Town of Hideout (Town) is a Utah City established in Utah under the Utah State Code. The Town was established in 2008 and provides sewage collection to 1,121 residents occupying 2,500 acres, with wastewater treatment provided by Jordanelle Special Service District (JSSD). This is equivalent to 450 Equivalent Residential Units (ERUs), which is defined by the typical usage of a single-family dwelling. This Sewer System Management Plan (SSMP) manual has been established to provide a plan and schedule to manage, operate, and maintain all parts of the sewer collection system to reduce and prevent Sanitary Sewer Overflows (SSOs), as well as minimize impacts of any SSOs that occur. The Town officials recognizes the responsibility the Town has to operate the sewer system in an environmentally and fiscally responsible manner. As such, this manual describes and otherwise states the operations aspects, functions, policies, and/or activities of the sewer collection system considered typical and/or necessary to provide for the Town's sewer system's operations and management. This manual may refer to other programs or ordinances and by reference may incorporate these programs into this manual. This manual is to be considered a working manual or guide, and is not considered exclusive or complete, being subject to periodic review and update.

Definitions

The following definitions are to be used in conjunction with those found in Utah Administrative Code R317. The following terms have the meaning as set forth:

- (1) "BMP" means "Best Management Practice". A term used by the Utah DWQ for a Storm Water Pollution Prevention activity, practice, or device.
- (2) "CCTV" means "Closed Circuit Television.
- (3) "CIP" means a "Capital Improvement Plan".
- (4) "DWQ" means "the Utah Division of Water Quality".
- (5) "FOG" means Fats, Oils, and Grease, which are non-petroleum organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules.
- (6) "I/I" means "Infiltration and Inflow".
- (7) "Permittee" means a federal or state agency, municipality, county, district, and other political subdivision of the state that owns or operates a sewer collection system (sewer) or who is directly responsible for operation and maintenance of the sewer system. When two separate federal or state agencies, municipalities, counties, districts, and other political subdivisions of the state are interconnected, each shall be considered a separate Permittee.
- (8) "SECAP" means "System Evaluation and Capacity Assurance Plan".
- (9) "SCS" means "Sewer Collection System". This is the system for the collection and conveyance of wastewaters or sewage from domestic, industrial, and commercial sources. The SCS does not include pipes or conduits generally called a sewer lateral, which typically connect toilets, sinks, drains or other wastewater fixtures from inside a structure or building under the control of an owner of real property.

- (10) "SORP" means "Sewer Overflow Response Plan"
- (11) "SSMP" means "Sewer System Management Plan".
- (12) "SSO" means "Sanitary Sewer Overflow", the escape of wastewater or pollutants from, or beyond the intended or designed containment of a sewer collection system.
- (13) "Class 1 SSO" (Significant SSO) means a SSO or backup that is not caused by a private lateral obstruction or problem that:
 - (a) affects more than five private structures;
 - (b) affects one or more public, commercial or industrial structure(s);
 - (c) may result in a public health risk to the general public;
 - (d) has a spill volume that exceeds 5,000 gallons, excluding those in single private structures; or
 - (e) discharges to Waters of the State of Utah.
- (14) "Class 2 SSO" (Non-Significant SSO) means a SSO or backup that is not caused by a private lateral obstruction or problem that does not meet the Class 1 SSO criteria.
- (15) "USMP" means the "Utah Sewer Management Program".

General SSO Requirements

The following general requirements for SSO's are stipulated in Utah Code R317-801 and are included here as general information.

- 1) The permittee shall take all feasible steps to eliminate SSOs to include:
 - (a) Properly managing, operating, and maintaining all parts of the sewer collection system;
 - (b) training system operators;
 - (c) allocating adequate resources for the operation, maintenance, and repair of its sewer collection system, by establishing a proper rate structure, accounting mechanisms, and auditing procedures to ensure an adequate measure of revenues and expenditures in accordance with generally acceptable accounting practices; and,
 - (d) providing adequate capacity to convey base flows and peak flows, including flows related to normal wet weather events. Capacity shall meet or exceed the design criteria of Utah Code R317-3.
- (2) SSOs shall be reported in accordance with the requirements below.
 - (a) When an SSO occurs, the permittee shall take all feasible steps to:
 - (1) control, contain, or limit the volume of untreated or partially treated wastewater discharge;
 - (2) terminate the discharge;
 - (3) recover as much of the wastewater discharged as possible for proper disposal, including any wash down water; and,
 - (4) mitigate the impacts of the SSO.

SSO Reporting Requirements

Utah Code R317-801-4 stipulates when and how SSO's are to be reported. Following are those reporting requirements as of 12/15/2020.

SSO REPORTING. SSOs shall be reported as follows:

- (1) A Class 1 SSO shall be reported orally within 24 hours and with a written report submitted to the DWQ within five calendar days. Class 1 SSO's shall be included in the annual USMP report.
- (2) Class 2 SSOs shall be reported on an annual basis in the USMP annual report.

ANNUAL REPORT. A permittee shall submit to the DWQ a USMP annual operating report covering the SSO events and/or pertinent information occurring during the previous calendar year. The annual operating report is to be submitted by April 15 of the following year.

Sewer Use Ordinance

The Town has sewer use rules that have been adopted by the governing body. These rules contain the following items as stipulated by Utah State Code R317-801-5 and the Hideout Town Code 1.10.060:

1. Regulate, require, prohibit, govern, control, or supervise any activity, business, conduct, or condition authorized by statute or any other provision of law,

The following elements are included in this SSMP:

- General Information
- Operations and Maintenance Program
- Sewer Design Standards
- Sanitary Sewer Overflow Action Plan
- System Evaluation and Capacity Assurance Plan
- Sewer System Mapping Program
- Basement Backup Program
- No-Fault Sewage Backup Claims Program

This program is intended to be a guidance document and is not intended to be part of a regulatory requirement. As such, failure to strictly comply with documentation requirements is, in and of themselves, not a failure of the program's effectiveness.

Documentation of failures are intended to be identified during system self-audits and will be addressed as training opportunities. Significant system failures will be followed up with corrective action plans. This corrective action process will be implemented by all individuals involved in the SSMP program. Not all Town employees will necessarily be involved in the collection system operation. As such, not all employees will receive program training. Finally, although not a part of this SSMP program, the Town is an active participant in the Blue Stakes of Utah Utility Notification system. This system, regulated under title 54-8A of the Utah State Code, stipulates utility notification of all underground operators when excavation takes place. The intent of this regulation is to minimize damage to underground facilities. The Town has a

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responsibility to mark their underground sewer facilities when notified an excavation is going to take place. Participation in the Blue Stakes program further enhances the protection of the collection system and reduces SSO's.

General Information

This Sanitary Sewer Management Plan was adopted by the Town of Hideout on _____.

The responsible representative(s), position, and email address for the Town with regard to this SSMP is/are:

Phil Rubin, Elected Town Mayor, mayor@hideoututah.gov

Dakody Gines, Sewer Operator, dgines@hideoututah.gov

Kent Cuillard, Public Works Director, publicworks@hideoututah.gov

G. Ryan Taylor, City Engineer, rtaylor@to-engineers.com

Description of Roles and Responsibilities

The following positions have the described responsibility for implementation and management of the specific measures as described in the SSMP.

Mayor

This individual is responsible for overall management of the sanitary sewer collection system. Responsibilities include working with governance to assure sufficient budget is allocated to implement the SSMP, maintenance of the SSMP documentation, development of a capital improvement program and general supervision of all staff.

Operator

This individual is responsible for daily implementation of the SSMP. This includes maintenance activities, compliance with SORP requirements, and monitoring and measurement reporting requirements.

Public Works Director

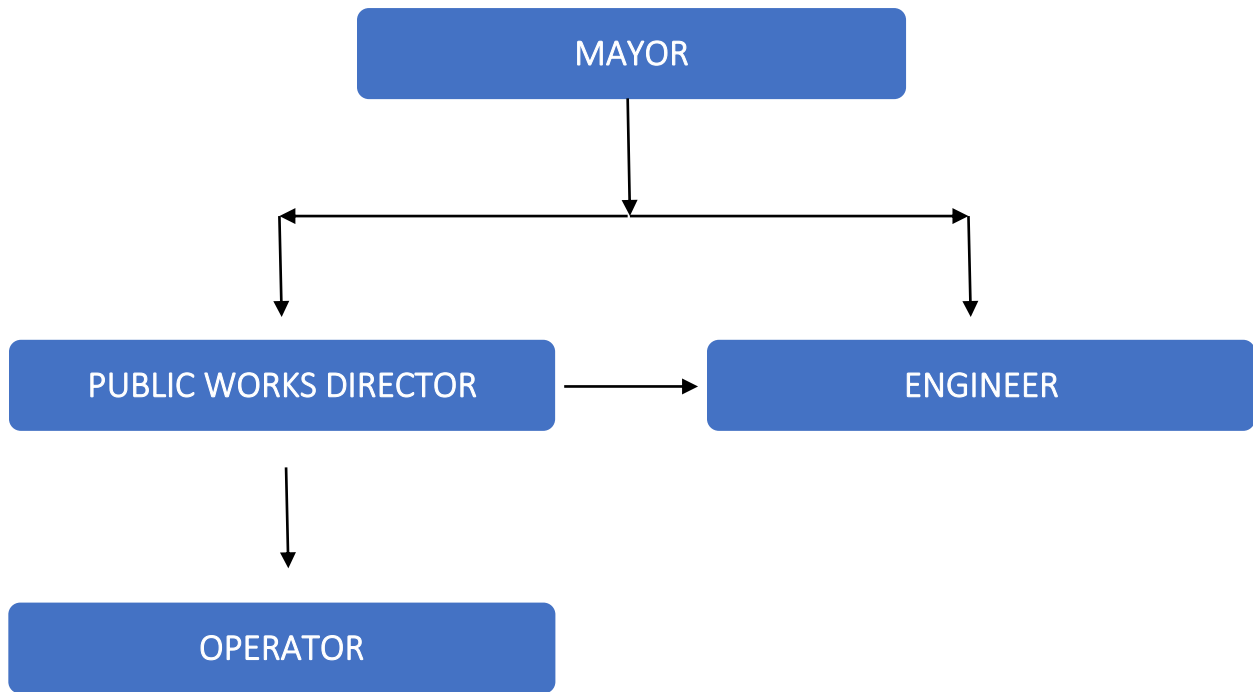
This individual is responsible for implementation of the pretreatment program and ensure sewer system facilities are documented.

Engineer

This individual is responsible for the development and maintenance of collection system design standards, maintenance of collection system mapping and maintenance of the SECAP program.

Organization Chart

The following page shows the organization chart associated with this SSMP.



Operations and Maintenance Program

The Town has established this SSMP to ensure proper system operations, to minimize any basement backups or SSOs, and to provide for replacement, refurbishment, or repair of damaged or deteriorated piping systems. The combined maintenance program should ensure that the environment and health of the public are protected at a reasonable cost for the end users. To this end, the following areas are described and included in this maintenance program:

- System Mapping
- System Cleaning
- System CCTV Inspection
- Pump Station/Pressure Lines Inspection
- Manhole Inspection
- Defect Reporting
- Damage Assessment

System Mapping

An up-to-date map is essential for effective system operations. The Town has assigned the mapping responsibility to the City Engineer who will prepare and maintain current mapping for the entire sanitary sewer system. Current mapping is available at the following locations:

Hideout.maps.arcgis.com (Private)

Should any employee identify an error in the mapping, they should document the error in the Collector App or by using a defect report and giving it to the engineer.

System Cleaning

Sanitary sewer system cleaning is accomplished through various means and methods. The Town has established a goal to clean the entire system every five years. Based on experience, this frequency significantly reduces the number of basement backups, controls grease problems, and flushes any sags in the system. In addition, the Town has a list of identified hot spots which are maintained at a higher frequency. Systems which may have roots are mechanically rodded or hydraulically cut out and areas with recurring backups are hydraulically flushed with a high-pressure jet truck. The following methods are employed to provide system cleaning:

Hydraulic Cleaning
Contractor Hydraulic Cleaning
Mechanical Rodding

As to date, these methods have been sufficient to clean the system. If there ever is an issue, root control or FOG could be used.

In addition to the above system cleaning methods, the Dead Man's Gulch Overflow Basin is to be cleared of debris and silt every 5 years.

Cleaning records are maintained by the Sewer Operator. Contractors are required to provide cleaning records associated with their work. Cleaning history may also be entered into the Collector App. Should the cleaning process identify a serious defect, the problem should be reported on a Defect Report Form (See **Sanitary Sewer System Defect Report** of this document on pg. 12) or documented in the Collector App. The Sewer Operator should be given the defect reports for further action. The defect report should be specific as to location and type of problem. A copy of the Defect Report Form is included at the end of this narrative Section. A summary of cleaning activities shall be prepared annually by the Sewer Operator or designee. This summary will normally be presented to the Town Council and the Town Mayor.

System CCTV Inspection

Closed Circuit TV inspections of the sanitary sewer system are used to assess pipe condition and identify problems or possible future failures which need current attention. The CCTV process also identifies the piping condition to allow for replacement prior to failure. Generally, the Town will conduct CCTV inspection with a contractor. Inspections of the system will occur every 5 years. This inspection frequency is based on the pipe aging process. As such, once the system has been inspected completely, change usually occurs gradually. CCTV will also be employed when a system's operation or capacity is questioned or when an SSO occurs. Any defects identified during the CCTV process should be reported on a Defect Report Form (or in the Collector App) and the form should be given to the Sewer Operator for possible repairs. Documentation of CCTV activities will be maintained by the Sewer Operator. When contractors are employed to inspect the sanitary sewer system, they will be required to submit records for their work. The Sewer Operator will prepare an annual summary of CCTV completed for that calendar year.

Pump Station/Pressure Line Inspection

Staff inspects each pump station at least weekly for correct operations (See **Lift Station Inspection and Maintenance Checklist** of this document on pg. 13). Included in this inspection is a visual observation of the pressure line alignment to insure there are no leaks. Pump stations are also monitored via remote monitoring. Operators inspecting the pump stations will complete the included **Lift Station Flow Meter Inspection** form (see page. 14 of this document), or use the Collector App. Should a problem be encountered that cannot be corrected during the inspection, a Defect Report Form should be completed (or use the Collector App) and the form given to the Sewer Operator. If the defect has the potential to cause a sanitary sewer overflow, immediate action should be taken to ensure no overflow occurs. During the inspection of the pressure sewer alignment, operators should be looking for unusual puddles. If a potential leak is identified a Defect Report (or use the Collector app) should be completed and given to the Sewer Operator for further action. An evaluation will be made to determine if there is an actual leak and appropriate action taken.

Manhole Inspection

The Town schedules annual inspection of the sanitary sewer manholes. The manhole inspection involves the identification of foreign objects and surcharging that may be present. Crews inspecting the manholes will be given maps by the City Engineer who will monitor the progress and completeness of the inspection process. During the inspection, the Collector App may be used to document findings. Annually, an inspection form will be completed to document completion of work. (See **Sewer Manhole Inspection Form** of this document on pg. 13).

When a potential defect is identified, the manhole should be flagged. Flagged manholes should be checked by an operator within 15 days to determine further action. If, during the inspection process, the inspection crew believes a problem is imminent, they should immediately cease inspecting and inform the Sewer Operator of the problem. A cleaning crew should be dispatched immediately to ensure correct system operations. All inspection records should be retained for documentation of work performed. (See **Lift Station Inspection and Maintenance Checklist** of this document on pg. 13).

Defect Reporting

Defect Reports generated through the cleaning, CCTV inspection, pump station inspection or manhole inspection programs will be prioritized for correction by the City Engineer. Any defects which have the potential for catastrophic failure and thus create a sanitary sewer overflow should be evaluated immediately and discussed with the Town Mayor for repair. Repair methods may include:

- Spot Excavation Repairs
- Spot Band Repairs
- Segment Excavation Replacements
- Segment Lining
- Manhole Rehabilitation

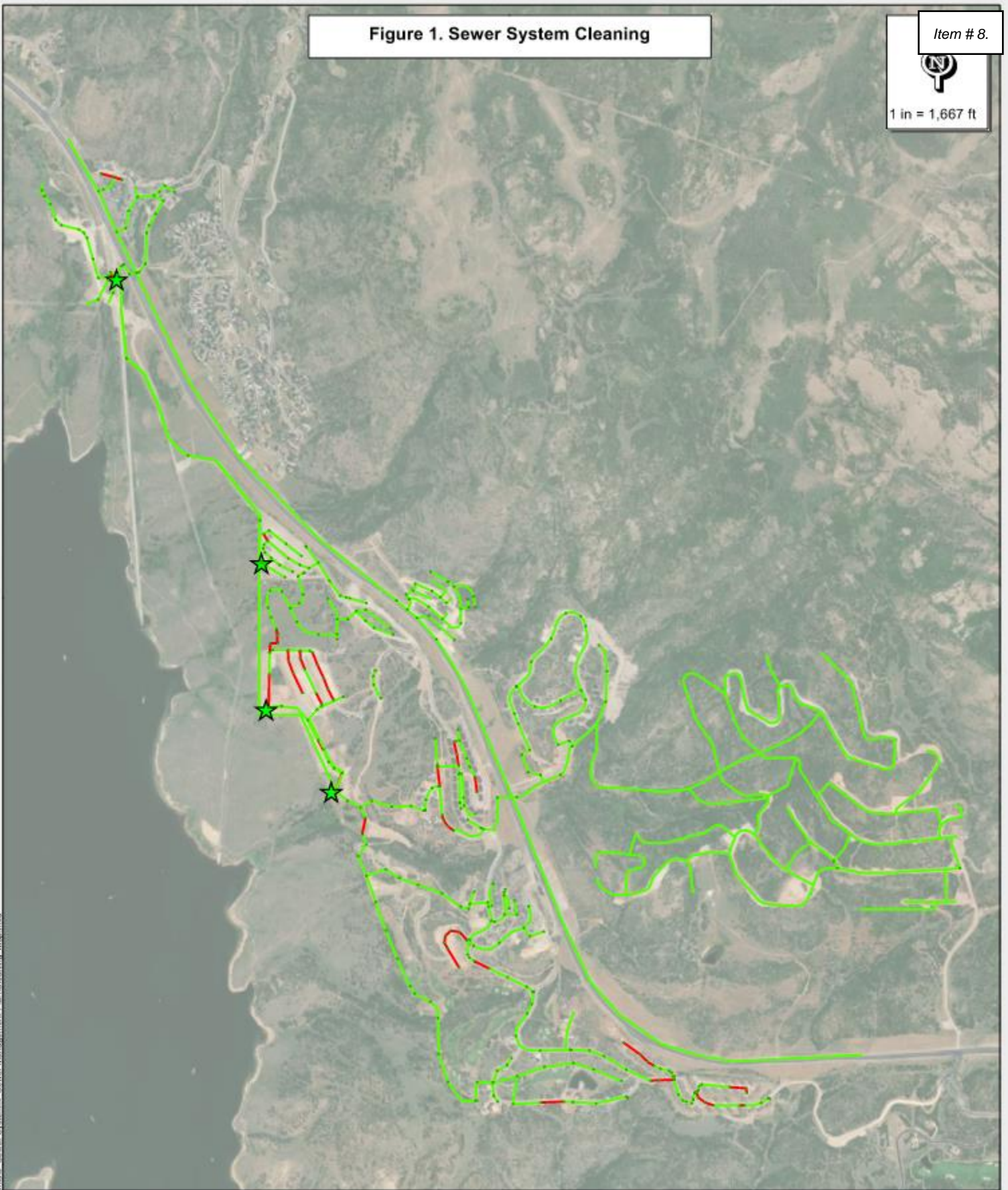
When a defect is not flagged for immediate repair, it should be considered for placement on the “hot spot” list. Current hot spots are shown on the online GIS map. Defect reports should be used in the Budget process to determine what financial allocation should be made in the next Budget year. The City Engineer should include outstanding defects in the annual report.

Figure 1. Sewer System Cleaning

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1 in = 1,667 ft



Legend

- Sewer Manhole
- Lift Station
- Annually
- Once every 5 yrs

**TOWN OF HIDEOUT
SEWER SYSTEM**
DATE: 2/23/2021



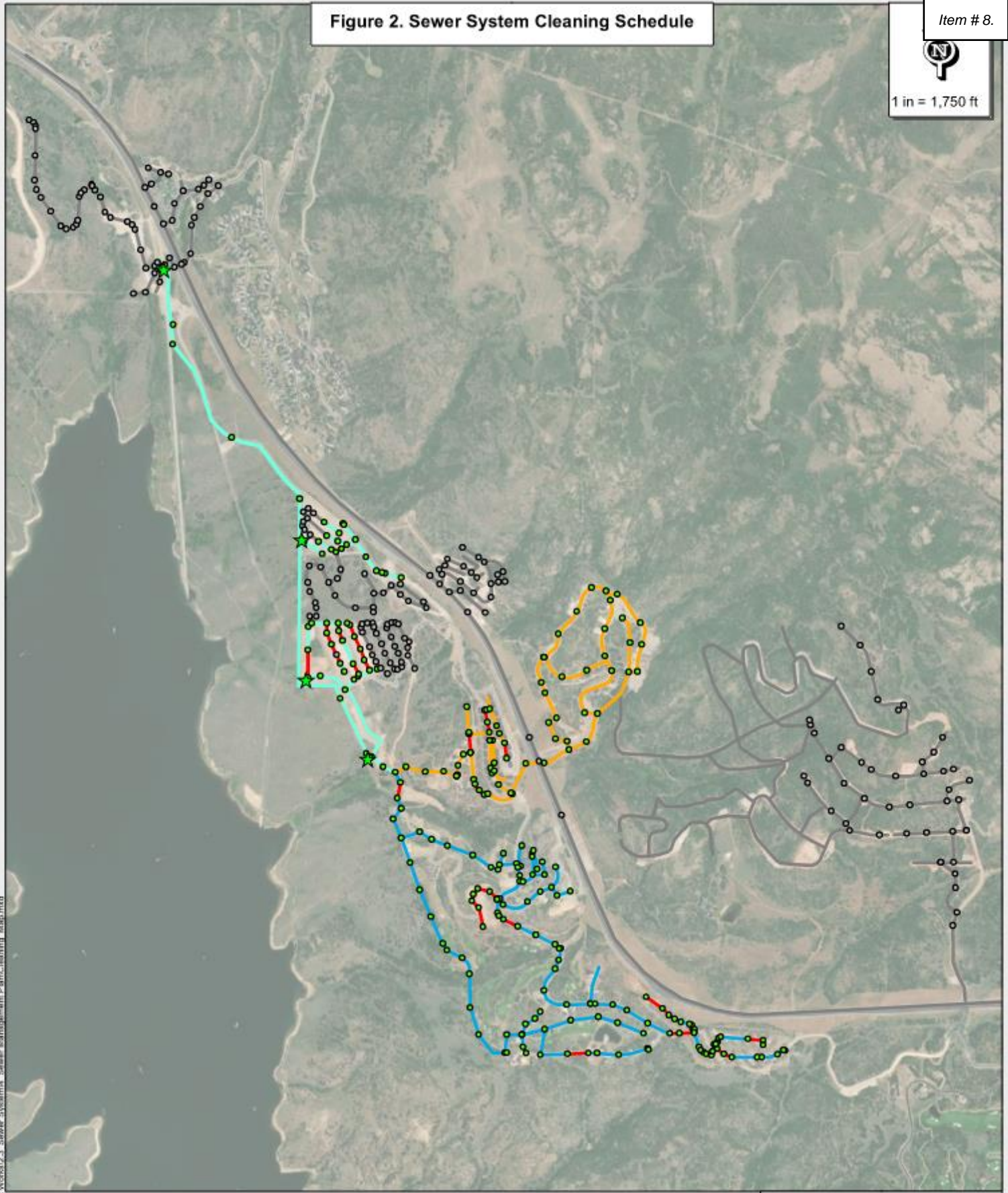
T.O ENGINEERS

Figure 2. Sewer System Cleaning Schedule

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1 in = 1,750 ft



Legend

- ★ Lift Station
 - Accepted Manhole
 - Not Accepted Manhole
- | Next Cleaning | Color |
|---------------|--------|
| 2022 | Cyan |
| 2023 | Purple |
| 2024 | Blue |
| 2025 | Green |
| 2026 | Yellow |
| Annually | Red |
| Not Accepted | Grey |

**TOWN OF HIDEOUT
SEWER SYSTEM**
DATE: 11/9/2021



T.O. ENGINEERS

Collection System Damage

Collection damage may occur as a result of multiple factors, some identified as a result of inspection activities, and some identified as a result of damage by third parties such as contractors.

Damage Identification

The identification of system damage which may result in an SSO or basement backup is important to prevent environmental, public health, or economic harm. Identification of damage may be from either internal activities or external activities.

Internal activities which may result in the identification of damage include the following:

1. Collections Maintenance Activities
2. CCTV Inspection Activities
3. Manhole Inspection Activities

These three activities are discussed in this Maintenance Program and the identification of damage will result in the generation of a Defect Report. Generally, damage identification is an iterative and continuous process.

External activities which identify damages include:

1. Contractor Notification of Damage
2. Directional Drilling Notification of Damage
3. Public Damage Complaints

All three of these notifications generally require immediate response. Staff should respond and evaluate the seriousness of the damage and the effect on the environment. Damages which include a release of sewage to the environment should be handled in accordance with the SORP. Damages which cause a basement backup should trigger the Basement Backup program. Damages which remain in the trench should be minimized and do not require more action than the repair of the damage and any required reporting.

Whatever the cause of collection system damage, the response should be expeditiously, if not immediately, performed to minimize and/or prevent environmental or economic harm. Town staff should consider all damages an emergency until it is shown by inspection to be a lower priority.

Damage Response Actions

When damages occur in the collection system, the following actions help define the path staff should take. These action plans are not inclusive of all options available but are indicative of the types of response that may be taken.

Town of Hideout

Stable Damage

Inspection activities may show a system damage which has been there for an extended period of time. Such damage may not require immediate action but may be postponed for a period of time. When stable damage is identified and not acted upon immediately, a defect report should be prepared. If such a defect is identified and repaired immediately, a defect report is not needed. An example of stable damage could be a major crack in a pipeline or a severely misaligned lateral connection where infiltration is occurring.

Unstable Damage

Unstable damage is damage which has a high likely hood that failure will occur in the near future. Such damage may be a broken pipe with exposed soil or a line which has complete crown corrosion. In these cases, action should be taken as soon as a contractor, materials and other necessary resources are available. When such unstable damage is identified, if possible, consideration should be given to trenchless repairs which may be able to be completed quicker than standard excavation. Immediately after identification the Manager should be contacted to review and take care of budget considerations.

Immediate Damage

When a contractor or others, hereafter referred to as the Party, damage a collection line such that the line is no longer capable of functioning, or where such damage allows untreated wastewater to pool in the excavation, spill into the environment or possibly backup into a basement, such damage must be expeditiously, if not immediately, repaired.

Since excavation damage may be a result of contractor negligence or failure of the Town to adequately protect the line by appropriately following the Damages to Underground Utilities Statute 54-8A, priority should be given to affecting a repair and not delayed for determining the responsible Party.

The Town, after allowing the Party or Party's bonding company to expeditiously make repairs should take such action as needed to protect the Town, it's citizens, or the health, safety and welfare of the general public.

If the Party operated without a construction permit, failed to notify Blue Stakes, or in the opinion of the Public Works Director, City Engineer, and/or Mayor, is deemed unqualified, unable, or unwilling, to expeditiously repair the damage, the Town should undertake as soon and as expeditiously as possible. The Town should pursue such repairs by its own resources and staff or if needed by

engaging a qualified third-party contractor, equipment, materials, and other necessary resources as needed to complete a suitably repair.

In the event of the Town pursuing the damage repair, a record of all actions, necessary resources, labor, equipment, materials, and related expenses shall be kept by the Town. A representative of the party or the party's bonding company or both should be allowed to observe and make their own observations and record of such repair: actions, necessary resources, labor, equipment, materials, and related expenses.

In the event of the Town pursuing the damage repair, all records kept of the damage event, and repair actions will be needed as evidence in determining damage responsibilities and all expense records including necessary resources, labor, equipment, materials, and related expenses may be needed for any resulting expense settlement.

As can be determined from the above action plans, priority should always be in preventing SSO's and attendant environmental damage, to prevent basement backups and financial impacts, and to prevent public health issues.

Sanitary Sewer System Defect Report

Note: The Collector App may be used in place of this form.

Date: _____

Time: _____

Location of Defect: _____

Identified By: _____

Description of Defect: _____

Urgency of Needed Corrective Action:

Immediate Action Required: _____

Repair or Correct Soon: _____

Problem Stable: _____

No Immediate Action Needed: _____

Recommended Remedial Action: _____

Note: The Collector App may be used in place of this form.

[illegible]

Lift Station Inspection and Maintenance Checklist

Note: The Collector App may be used in place of this form.

Property Address: _____ Property Owner: _____ Date of Inspection _____

Inspector(s): _____

Type of Inspection: ☐ Weekly ☐ Monthly ☐ Annual ☐ Other _____

Defect	Conditions When Maintenance is Needed	Maintenance Needed? (Y/N)	Comments (If needed maintenance was not conducted, note when it will be done; or comment on any work that was done)	Results Expected When Maintenance is performed
Debris, Sediment	Build up of 6 inches in center of pump vault			Remove sediment and debris with vacuum unit or by hand
Floatables	Layer of floatables covers over half water surface			Remove floatables with vacuum unit, long scoop net or by hand
Pump Test	Pump does not start from control panel			Identify failed control or equipment and repair
Control Test	Pumps do not start from float switch			Identify failed control or equipment and repair
Equipment Wear	Observed worn, loose or missing equipment			Repair as necessary

Note: The Collector App may be used in place of this form.

[illegible]

Sewer Design Standards

The Town uses *Jordanelle Special Service District (JSSD) Design Standards, Construction Specifications, and Standard Drawings* for the sewer system. Refer to *Section 300 – Sanitary Sewers* for construction specifications and standards drawings.

Sanitary Sewer Overflow Action Plan

Whenever sanitary sewage leaves the confines of the piping system, immediate action is necessary to prevent environmental, public health or financial damage from occurring. In addition, quick action is normally needed to mitigate damage which may have already occurred. For the purpose of this Section, the following are part of the emergency action plan.

1. Basement backups
2. Sanitary sewer overflows
3. Sanitary sewer breaks which remain in the trench
4. Sewer lateral backups

All of the above conditions are likely to cause some damage. Each should be treated as an emergency, and corrective actions taken in accordance with the Town directions.

Items 1 & 2 above should be reported immediately based on whether they constitute a Class 1 or Class 2 SSO.

As stated in the definition Section of the SSMP Introduction, a Class 1 SSO is an overflow which affects more than five private structures; affects a public, commercial, or industrial structure; results in a significant public health risk; has a spill volume more than 5,000 gallons; or has reached Waters of the State. All other overflows are Class 2 SSO's.

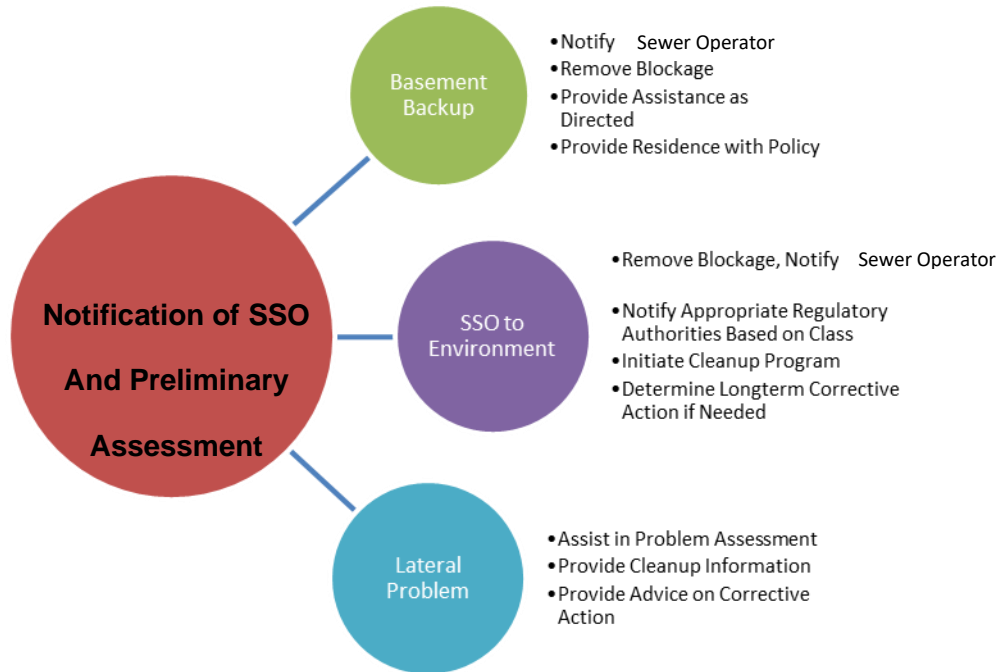
All Class 1 SSO's should be reported immediately. Class 2 SSO's should be documented and reported in the annual SSMP report and included in the Municipal Wastewater Planning Program submitted to the State.

Item 3 may be reported to the local health department if, in the opinion of the responsible staff member there is potential for a public health issue. An example of where a public health issue may be present is when an excavator breaks both a sewer and a water line in the same trench. In such cases, the local health department representatives should be contacted, and the situation explained. If the health representative requests further action on the part of the Town, staff should try and comply. If, in the opinion of the responsible staff member, the health department request is unreasonable, the Mayor should be immediately notified.

Care should always be taken to err on the side of protecting public health over financial considerations. When a basement backup occurs, the staff member responding should follow the Basement Backup Program procedures. Lateral backups, while the responsibility of the property owner, should also be treated as serious problems. Care should be taken to provide advice to the property owner in such cases, but the property owner is ultimately the decision maker about what actions should be taken.

Response Activities

There are specific steps that should be followed once a notification is received that an overflow may be occurring. The following figure outlines actions that could be taken when the Town receives notice that a possible overflow has or is occurring.



General Notification Procedure

When a Class 1 SSO occurs, specific notification requirements are needed. In such cases the following Notification procedure should be followed and documented. Failure to comply with notification requirements is a violation of R317-801.

Agency Notification Requirements

Both the State of Utah Division of Water Quality and the local health department should be immediately notified when an overflow is occurring. Others that may require notification include local water suppliers, affected property owners and notification may be required to Utah Division of Emergency Response and Remediation if hazardous materials are involved.

The initial notification must be given within 24 hours. However, attempts should be made to notify them as soon as possible so they can observe the problem and the extent of the issue while the problem is happening. A notification form is provided to document notification activities. After an SSO has taken place and the cleanup has been done, a written report of the event should be submitted to the State DEQ within five days (unless waived). This report should be specific and should be inclusive of all work completed. If possible, the report should also include a description of follow-up actions such as modeling or problem corrections that has or will take place.

Public Notification

When an SSO occurs and the extent of the overflow is significant and the damage cannot be contained, the public should be notified through proper communication channels. Normally the local health department will coordinate such notification.

Should the Town need to provide notification it could include press releases to the local news agencies, publication in an area paper, and leaflets delivered to homeowners or citizens around the SSO. Notification should be sufficient to ensure that the public health is protected. When and if Federal laws are passed concerning notification requirements, these legal requirements are incorporated by reference in this document. In general, notification requirements should increase as the extent of the overflow increases.

Overflow Cleanup

When an overflow happens, care should be taken to clean up the environment to the extent feasible based on technology, good science, and financial capabilities. Cleanup could include removal of contaminated water and soil saturated with wastewater and toilet paper, disinfection of standing water with environmentally adequate chemicals or partitioning of the affected area from the public until natural soil microbes reduce the hazard. Cleanup is usually specific to the affected area and may differ from season to season. As such, this guide does not include specific details about cleanup. The responsible staff member in conjunction with the State DEQ, the local health department and the owner of real property should coordinate activities in such a manner that they are all satisfied with the overall outcomes. If, during the cleaning process, the responsible staff member believes the State or the County is requesting excessive actions, the Mayor should be contacted.

Corrective Action

All SSO's should be followed up with an analysis as to cause and possible corrective actions. An SSO which is the result of grease or root plug may be placed on the preventative maintenance list for more frequent cleaning. Serious or repetitive plugging problems may require the reconstruction of the sewer lines. An overflow that results from inadequate capacity should be followed by additional system modeling and either flow reduction or capacity increase. If a significant or unusual weather condition caused flooding which was introduced to the sanitary sewer system incorrectly, the corrective action may include working with other agencies to try and rectify the cross connection from the storm sewer to the sanitary sewer or from home drainage systems and sump pumps. Finally, should a problem be such that it is not anticipated to reoccur, no further action may be needed.

Town of Hideout

Log of Contact with Other Agencies/People

Location of SSO: _____ Date of SSO: _____

Agency	Contact Information	Contact Made Yes/No	Time	Remarks
Utah DWQ	801-536-4300 or 801-231-1769			
Local Health Department	bjames@ualhd.org			
Utah DERR	801-536-4123			
Wasatch County Police Department	435-654-1411			
Local Fire Agency	435-940-9636 or 435-671-1474			
Applicable Water Agency	435-654-9233			
US EPA Region VIII	Consult with DWQ			

Other Contacts:

Contact Made With	Phone Number	Contact Made Yes/No	Time	Remarks
Hideout Public Works	435-503-7446 or 435-776-6142			
Sewer Operator	435-731-0389			

System Evaluation and Capacity Assurance Plan

The Town believes that one of the keys to preventing sanitary sewer overflows is to evaluate system capacity and to monitor flows throughout the system to ensure that capacities are not exceeded. Should a collection sub-system exceed the capacity of the pipes, the system will be immediately re-evaluated, and corrective action taken. The following elements are all part of the Town SECAP program.

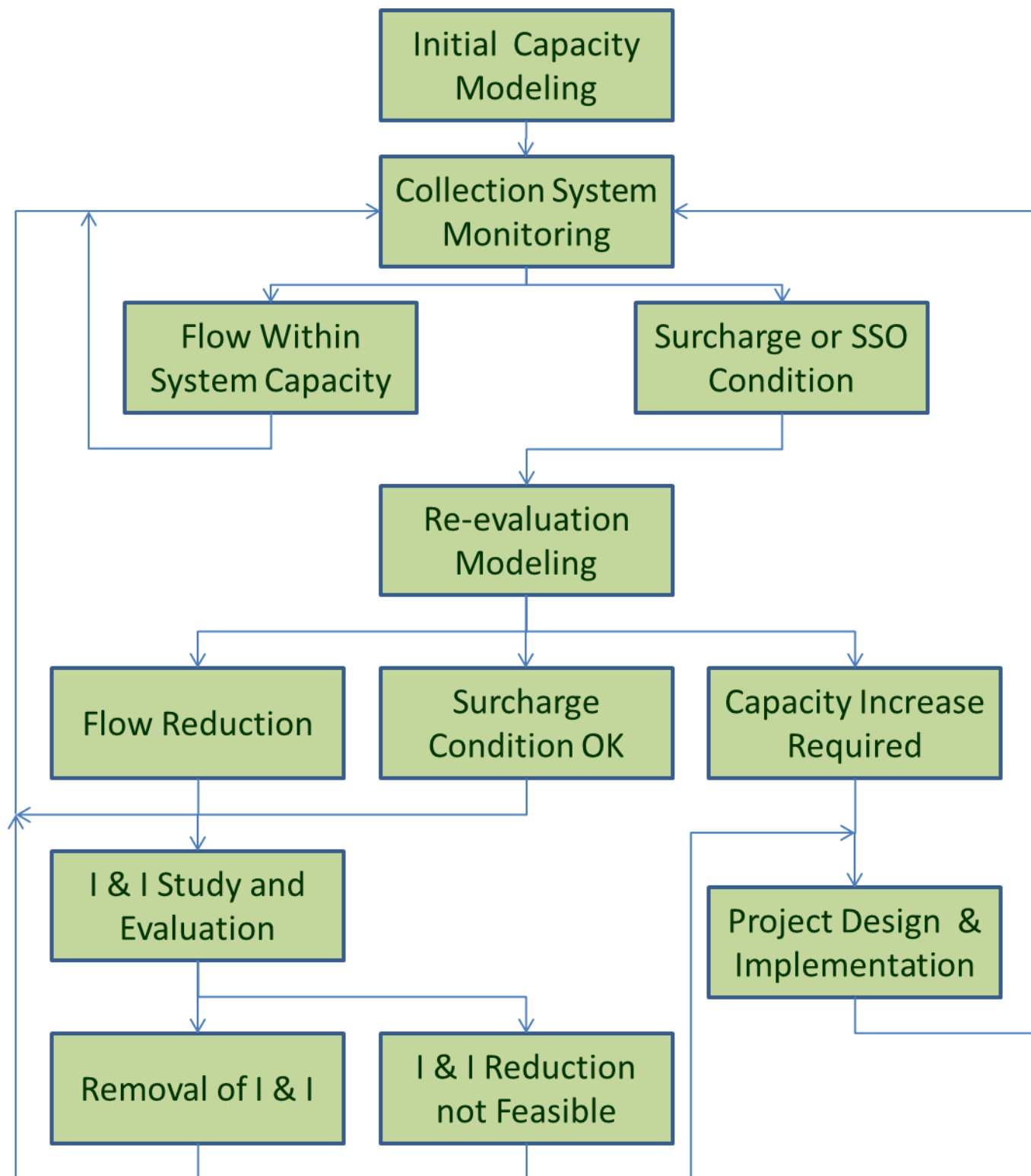
1. Initial Capacity Modeling and Master Planning
2. Surcharge Flow Analysis
2. Re-evaluation Modeling and Analysis
3. Flow Reduction Evaluation and Implementation
4. Capacity Increase Evaluation and Implementation

The actual implementation process associated with each of the elements above is shown in figure on the next page. This flow chart process forms the backbone of the SECAP.

Initial Capacity Evaluation

The Town has performed an analysis and modeling of its SCS. Pipes appear adequately sized to handle current and buildout loading. However, if no changes are made to the SCS, the pump located at Dead Man's Gulch Lift Station will require a capacity upgrade in the future (see master plan for details). Also, the overflow pond on the north side of the lift station is not ideal for long term operation. Directing flows elsewhere in the system would prevent the pump and pressure main from being overwhelmed.

The Residential Equivalent Unit (ERU) is based on JSSD sewer information, which uses 0.24 gpm/ERU and assumes a peaking factor of 2.5. If an area is known to have, or flow metering identifies, a significant amount of inflow and infiltration, additional evaluation will be needed.



SECAP Flow Chart

In addition to developing an equivalent flow for a residential unit, consideration should also be given to time of concentration in the SCS. Based on typical diurnal flow patterns, if the transit time in the branch system is less than 2 hours, time of concentration can be ignored.

Surcharge Flow Analysis

If any SCS is identified as having any of the following problems the system will be evaluated to determine future action. These problems are:

1. SSO to the Environment
2. Basement Backup
3. Observed Subsystem Surcharging.

The flow evaluation may result in multiple conclusions, some of which may require further action. Possible conclusions and their further action are listed below. This list is not all inclusive nor does it require the specific action detailed. These are given as possible examples and will be used by the Town to determine correct future action.

Flow Reduction Evaluation

Should excessive flows be identified during the surcharge analysis, the solution may be to proceed with an inflow and infiltration study with the ultimate goal of reducing flows. These flow reductions may be achieved by reconstruction of specific areas, internal spot repairs, removing illegal storm water or sump pump connections from homes or storm water systems, and system grouting. Tools used in flow reduction may include extensive in line camera inspection, smoke testing, dye testing, and increased inspection or flow monitoring.

Foreign Objects or Obstructions

There are multiple foreign objects which may be found in sewers. These may include objects knocked into sewers during construction, illegally placed in sewer manholes, roots, grease and soaps, sags in piping systems, etc. Each of these problems should be found during the backup investigation and a plan developed to ensure the problem does not reoccur. Types of action may include increased cleaning frequency, spot repairs, greater pretreatment activity, lining of pipes, and other corrective actions which resolve the problem.

Allowable Surcharging

Some piping systems may be able to accept surcharges without creating problems. Such systems may be deep, and surcharging occurs below the level of basements or manhole rims, or they may be in areas where there are no connections. In such cases the resolution of the observed surcharge may just be additional monitoring.

Revised System Modeling

Where piping system problems cannot be resolved in a less expensive way, the system may be further modeled to determine upgrade needs. Modeling should include known flow information and future projections. Since the system has been shown to have problems, further modeling should be more conservative in flow projections. Revised modeling should follow the guides given next.

Re-evaluation Modeling and Analysis

When an SOS subsystem demonstrates unresolvable problems by less costly means, the subsystem should be re-modeled and required action determined. Revised modeling may show that flow reduction may still be viable, or it may show that the system can allow current surcharge conditions. Most likely, however, the modeling will normally form the basis for construction to enlarge the subsystem capacity. Modeling should be done either by

1. Town staff using commercially available software
2. Town staff using spreadsheet models
3. Engineering firms using available software or spreadsheets.

It is important to ensure the modeling is comprehensive and includes all the potential flow sources. While the current area zoning and land use planning should be used in the model development, care should be taken to discuss possible changes with appropriate officials. Where possible zoning changes appear likely, the model should be re-run with the revised zoning alternatives. Once a resolution has been selected, the resulting project should be placed on the Capital Improvement Plan (CIP).

Capacity Increase Evaluation and Implementation

The capacity evaluation should be expedited based on the impact of the problem on the environment and the possible repeat of the overflow/backup/surcharging. Details on prioritization are given in the next Section.

SOS requiring additional capacity should be engineered for expansion by qualified staff or engineering consultants. Project design should be based on acceptable engineering standards and should comply with State of Utah regulations found in R317-3. Easements should be obtained, where needed and the design should include an analysis of other utilities in the vicinity. Design review should be done by the applicable regulatory agency, as appropriate. A design report should be prepared for each project. Where appropriate, the subsystem modeling may be substituted for the design report.

Finalized projects should be placed on the CIP.

System Improvement Prioritization

The priority for improvement should follow the following general guidelines:

High Priority Projects

When there is significant potential for SSO's, or frequent basement backups, the improvement should be considered a high priority and available budget should be allocated to the project.

Medium Priority Projects

Where the problem is infrequent and the possibility exists that it may not repeat in the near future, the priority for correction is medium. Medium priority projects may be delayed until appropriate budget is available, or the priority is adjusted to high priority. Should an SSO or basement backup repeat in the same area, the priority should be immediately revised.

Low Priority Projects

If the observed problem is infrequent, there is possibility that it may not repeat in the near future, and the possibility that increased flow in the subsystem is low, the correct priority is low. Low priority projects will be placed in the budget process and evaluated against other needs. These projects will eventually be completed, but the work is not prioritized above plant and equipment needs.

Capital Improvement Plan

The CIP is part of the Town's budgeting process to ensure sufficient revenue to address identified weaknesses in the sanitary sewer system. Items which have been identified as needing a structural fix are placed on the CIP list and the cost for each estimated. Sources of funding should be identified for all high priority projects so that SSO's or other failures do not re-occur. Forecasts of available funding for medium and low priority projects should be made to facilitate future revenue needs.

Sanitary Sewer System Mapping

The Town maintains records on the location of sewer lines using the following mapping systems:

- Computer based GIS system
- Subdivision plans and plats

The intent of this Section is not to rate one mapping system above another but to encourage up-to-date maps of the sanitary sewer system. These mapping methods are a way to document the number of connections on the SCS.

Basement Backup Program

Basement backups are serious impacts to a home or business owner. As such, all reasonable efforts should be taken to prevent such backups from occurring. Sewer system backups are the result of several system problems. Such problems include any one or a combination of the following:

1. Laterals serving real properties are owned by the property owner and lateral maintenance is their responsibility. Roots, low points, structural failure, and grease are primary problems lateral owners face.
2. Backups caused by main line plugs are usually caused by roots, grease, low points, foreign objects, and contractor negligence.
3. Piping system structural damage may cause basement backups. Such structural problems include age or deterioration damage, installation damage, excavation damage, and trenchless technology damage.
4. Excess flow problems may surcharge a piping system and cause basement backups. Excess flows usually occur when major storm waters inflow into sanitary sewers. Sanitary sewers are not designed for such flow. In addition, some property owners may illegally connect foundation drains and/or stormwater sump pumps to the SOS.

Basement Backup Response

When the Town is notified about a basement backup, staff will log the complaint in a complaint log. The person receiving the call may log the backup complaint or may ask administrative staff to document the complaint.

All backup complaints shall be investigated by staff. If the investigation determines that the case of the backup is only in the lateral, staff may offer technical information but should not take responsibility for cleanup or subsequent restoration.

If it is determined that the basement backup is the result of a mainline problem, the Town will follow the policy approved by its governing authority. A copy of this policy should be given to the property owner. It should be noted that all actions taken by the Town are on a no-fault basis. The Town does not accept liability, nor does it waive its governmental immunity.

Backup Prevention Design Standard

The Town promotes system designs which minimize backups and insure proper operations. To this end the Town has a design standard for all system construction. In addition, the Town complies with state design standards contained in R317-3. Finally, for laterals, the following policy applies:

Policy on the Installation of Backflow Valves

Reference Regulatory Documents:

The following regulations are referenced in the establishment of this policy:

- Utah Code Title 15A-2-103(c). This code section adopts the 2018 edition of the International Plumbing Code.
- The 2018 International Plumbing Code, section 714 Backwater Valves.

Town Policy:

- The State of Utah has adopted the International Plumbing Code (IPC) as its plumbing building standard;
- The IPC requires the installation of a sewage backwater valve “where the overflow rim of the lowest plumbing fixtures are below the next upstream manhole in the public sewer.”

Therefore, for new construction, the Town requires the installation of backflow valves as stipulated by the IPC.

No-Fault Sewage Backup Claims Program

Purpose:

The purpose of this program is to assist in the cleanup of real and personal property, and/or compensate persons for the loss of real or personal property, destroyed or damaged as the result of a backup of Town facilities, regardless of fault, within the restrictions, limitations and other provisions of this policy.

Town of Hideout insurance program:

The Town of Hideout has an active insurance program with the Utah Local Governments Trust (Trust). That program includes professional claims management and loss mitigation services. These services include claim intake, investigation and resolution. The services also include the provision of vetted clean-up and mitigation services through vendors that have agreed to meet local health standards and locally appropriate service standards and pricing

Cleanup of Real and Personal Property:

- (A) Upon discovering backup described in this Policy, a property owner should immediately notify the Town of such event.
- (B) Upon notification of the occurrence of the event, the [responsible position] will contact the Trust. They will establish a claim and, at the property owner's request will engage a cleanup contractor to perform the cleanup work at the premises, in accordance with established cleanup criteria and established service pricing.
- (C) In the event the property owner engages the services of a cleanup contractor prior to notifying the Town of the event, the Town may reimburse the property owner for actual expenses incurred by the property owner, but only up to the amount the Town would have paid its own cleanup contractor under Subsection (B) above.
- (D) In the event any real or personal property cannot, in the reasonable judgment of the Trust and its Claims Professional, be restored to its pre-event condition, in accordance with the cleanup criteria, the Town may pay to the property owner the estimated fair market value (not the replacement value) at the time of the event, of such real or personal property.
- (E) In no event will the Town pay or reimburse the property owner for the payment of special or consequential damages.

Establishment of Cleanup Criteria:

The property owner may, from time to time, establish cleanup criteria which will govern the Town's cleanup and payment responsibilities under this Policy. In establishing such cleanup criteria, the property owner may give due consideration to generally available health guidelines, recommendations from governmental and academic experts, and other sources of guidance reasonably deemed by the property owner to be balanced, unbiased, and protective of health and safety. In the absence of a written cleanup criteria, the Town of Hideout and The Trust will use generally accepted cleanup standards as set out in local health codes and/or as judged by the Trust and its Claims Professional.

Application - Time Limitations:

Any request for reimbursement of cleanup expenses under this policy, or payment of fair market value, may be made by filing a written application in such form as prescribed by the Town. Such application must be submitted to the Town within thirty (30) days after the occurrence of the event.

Qualification for Assistance:

An application or request for assistance or payment under this Policy may qualify only if the Trust and its Claims Professional, after due inquiry or investigation, makes an affirmative determination that the event was the result of a backup of Town facilities, and that none of the following circumstances apply:

- (A) The loss was the result of a force majeure including but not limited to acts of God, acts of public enemies, insurrections, riots, war, landslides, lightning, earthquakes, fires, washouts, droughts, civil disturbances, explosions, acts of terrorism, or any other similar cause or event not reasonably within the Town's control;
- (B) The loss was caused by either an act or omission of the property owner, the property owner's agent, or a member of the property owner's family or business;
- (C) The property owner failed to file a claim hereunder in a timely manner or failed to comply with any other procedural requirements of this Policy;
- (D) The loss is the result of intentional or negligent acts of third parties (other than those described in (B) above; or
- (E) The loss is wholly covered by private insurance.

Reduction in Assistance:

The Town may limit any assistance, or reduce any payment, under this Policy based upon any of the following:

- (A) The property owner did not act responsibly to prevent, avoid or minimize the loss;

- (B) The property owner is unable to fully substantiate or document the extent of the loss;
- (C) The loss is partially covered by private insurance.

Maximum Payments:

Without the express action of the Council, no assistance or payment under this Policy may exceed any of the following:

- (A) Five thousand dollars (\$5,000) per application or location; or
- (B) One Hundred Thousand dollars (\$100,000.00) per policy year. Should a catastrophic event occur, the \$5,000.00 per incident limitation will be prorated against all losses where assistance is requested.

Payment Does Not Imply Liability:

Any assistance or payment made under this Policy shall not be construed as, and does not imply an admission of negligence or responsibility on the part of the Town for any damage or loss. Any assistance or payment made under this Policy is strictly voluntary on the part of the Town and the Trust. This Policy shall not in any way supersede, change or abrogate the state government immunity act, Utah Code Annotated, Section 63G-7 et seq., as amended, or its successor, and its application to the Town, or establish in any person a right to sue the Town under this Policy. Any assistance or payment made under this Policy and accepted shall constitute a full and complete release of any and all claims against the Town, its officers, employees and agents arising from the incident.

Claims from Other Governmental Agencies:

Notwithstanding any other provisions of this Policy, no application shall be accepted from the United States or any of its agencies, the State of Utah or any political subdivision.

File Attachments for Item:

9. Discussion and possible approval of Ordinance 2021-O-15 amendments made to Hideout Town Code Chapter 7.18, Winter Parking for Vehicles and Snow Removal from Streets

ORDINANCE #2021-O-18

AN ORDINANCE AMENDING WINTER PARKING FOR VEHICLES
AND SNOW REMOVAL FROM STREETS

WHEREAS, Town of Hideout ("Town") has authority to regulate parking on public streets and public easements; and

WHEREAS, the Town previously enacted an ordinance that renumbered sections 7.16.030 and 7.16.035, and enacted Chapter 7.18 Winter Parking Restrictions; and

WHEREAS, after review and feedback on Chapter 7.18 Winter Parking Restrictions, the Town identified sections needing clarification and correction.

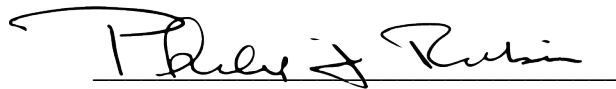
NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF HIDEOUT, UTAH, THAT:

SECTION I: Chapter 7.18 Winter Parking Restrictions is amended as shown in Exhibit A.

SECTION II: Effective Date. This ordinance shall become effective upon publication.

PASSED AND ADOPTED by the Town Council of Hideout, Utah, this 9th day of December in the year 2021.

TOWN OF HIDEOUT


Phil Rubin, Mayor

ATTEST:

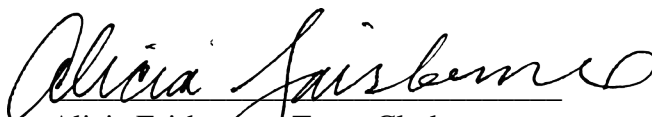

Alicia Fairbourne, Town Clerk



EXHIBIT A

7.18 WINTER PARKING RESTRICTIONS

7.18.010 OVERNIGHT WINTER PARKING

7.18.020 SNOW REMOVAL EMERGENCY ROUTES

7.18.030 ~~WINTER SEASON LIMITATIONS~~ STREET PARKING PROHIBITED~~7.18.040 SNOW REMOVAL EMERGENCY ROUTES~~

7.18.050 WINTER PARKING LIMITATIONS

7.18.060 SNOW REMOVAL PRIORITIES

7.18.070 PRIVATE STREETS: DUTY TO REMOVE SNOW

7.18.080 SNOW REMOVAL STANDARDS

7.18.090 SNOW STORAGE ON SITE

7.18.100 UNLAWFUL TO DEPOSIT SNOW IN PUBLIC WAY

7.18.110 TRAVELED PORTION OF ROAD DEFINED

7.18.120 FAILURE TO REMOVE SNOW FROM PUBLIC STREETS

7.18.130 NO PARKING OR CONSTRUCTION DEBRIS ON PUBLIC STREETS

7.18.140 FIRE HYDRANTS TO BE UNCOVERED

7.18.150 HYDRANT LOCATIONS TO BE MARKED

7.18.160 UNLAWFUL TO REMOVE MARKERS

7.18.170 INSTALLED AT OWNER'S RISK

7.18.180 DAMAGE TO IMPROVEMENTS

7.18.190 FLAGGING IMPROVEMENTS

7.18.200 PENALTIES

7.18.010 OVERNIGHT WINTER PARKING

To the extent practical, the Town's year round parking, codified in 7.16 Parking Restrictions, shall remain in effect and enforceable during the dates identified for winter parking.

7.18.020 WINTER PARKING DATES

The winter parking dates shall be from ~~November 15 to March 15~~ October 31 to April 15 of each year unless modified and published by the Town.

7.18.030 OVERNIGHT WINTER PARKING STREET PARKING PROHIBITED

To facilitate the clearing of snow from town streets, no person shall park any vehicle on any town street where the pavement runs from curb to curb, and also within five feet (5') of any paved public street surface, where the full improvements to the street are not completed, to ensure there is no obstruction to the plows that would cause health, safety and welfare concerns. This regulation shall be enforced between the hours of twelve o'clock (12:00) midnight and ~~eight-seven~~ o'clock (~~87~~:00) A.M. from the period of ~~November 15th through March 15th~~ October 30 to April 15, or any time while

snow is actively falling, and ~~for twenty four (24) hours~~ the day after snowfall ceases. Vehicles parked on town streets, as defined above, are subject to immediate towing at the discretion of the Town or designee. Striped parking spaces within the public right of way, used for commercial, office, civic or similar type uses, shall be exempt from this restriction.

7.18.040 SNOW REMOVAL EMERGENCY ROUTES

~~In order to maintain a free flow of traffic during periods of four inches (4") or more of snow accumulation in any four (4) hour time frame and eight (8) hours immediately following said storms, the Town or designee may declare a snow removal emergency, during which time it shall be unlawful to park any vehicle on the following streets:~~

- ~~1. North Hideout Trail~~
- ~~2. Longview Drive~~
- ~~3. Shoreline Drive~~

~~Such other streets as may be necessary to add/remove from time to time in order to meet the needs of the snow removal emergency. During a snow removal emergency declared by the Town Manager or designee, any vehicle parked on one of the streets listed above shall be deemed illegally parked, and subject to impound.~~

7.18.050 WINTER PARKING LIMITATIONS

Notwithstanding the Town's general parking regulations, there shall be additional regulations which apply during the winter season to facilitate snow removal, ice control, and to facilitate emergency access during the winter months. The winter seasonal regulations shall apply from ~~November 5th to March 15th~~ October 30 to April 15.

The special winter regulations are as follows:

- A. It shall be unlawful to park or leave unattended any vehicle in a ~~roundabout~~, cul-de-sac or dead end. Construction and delivery vehicles are included under this provision except for a period of time short enough to complete delivery.
- B. It shall be unlawful to park construction vehicles within thirty (30) feet of an ~~intersection~~ intersecting street or blind curve. A Blind curve is measured from the point where the opposite travel lane is no longer visible
- C. It shall be unlawful to park any vehicle in a manner that obstructs snow removal or ice control by failing to leave adequate room for passage of plows and/or other removal equipment. Construction and delivery vehicles are included under this provision.
- D. Employees of Hideout are hereby authorized to remove or have removed at their discretion any vehicle or obstruction found on a street in violation of this section. Any person who parks, leaves or deposits any such vehicle or other obstruction, shall be liable for all removal and impoundment costs (including Town administrative costs). The Town shall not be responsible for injury and/or damage claims related to snow removal services

7.18.060 SNOW REMOVAL PRIORITIES

Snow removal is provided for public streets within the town limits of Hideout on a priority basis. arterial streets receive first priority; residential streets second priority; and cul-de-sacs and dead ends are third priority. "Residential Street" means a public roadway with significant residential housing facing the roadway.

7.18.070 PRIVATE STREETS: DUTY TO REMOVE SNOW

It shall be the duty of every condominium owners association, property owners association, corporation, partnership, or other entity having control over a private street system within the town limits of Hideout, and the owners of properties abutting on such private streets which are provided access from those streets, to provide regular and adequate snow removal service on those private streets in accordance with the standards established in Section 7.18.080 SNOW REMOVAL STANDARDS.

7.18.080 SNOW REMOVAL STANDARDS

"Regular and adequate snow removal service" shall mean that snow shall be cleared from the roadway to a width of fifteen feet (15') within one day in a reasonable amount of time dependant on existing weather conditions.~~a period of eight hours from the end of each snowstorm which deposits an accumulation of four inches (4") of snow or more.~~ It shall be unlawful to permit an accumulation of more than four inches (4") of snow to remain on a private street for more than eight (8) hours from the end of each storm.

7.18.090 SNOW STORAGE ON SITE

It is the property owner's responsibility to store snow which has accumulated on his property on either his own premises, or on the premises of another with the permission of the other.

7.18.100 UNLAWFUL TO DEPOSIT SNOW IN PUBLIC WAY

It shall be unlawful for any person to deposit, haul, push, blow, or otherwise deposit snow accumulated on private property within the traveled portion of any public street.

7.18.110 TRAVELED PORTION OF ROAD DEFINED

As used in this Chapter, the term "traveled portion of any public street" shall mean and refer to that portion of the public right-of-way that is paved and maintained for vehicular or pedestrian traffic. It shall not include the portions of the right-of-way outside of the paved area, and it shall not be a violation of this Chapter for any property owner, or his employees, agents, or contractors, to place accumulated snow within the non-traveled portion of the public right-of-way.

7.18.120 FAILURE TO REMOVE SNOW FROM PUBLIC STREETS

In the event the private party or parties responsible for private snow removal on public streets and/or remove snow to the required standards of Section 7.18.080 SNOW REMOVAL STANDARDS,

the Town may, at its discretion, perform the snow removal necessary to achieve the required standards, and obtain reimbursement of its snow removal costs from the responsible party or parties.

7.18.130 NO PARKING OR CONSTRUCTION DEBRIS ON PUBLIC STREETS

- A. No person shall park a vehicle or have allowed placed construction debris, such as dumpsters, building or construction materials on any street or town owned parking lot between the hours of twelve o'clock (12:00) midnight and six o'clock (6:00) A.M. of any day, beginning ~~November 15 and ending March 15th~~ October 30 to April 15 of each year. (This is to allow for snow removal.) The Town may, at its discretion obtain reimbursement of its removal costs from the responsible party or parties.
- B. No person shall leave any vehicle parked as to be an obstruction to vehicles which would be hazardous to other traffic at any time, day or night.
- C. No person who owns or has possession, custody, or control of any vehicle shall park such vehicle upon any street or alley or town owned parking lot for more than a consecutive period of twenty one (21) hours, unless authorized by the mayor or a designee and a permit showing such authorization is visibly displayed as designated on the permit.
- D. The mayor, or a designee may, when conditions justify such action, declare an emergency and designate specific streets as emergency routes. Such designation shall, unless otherwise specified, prohibit parking on those streets, day or night, until the emergency designation is removed. Notification shall be by newsletter, town website or e-mail.
- E. No person shall park a vehicle on any public street or alley where the width of the roadway is less than twenty feet (20'); unless otherwise directed by traffic control devices

7.18.140 FIRE HYDRANTS TO BE UNCOVERED

It shall be the duty of every property owner to mark, uncover and remove accumulated snow and windrows of snow from over and around fire hydrants located at the perimeter of the owner's property. The hydrants shall be uncovered for a distance of not less than three feet (3') on all sides so the hydrants are accessible for emergency use. Hydrants shall be uncovered within seventy-two (72) hours of the time they are buried by a plowed windrow of snow or from the time they become buried from drifts.

7.18.150 HYDRANT LOCATIONS TO BE MARKED.

All fire hydrants on public and private street systems shall be marked with a minimum six foot (6') pole or other sign.

7.18.160 UNLAWFUL TO REMOVE MARKERS.

It shall be unlawful to remove or destroy the hydrant markers on either public or private road systems, except that they may be removed in the spring for storage until the following fall when they are again necessary. Hydrant markers shall be continuously in place from ~~November 15 to March 15~~ October 30 to April 15 of the following year.

7.18.170 INSTALLED AT OWNER'S RISK.

The Town shall have no liability for damage to sprinklers, mailboxes, lights, plants, trees, shrubs, or other improvements installed in the Town's right-of-way, including those streets on which the Town's

right-of-way is wider than the paved street.

7.18.180 DAMAGE TO IMPROVEMENTS.

The Town will not assume any liability for damage to improvements or landscaping in the public right-of-way, which results from normal snow removal activity.

7.18.190 FLAGGING IMPROVEMENTS.

Owners of improvements within the right-of-way are requested to flag the location of improvements, and to the extent it is reasonable to do so, town snow removal efforts will avoid flagged areas. This shall not be construed as a waiver or abandonment of the right-of-way or an acceptance of liability for damage to encroachments that are hidden with snow.

7.18.200 PENALTIES.

A violation of this chapter may be enforced the same as set forth in 7.16~~7~~.210 Enforcement Procedures.

File Attachments for Item:

11. Adoption of Ordinance 2021-O-XX determining the 2022 Regular Town Council Meeting Schedule

ORDINANCE 2021-O-19

AN ORDINANCE ESTABLISHING A 2022 REGULAR MEETING SCHEDULE FOR THE MEETINGS OF THE TOWN COUNCIL OF HIDEOUT UTAH

WHEREAS, pursuant to State law, each municipality shall, by ordinance, prescribe the time and location of its regular meetings; and

WHEREAS, Hideout has determined to meet on the second Thursday of each month.

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

SECTION I: Repealer. If any provisions of the Town's Code heretofore adopted are inconsistent herewith, they are hereby repealed.

SECTION II: Enactment. The Town of Hideout, Utah, hereby prescribes the following as its regular meeting schedule for the year 2022:

January 13, 2022	6:00 p.m.
February 10, 2022	6:00 p.m.
March 10, 2022	6:00 p.m.
April 14, 2022	6:00 p.m.
May 12, 2022	6:00 p.m.
June 9, 2022	6:00 p.m.
July 14, 2022	6:00 p.m.
August 11, 2022	6:00 p.m.
September 8, 2022	6:00 p.m.
October 13, 2022	6:00 p.m.
November 10, 2022	6:00 p.m.
December 8, 2022	6:00 p.m.

All meetings will be held at Hideout Town Hall, located at 10860 N. Hideout Trail, Hideout, Utah, 84036 unless otherwise noticed.