



# HIDEOUT, UTAH TOWN COUNCIL SPECIAL MEETING / PUBLIC HEARING

March 29, 2022

## Agenda

PUBLIC NOTICE IS HEREBY GIVEN that the Town Council of Hideout, Utah will hold a Special Meeting and Public Hearing electronically for the purposes and at the times as described below on Tuesday, March 29, 2022.

This meeting will be an electronic meeting without an anchor location pursuant to Mayor Rubin's March 11, 2022 No Anchor Site Determination Letter.

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

Interested parties may join by dialing in as follows:

**Zoom Meeting URL:** <https://zoom.us/j/4356594739> To join by telephone dial: US: +1 408 638 0986

**Meeting ID:** 435 659 4739

**YouTube Live Channel:** <https://www.youtube.com/channel/UCKdWnJad-WwvcAK75QjRb1w/>

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Special Meeting / Public Hearing  
6:00 PM

I. Call to Order

1. No Anchor Site Determination Letter

II. Roll Call

III. Agenda Items

1. Discussion and possible adoption of a Public Infrastructure District (PID) policy

IV. Public Hearing Items:

1. Discussion and possible approval of subdivision/lot amendment to Hideout Canyon lot 37 (parcel 00-0020-7851)

***\*Note: This item will be continued to the April 14, 2022 Regular Town Council Meeting***

2. Discussion and possible approval of an amendment of the Official Town of Hideout Zoning Map to rezone parcels 00-0020-8181, 00-0020-8182, 00-0020-8184, and 00-0020-8185 (the "Boulders at Hideout Development") from Mountain (M) zone to Neighborhood Mixed Use (NMU), R20 (Residential 20), R6 (Residential 6), and R3 (Residential 3)

3. Discussion and possible approval of a Master Development Agreement (MDA) regarding the Boulders at Hideout Development

4. Public Comments received via email

V. Meeting Adjournment

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

### HIDEOUT TOWN COUNCIL

10860 N. Hideout Trail

Hideout, UT 84036

435-659-4739

03/28/2022



March 11, 2022

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 5.7% of those tested since March 10, 2022. The seven-day average number of positive cases has been, on average, 192 per day since March 10, 2022.

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/>

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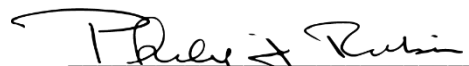
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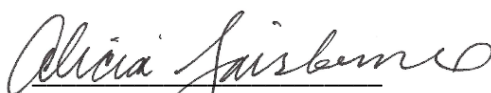
Additionally, comments may be emailed to [hideoututah@hideoututah.gov](mailto:hideoututah@hideoututah.gov). Emailed comments received prior to the scheduled meeting will be considered by Council and entered into public record.

This determination will expire in 30 days on April 10, 2022.

BY:

  
Phil Rubin, Mayor

ATTEST:

  
Alicia Fairbourne, Town Clerk



**HIDEOUT, UTAH  
POLICY STATEMENT:  
ESTABLISHING PUBLIC INFRASTRUCTURE DISTRICTS**

The magnitude of local and regional infrastructure needed in the new development areas and in redevelopment areas of Hideout, Utah (the “Town”) requires that a broad range of financing tools be available to finance that infrastructure. This policy statement addresses the criteria under which the Town will consider applications for proposed Public Infrastructure Districts (the “District”). Compliance with these criteria shall not obligate the Town to approve formation of the District. The Governing Document will be subject to approval by the Town in both form and substance. The criteria are intended to serve as guidelines for the review of letters of intent and Governing Documents.

The policy statement has three sections:

- 1. Process for applying including fees charged**
- 2. The Town’s decision-making criteria**
- 3. Governing Document requirements**

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**I. Process and Fees**

Any proposed Public Infrastructure District will be considered in relation to the best interests of the Town. Such interests include using the most appropriate financing mechanism for the type and magnitude of the improvements to be financed and appropriate governance mechanism. If through the review process, a Public Infrastructure District is determined to be the most appropriate mechanism, the process, the criteria, and requirements provided herein will apply, unless otherwise waived by the Town.

**A. Petition and Letter of intent to form a Public Infrastructure District**

The applicant shall submit (1) a petition meeting the requirements outlined in Utah Code Title17B, Chapter 1, Part 2 as modified by 17D-4-201 and (2) a letter of intent containing the following information in summary form. The petition and letter will be used by staff to make a preliminary determination about the appropriateness of a District and must be submitted prior to submittal of a draft Governing Document. A positive staff response to the Letter of Intent does not assure approval of the Governing Document. The petition shall also be submitted concurrently with the clerk of the Town for certification.

Letter of Intent contents:

1. Description of District (or Districts) area including size, location, area context (significant natural and man-made features, major public improvements, adjacent development), development history, and proposed development;
2. Summary of needed infrastructure, services and facilities:
  - a. Currently expected development scenario;

- b. Required local and regional infrastructure and facilities for such development;
  - c. Regional and local infrastructure the proposed District is to provide;
  - d. Estimated construction costs for the proposed District improvements;
  - e. General description of phasing of construction based on development projections; and
  - f. A sample plan of finance depicting the possible sources and uses of funds for the District.
3. Proposed timeline for District creation.
  4. Provide the following financial plan information:
    - a. Proforma financial overview of total costs and total revenues from all revenue sources;
    - b. An example plan of finance showing a proposal of how the proposed financing might take place, recognizing that the actual financing terms and structure will be approved by the board of trustees of the District (the "Board") within the parameters of this Governing Document;
    - c. Anticipated maximum or fixed maximum mill levy required to meet debt service of the District;
    - d. Analysis of proposed mill levies in light of outstanding debt and mill levies of other taxing entities affecting the area;
    - e. Comparison of the mill levies of similar taxing entities in the area;
    - f. Proposed operating budgets for the District's first three years of existence; and
    - g. Any other forms of public financing and assistance being sought, including assessment areas.
  5. Acknowledgement that a consent must be signed prior to the hearing date for the governing document by all property owners and registered voters, if any, within the proposed District boundaries approving of the creation of the proposed District and consenting to the issuance of debt in an amount sufficient for the proposed plan of financing.
  6. Disclosure of any conflicts of interest between the applicant and the officers and employees of the Town.
  7. Copies of signed engagement letters between the applicant and applicable consultants and legal counsel retained by the Town and/or the proposed District whereby applicant agrees to pay fees related to the review of the application and governing document. The Town currently engages Gilmore & Bell, P.C., Salt Lake City, Utah as its counsel for matters relating to Public Infrastructure Districts. A draft of the engagement letter with Gilmore & Bell is attached as



Exhibit A hereto.

**B. Review Process**

1. The Economic Development Committee (“EDC”) is a Town committee that advises the Mayor, Town Council and other policy-makers about district issues. The EDC will review the petition and letter of intent utilizing these criteria to determine whether or not to direct the applicant to proceed with preparation of a draft Governing Document for submittal. Conceptual approval does not assure approval of the governing document.

**C. Governing Document**

1. If the concept for the District as contained in the letter of intent is approved, the applicant shall submit a draft Governing Document to the Town’s Management Office. Unless the Town approves otherwise in advance, such Governing Document shall be initiated from the Model Governing on file with the Town. The applicant’s draft shall include a clean draft and a redline showing all changes from the Model Governing Document.
2. The draft Governing Document will be reviewed by the EDC for compliance with the criteria and requirements contained herein. The EDC will discuss with appropriate policy-makers issues that arise during this drafting period to have such issues resolved.
3. The final Governing Document will be forwarded to Town Council for action through the standard Town and statutory processes.

**D. Fees**

No request to create a Public Infrastructure District shall proceed until the fees set forth herein are provided for. All checks are to be made payable to the Town and sent to Town Hall.

1. Letter of Intent: A Letter of Intent is to be submitted to the Town Administrator’s Office and a fee (as listed in the Town’s Fee Schedule) shall be paid at the time of submittal of the Letter to cover the cost of staff review.
2. If the applicant proceeds to the submittal of a Governing Document an application fee (as listed in the Town’s Fee Schedule) shall be submitted concurrent with the draft Governing Document.
3. Other Expenses: In the event the costs of review exceed the application fee, the applicant for a District shall pay all reasonable internal, consultant, legal, and other fees and expenses incurred by the Town in the process of reviewing the draft Governing Document prior to adoption, documents related to a bond issue and other such fees and expenses as may be necessary to interface with such District. All such fees and expenses shall be paid within 30 days of receipt of an invoice for these additional fees and expenses.
4. In the event the applicant proposes to create more than one Public Infrastructure District with respect to the same project, the Town may modify the above fees to account for overlapping work in the review and creation of such Districts.

## II. Criteria for Evaluating Proposed Public Infrastructure Districts

### A. Public Benefit

Formation of a District bestows certain benefits on the District's proponents and is expected to provide public benefit consistent with the Creating Entities policy goals. Components of public benefit to be considered may include:

1. Resulting development that is consistent with the Town's General Plan and all applicable supplements;
2. Provision of and/or contribution to needed regional and sub-regional infrastructure;
3. Resulting development that contributes to diversifying and solidifying the Town's property or sales tax bases;
4. Resulting development preserves viewsheds, green space, and unique topography beyond baseline Town requirements; improves recycling efforts; installs community-minded open spaces including parks and trails; and promotes conservation and preservation practices to protect the local environment in excess of baseline Town requirements;
5. Resulting development promotes a mix of residential and commercial uses appropriate for the community;
6. Resulting development provides for moderate income housing;
7. Resulting development increases the livability of the Town by encouraging appropriate commercial uses to serve resident needs; enhances public gathering spaces and community connectivity; and/or encourages commercial uses that are financially beneficial to the Town to improve resident quality of life and generates revenues to expand and maintain public infrastructure;
8. Provision of public pedestrian, bicyclist, and motor vehicle facilities; improves quantity and quality of trails in the area; increases frequency of transit services to nearby cities; addresses user and wildlife safety concerns related to SR-248;
9. Enhancement and expansion of current utilities to account for current and future population growth; prioritization of the maintenance, mapping, and improvement of existing infrastructure; or improves student commute time;
10. Allows for well-planned, fiscally responsible annexations based on the Town's development needs;
11. Residential development which provides amenities and enhancements beyond baseline Town requirements;

#### **Commented [WA(1)]:** Note to Council:

The below list is meant for discussion purposes and incorporates the Goals of the Town's General Plan. Criteria can be added or removed based upon the Council's review.

12. Sustainable design including multimodal transportation, water conserving landscape design, thoughtful development phasing, green building design, and formation of and participation in transportation management programs; and
13. High quality site and building design, including street connectivity, multimodal street design, durable construction materials, and pedestrian-friendly building design.

#### B. Evaluation Criteria

These criteria provide thresholds for consideration. Compliance with some or all of these criteria is desired; however, alternative approaches may be considered.

1. Districts should not include land that is already included within the boundaries of another public infrastructure district without express provision in an adopted Governing Document. In such cases, the relationship with the existing or proposed districts must be addressed in the Governing Document., including any inclusion area concept and how ultimate district boundaries will be determined.
2. A District planning to levy more than ~~—10~~ mills of tax in the District for repayment of limited tax bonds will not be considered without sufficient justification (determined by the City on a case-by-case basis) as to why additional mills are necessary and reasonable for the development. [TOWN COUNCIL TO ADVISE]
3. There must be a demonstrated public benefit directly resulting from the creation of the District and its undertakings as described in the Governing Document.

#### C. Evaluation of Applicant

The following criteria relating to the applicant and the development will be considered:

1. Historical performance of the applicant (within and outside of the Town);
2. The current proposed plan of finance of the District;
3. The current development plans relationship to the master plans of the Town; and
4. The regional or overall benefits to the Town from the proposed plan of finance.

### III. Governing Document Requirements

In addition to statutory requirements, a Governing Document memorializes the understandings between the District and the Town, as well as the considerations that compelled the Town to authorize the formation of the District. The Governing Document for the proposed District shall contain and will be reviewed for compliance with the following policies and requirements.

#### A. District Description

**Commented [WA(2)]:** 15 mills is the statutory cap (20 mills for MIDA PIDs), but that limit is likely higher than what should be approved within the Town without sufficient justification. Included in the packet is a list of PIDs with taxing authority and the tax rate established by the Creating Entity for that PID.

Here, it may be prudent to set a lower limit for what will be considered without sufficient justification to set a baseline and expectation for applicants before they initiate an application – say 8 or 10 mills.

Could also consider separate caps for commercial residential uses, for example, 8 mills for residential and 10 mills for commercial.

Ultimately developer also has to balance need for improvements against ability to market and sell or lease the underlying development. Also potential for concerns down the road for Town's ability to raise taxes if certain areas of the town already have a higher tax rate.

The Town's main overlapping tax rate for 2021 was 12.524 mills.

Similar to Town, County, and other taxes, primary residential property will receive a 45% discount on PID property taxes.

Also, the Town only sets the maximum rate, the PID could ultimately elect to impose a levy that is lower than the maximum established by the Town.

By way of example, a 7 mill levy would cost \$385 per \$100,000 of market value for a primary residence and \$700 per \$100,000 of market value for a secondary residence or commercial property.

1. Description of District area including size, location, area context (significant natural and man-made features, major public improvements, adjacent development), development history, and proposed development scenario (land uses by type and intensity and general urban design character);
2. Description of the public benefit resulting from the creation of the District and its undertakings;
3. Description of proposed development within the boundaries of the proposed District including general distribution of land uses;
4. If the District boundaries overlap with another district, an explanation of the relationship between the districts and outline of any plans to utilize an inclusion area or multi-district structuring;
5. Itemization and description of all needed infrastructure (both regional and local) and facilities in the District's area;
6. Estimated construction costs of such infrastructure;
7. General description of phasing of construction based on development projections and phasing;
8. Description of the ultimate ownership and provision for the ongoing operating and maintenance costs for infrastructure.
9. Description of any proposed divisions and an annexation/withdrawal process as appropriate.
10. Proposed governance plan, including Board structure and to transition from appointed Board to elected Board.

**B. Requirements and Expectations**

1. The planned ownership of the Improvements, including any relationship with an existing statutory district must be addressed in the Governing Document.
2. All debt issued by the District for which a tax is pledged to pay the debt service shall meet the requirements of all applicable statutes.
3. Land, easements or improvements to be conveyed or dedicated to the Town and any other local government entity shall be conveyed in accordance with the related standards at no cost to the Town.
4. All public infrastructure within the District which will be connected to and owned by another public entity shall be subject to all design and inspection requirements and other standards of such public entity.

5. The District shall not pledge as security any land, assets or funds to be transferred to the Town.
6. The District shall be subject to Town zoning, subdivision, building codes, and all other applicable Town ordinances and regulations. Approval of the Governing Document shall not bind the Town to approve other matters which the District or developer may request.
7. The District shall pay all fees and expenses as provided in the Governing Document.
8. The District may not double tax, whether by mill levy, assessment, impact fees, or any combination thereof; any end user for the costs of Improvements.

C. Disclosure and Reporting Requirements

Disclosure of the existence of the District to property owners and potential property owners within the District is important and the following actions to be taken by each District shall be included in the Governing Document.

1. Within 30 days after the formation of the District, the Board shall record a notice with the county recorder:
  - a. Containing a description of the boundaries of the District and inclusion area as applicable;
  - b. Stating that a copy of the Governing Document is on file at the office of the Town;
  - c. Stating that the District may finance and repay infrastructure and other improvements through the levy of a property tax;
  - d. Stating the maximum rate that the District may levy; and
  - e. If applicable, stating that the debt may convert to general obligation debt and outlining the provisions relating to conversion.
2. Applicant, homebuilders, commercial developers, and commercial lessors, as applicable, shall be required to disclose the following information to initial resident homeowners, renters, commercial property owners, and/or commercial tenants:
  - a. All of the information required under (1)(b) above;
  - b. A disclosure outlining the impact of any applicable property tax, in substantially the following form:

"Under the maximum property tax rate of the District, a primary residence valued at \$[insert average anticipated residential property value] would have an **additional annual property tax of \$\_\_\_\_\_** for the duration of the District's Bonds. A business property valued at \$[insert average anticipated commercial property value] would have an **additional annual property tax of \$\_\_\_\_\_** for the duration of the District's Bonds."

**Commented [WA(3)]:** This will be filled in within the Governing Document for each District when the mill levy is determined

- c. Such disclosures shall be contained on a separate colored page of the applicable closing or lease documents and shall require a signature of such end user acknowledging the foregoing.
3. At least annually following the formation of the District, the District shall notify (by mail, e-mail, or posting to the District's website) property owners in the District of the existence of the District and of the next scheduled meeting of the Board of the District. Such meeting shall occur at least 30 days and not more than 60 days following the date of the notice. Such notification shall include names and addresses of the Board of Directors and officers, the address, telephone and fax numbers, and e-mail address of the District, and shall include reference to the existence of a District file maintained by the Town as described below.
  4. The District shall provide the following information to the Town Administrator's Office on an annual basis, and the District shall create and maintain a file for public review of the following information.
    - a. Annual District budget;
    - b. Annual financial statements of the District, audited if required by Statute or bond covenant;
    - c. Total debt authorized and total debt issued and presently planned debt issuances;
    - d. Names and terms of Board members and officers and progress towards milestones required for transition to elected Board;
    - e. A copy of the language required to be disclosed (2)(b) above;
    - f. Rules and regulations of the District regarding bidding, conflict of interest, contracting, and other governance matters, if changed;
    - g. List of current interlocal agreements, if changed (to be delivered to the Town upon request);
    - h. List of all current contracts for services or construction (to be delivered to the Town upon request);
    - i. Official statements of current outstanding bonded indebtedness, if not previously received by the Town;
    - j. Current approved Governing Document, if changed; and
    - k. District Office contact information.
  5. The following shall be considered significant changes to the Governing Document, thereby requiring approval by the Town:

- a. Exclusion or inclusion of property without Governing Document and Statute required approvals;
- b. Change in the maximum mill levy;
- c. Consolidation with any other district; and
- d. Change in the dissolution date.

**Submittal Instructions**

Annual Financial Information: Submit one copy of each of the annual financial information, as described in Section III.C. above to:

Town Administrator  
10860 No. Hideout Trail  
Hideout, UT 84036

All other documents: Submit letters of intent, draft Governing Documents, and all other documents (with the required number of copies) to:

Economic Development Committee  
10860 No. Hideout Trail  
Hideout, UT 84036

With a copy of the petition to:

Town Clerk  
10860 No. Hideout Trail  
Hideout, UT 84036

Further Information: For additional information please contact the Town's Manager's Office at the address or telephone number shown below.

Jan McCosh, Town Administrator  
10860 No. Hideout Trail  
Hideout, UT 84036  
Phone: (435) 776-6066  
Email: [jmccosh@hideoututah.gov](mailto:jmccosh@hideoututah.gov)

**Exhibit A**  
**Draft Engagement Letter**

[Date]

Hideout, Utah  
[Address]

Re: Engagement as Special Counsel for Hideout, Utah

This will record the terms of our engagement as special counsel for the Hideout, Utah (the “Town”) in analyzing and exploring the use of a public infrastructure district (“PID”) at the discretion of the Town to assist \_\_\_\_\_ (the “Developer”) in the development of \_\_\_\_\_ within the Town (the “Development”).

Our services as special counsel will include educating the Town and the Developer on PIDs and how they may be utilized in the Development and the preparation, negotiation, and review of any documents required for the formation of a PID. Our engagement is at the will of the Town and will terminate at the end of the review processes described herein.

While it is difficult to predict the complexity of such process, our fee for services provided as special counsel will be at a discounted blended hourly rate of \$\_\_\_\_/hour, plus reimbursement for out of pocket costs. Fees will be billed monthly and are subject to review by the Developer. A \$\_\_\_\_\_ retainer fee is due from the Developer at this time. Under no circumstances shall the Town be liable for fees hereunder. The entire fee is payable by the Developer and is not contingent upon the formation of any PID. The creation of any Districts shall be at the discretion of the Town, and the entering into of this agreement in no way guarantees that any Districts will be formed or bonds issued for the Developer or the Development. If the review process is abandoned or deferred beyond a reasonable period, such as 3 months, we will negotiate a reasonable fee for the work undertaken to that point with the Developer, based on the circumstances.

The Town is our client in this engagement and we are not representing the Developer. [The Developer is represented by its own counsel, \_\_\_\_\_.] We note that we do expect to be bond and disclosure counsel (as applicable) for any PID(s) ultimately created at the Town’s discretion.

If these terms are acceptable, please sign and return a copy of this letter. We look forward to working with you.

Sincerely,

GILMORE & BELL, P.C.



AGREED AND ACCEPTED:

HIDEOUT, UTAH

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_, DEVELOPER

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Note: Gilmore & Bell, P.C. may be contacted at the below information:

Randall Larsen

Direct: 801.258.2722 / Mobile: 801.541.1108

[rlarsen@gilmorebell.com](mailto:rlarsen@gilmorebell.com)

Aaron Wade

Direct: 801.258.2730 / Mobile: 801.652.6278

[awade@gilmorebell.com](mailto:awade@gilmorebell.com)

GilmoreBell.com

## HIDEOUT, UTAH POLICY STATEMENT: ESTABLISHING PUBLIC INFRASTRUCTURE DISTRICTS

The magnitude of local and regional infrastructure needed in the new development areas and in redevelopment areas of Hideout, Utah (the “Town”) requires that a broad range of financing tools be available to finance that infrastructure. This policy statement addresses the criteria under which the Town will consider applications for proposed Public Infrastructure Districts (the “District”). Compliance with these criteria shall not obligate the Town to approve formation of the District. The Governing Document will be subject to approval by the Town in both form and substance. The criteria are intended to serve as guidelines for the review of letters of intent and Governing Documents.

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2. Provision of and/or contribution to needed regional and sub-regional infrastructure;
3. Resulting development that contributes to diversifying and solidifying the Town's property or sales tax bases;
4. Resulting development preserves viewsheds, green space, and unique topography beyond baseline Town requirements; improves recycling efforts; installs community-minded open spaces including parks and trails; and promotes conservation and preservation practices to protect the local environment in excess of baseline Town requirements;
5. Resulting development promotes a mix of residential and commercial uses appropriate for the community;
6. Resulting development provides for moderate income housing;
7. Resulting development increases the livability of the Town by encouraging appropriate commercial uses to serve resident needs; enhances public gathering spaces and community connectivity; and/or encourages commercial uses that are financially beneficial to the Town to improve resident quality of life and generates revenues to expand and maintain public infrastructure;
8. Provision of public pedestrian, bicyclist, and motor vehicle facilities; improves quantity and quality of trails in the area; increases frequency of transit services to nearby cities; addresses user and wildlife safety concerns related to SR-248;
9. Enhancement and expansion of current utilities to account for current and future population growth; prioritization of the maintenance, mapping, and improvement of existing infrastructure; or improves student commute time;
10. Allows for well-planned, fiscally responsible annexations based on the Town's development needs;
11. Residential development which provides amenities and enhancements beyond baseline Town requirements;

12. Sustainable design including multimodal transportation, water conserving landscape design, thoughtful development phasing, green building design, and formation of and participation in transportation management programs; and
13. High quality site and building design, including street connectivity, multimodal street design, durable construction materials, and pedestrian-friendly building design.

**B. Evaluation Criteria**

These criteria provide thresholds for consideration. Compliance with some or all of these criteria is desired; however, alternative approaches may be considered.

1. Districts should not include land that is already included within the boundaries of another public infrastructure district without express provision in an adopted Governing Document. In such cases, the relationship with the existing or proposed districts must be addressed in the Governing Document., including any inclusion area concept and how ultimate district boundaries will be determined.
2. A District planning to levy more than 10 mills of tax in the District for repayment of limited tax bonds will not be considered without sufficient justification (determined by the City on a case-by-case basis) as to why additional mills are necessary and reasonable for the development.
3. There must be a demonstrated public benefit directly resulting from the creation of the District and its undertakings as described in the Governing Document.

**C. Evaluation of Applicant**

The following criteria relating to the applicant and the development will be considered:

1. Historical performance of the applicant (within and outside of the Town);
2. The current proposed plan of finance of the District;
3. The current development plans relationship to the master plans of the Town; and
4. The regional or overall benefits to the Town from the proposed plan of finance.

**III. Governing Document Requirements**

In addition to statutory requirements, a Governing Document memorializes the understandings between the District and the Town, as well as the considerations that compelled the Town to authorize the formation of the District. The Governing Document for the proposed District shall contain and will be reviewed for compliance with the following policies and requirements.

**A. District Description**

1. Description of District area including size, location, area context (significant natural and man-made features, major public improvements, adjacent development), development history, and proposed development scenario (land uses by type and intensity and general urban design character);
2. Description of the public benefit resulting from the creation of the District and its undertakings;
3. Description of proposed development within the boundaries of the proposed District including general distribution of land uses;
4. If the District boundaries overlap with another district, an explanation of the relationship between the districts and outline of any plans to utilize an inclusion area or multi-district structuring;
5. Itemization and description of all needed infrastructure (both regional and local) and facilities in the District's area;
6. Estimated construction costs of such infrastructure;
7. General description of phasing of construction based on development projections and phasing;
8. Description of the ultimate ownership and provision for the ongoing operating and maintenance costs for infrastructure.
9. Description of any proposed divisions and an annexation/withdrawal process as appropriate.
10. Proposed governance plan, including Board structure and to transition from appointed Board to elected Board.

B. Requirements and Expectations

1. The planned ownership of the Improvements, including any relationship with an existing statutory district must be addressed in the Governing Document.
2. All debt issued by the District for which a tax is pledged to pay the debt service shall meet the requirements of all applicable statutes.
3. Land, easements or improvements to be conveyed or dedicated to the Town and any other local government entity shall be conveyed in accordance with the related standards at no cost to the Town.
4. All public infrastructure within the District which will be connected to and owned by another public entity shall be subject to all design and inspection requirements and other standards of such public entity.

5. The District shall not pledge as security any land, assets or funds to be transferred to the Town.
6. The District shall be subject to Town zoning, subdivision, building codes, and all other applicable Town ordinances and regulations. Approval of the Governing Document shall not bind the Town to approve other matters which the District or developer may request.
7. The District shall pay all fees and expenses as provided in the Governing Document.
8. The District may not double tax, whether by mill levy, assessment, impact fees, or any combination thereof; any end user for the costs of Improvements.

C. Disclosure and Reporting Requirements

Disclosure of the existence of the District to property owners and potential property owners within the District is important and the following actions to be taken by each District shall be included in the Governing Document.

1. Within 30 days after the formation of the District, the Board shall record a notice with the county recorder:
  - a. Containing a description of the boundaries of the District and inclusion area as applicable;
  - b. Stating that a copy of the Governing Document is on file at the office of the Town;
  - c. Stating that the District may finance and repay infrastructure and other improvements through the levy of a property tax;
  - d. Stating the maximum rate that the District may levy; and
  - e. If applicable, stating that the debt may convert to general obligation debt and outlining the provisions relating to conversion.
2. Applicant, homebuilders, commercial developers, and commercial lessors, as applicable, shall be required to disclose the following information to initial resident homeowners, renters, commercial property owners, and/or commercial tenants:
  - a. All of the information required under (1)(b) above;
  - b. A disclosure outlining the impact of any applicable property tax, in substantially the following form:

“Under the maximum property tax rate of the District, a primary residence valued at \$[insert average anticipated residential property value] would have an **additional annual property tax of \$\_\_\_\_\_** for the duration of the District’s Bonds. A business property valued at \$[insert average anticipated commercial property value] would have an **additional annual property tax of \$\_\_\_\_\_** for the duration of the District’s Bonds.”



- c. Such disclosures shall be contained on a separate colored page of the applicable closing or lease documents and shall require a signature of such end user acknowledging the foregoing.
- 3. At least annually following the formation of the District, the District shall notify (by mail, e-mail, or posting to the District's website) property owners in the District of the existence of the District and of the next scheduled meeting of the Board of the District. Such meeting shall occur at least 30 days and not more than 60 days following the date of the notice. Such notification shall include names and addresses of the Board of Directors and officers, the address, telephone and fax numbers, and e-mail address of the District, and shall include reference to the existence of a District file maintained by the Town as described below.
- 4. The District shall provide the following information to the Town Administrator's Office on an annual basis, and the District shall create and maintain a file for public review of the following information.
  - a. Annual District budget;
  - b. Annual financial statements of the District, audited if required by Statute or bond covenant;
  - c. Total debt authorized and total debt issued and presently planned debt issuances;
  - d. Names and terms of Board members and officers and progress towards milestones required for transition to elected Board;
  - e. A copy of the language required to be disclosed (2)(b) above;
  - f. Rules and regulations of the District regarding bidding, conflict of interest, contracting, and other governance matters, if changed;
  - g. List of current interlocal agreements, if changed (to be delivered to the Town upon request);
  - h. List of all current contracts for services or construction (to be delivered to the Town upon request);
  - i. Official statements of current outstanding bonded indebtedness, if not previously received by the Town;
  - j. Current approved Governing Document, if changed; and
  - k. District Office contact information.
- 5. The following shall be considered significant changes to the Governing Document, thereby requiring approval by the Town:

- a. Exclusion or inclusion of property without Governing Document and Statute required approvals;
- b. Change in the maximum mill levy;
- c. Consolidation with any other district; and
- d. Change in the dissolution date.

### **Submittal Instructions**

Annual Financial Information: Submit one copy of each of the annual financial information, as described in Section III.C. above to:

Town Administrator  
10860 No. Hideout Trail  
Hideout, UT 84036

All other documents: Submit letters of intent, draft Governing Documents, and all other documents (with the required number of copies) to:

Economic Development Committee  
10860 No. Hideout Trail  
Hideout, UT 84036

With a copy of the petition to:

Town Clerk  
10860 No. Hideout Trail  
Hideout, UT 84036

Further Information: For additional information please contact the Town's Manager's Office at the address or telephone number shown below.

Jan McCosh, Town Administrator  
10860 No. Hideout Trail  
Hideout, UT 84036  
Phone: (435) 776-6066  
Email: [jmccosh@hideoututah.gov](mailto:jmccosh@hideoututah.gov)

**Exhibit A**  
**Draft Engagement Letter**

[Date]

Hideout, Utah  
[Address]

Re: Engagement as Special Counsel for Hideout, Utah

This will record the terms of our engagement as special counsel for the Hideout, Utah (the “Town”) in analyzing and exploring the use of a public infrastructure district (“PID”) at the discretion of the Town to assist \_\_\_\_\_ (the “Developer”) in the development of \_\_\_\_\_ within the Town (the “Development”).

Our services as special counsel will include educating the Town and the Developer on PIDs and how they may be utilized in the Development and the preparation, negotiation, and review of any documents required for the formation of a PID. Our engagement is at the will of the Town and will terminate at the end of the review processes described herein.

While it is difficult to predict the complexity of such process, our fee for services provided as special counsel will be at a discounted blended hourly rate of \$\_\_\_\_/hour, plus reimbursement for out of pocket costs. Fees will be billed monthly and are subject to review by the Developer. A \$\_\_\_\_ retainer fee is due from the Developer at this time. Under no circumstances shall the Town be liable for fees hereunder. The entire fee is payable by the Developer and is not contingent upon the formation of any PID. The creation of any Districts shall be at the discretion of the Town, and the entering into of this agreement in no way guarantees that any Districts will be formed or bonds issued for the Developer or the Development. If the review process is abandoned or deferred beyond a reasonable period, such as 3 months, we will negotiate a reasonable fee for the work undertaken to that point with the Developer, based on the circumstances.

The Town is our client in this engagement and we are not representing the Developer. [The Developer is represented by its own counsel, \_\_\_\_\_.] We note that we do expect to be bond and disclosure counsel (as applicable) for any PID(s) ultimately created at the Town’s discretion.

If these terms are acceptable, please sign and return a copy of this letter. We look forward to working with you.

Sincerely,

GILMORE & BELL, P.C.

AGREED AND ACCEPTED:

HIDEOUT, UTAH

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_, DEVELOPER

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Note: Gilmore & Bell, P.C. may be contacted at the below information:

Randall Larsen

Direct: 801.258.2722 / Mobile: 801.541.1108

[rlarsen@gilmorebell.com](mailto:rlarsen@gilmorebell.com)

Aaron Wade

Direct: 801.258.2730 / Mobile: 801.652.6278

[awade@gilmorebell.com](mailto:awade@gilmorebell.com)

GilmoreBell.com



## Staff Report for the Boulders – Development Agreement Review and Rezone Request

To: Mayor Phil Rubin  
Hideout Town Council

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

Re: The Boulders Development Agreement Review and Rezoning Request

Date: March 28, 2022

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*Submittals: Concept Plan Application and Master Plan (9 December 2021)  
Concept Plan dated 26 January 2022  
Open Space, Storm Water, Snow Storage Plans (8 February 2022)  
Rezone Application and Plan Set (dated 8 February 2022)  
Traffic Study  
Fiscal Analysis*

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### Update for Town Council

The Applicants continue to prepare the requested review material for Town Council and have indicated they will need additional time to procure everything. Accordingly, they would still like to meet with the Council members on March 29<sup>th</sup> but are not anticipating a vote for their requested Rezone Application and associated Master Development Agreement (MDA). They would like to coordinate with the Town to be on the agenda for a future meeting.

For this meeting, the Applicants have provided a traffic study and a fiscal analysis. Staff recommends the Town Council review this and prior submitted items and prepare to engage in a question-and-answer discussion to prepare for a subsequent meeting where the Applicants will request a vote on both applications.

Staff continues to coordinate with the Applicant regarding possible zoning designations – whether specifically designated zones or a Planned Performance Development (PPD) or a Resort Specially Planned Area (RSPA) or a combination thereof is recommended.



## Staff Report for the Boulders – Development Agreement Review and Rezone Request

To: Mayor Phil Rubin  
Hideout Town Council

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

Re: The Boulders Development Agreement Review and Rezoning Request

Date: March 2, 2022 (including excerpted narrative from the January/February Planning Commission Staff Reports)

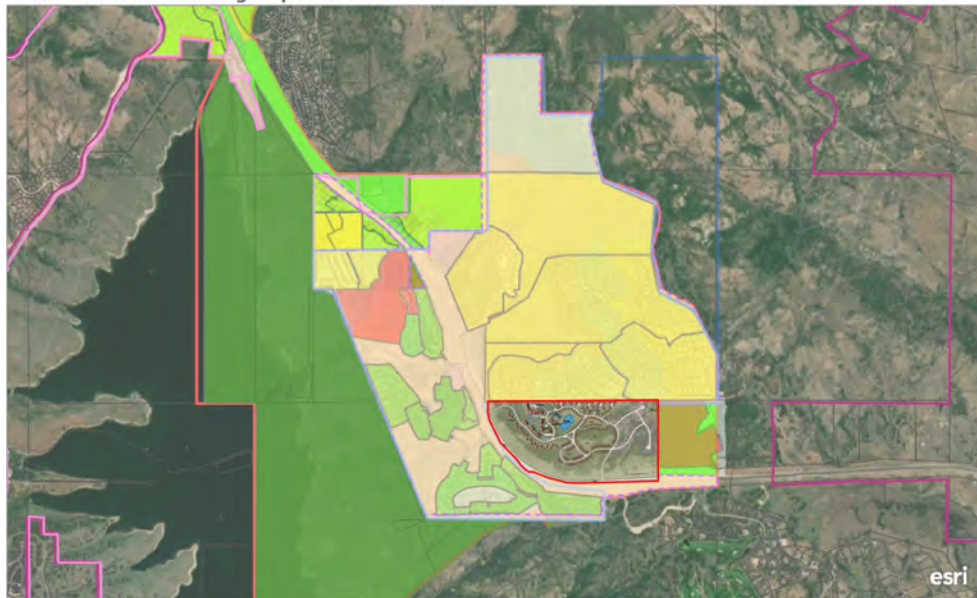
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**Submittals:** *Concept Plan Application and Master Plan (9 December 2021)*  
*Concept Plan dated 26 January 2022*  
*Open Space, Storm Water, Snow Storage Plans (8 February 2022)*  
*Rezone Application and Plan Set (dated 8 February 2022)*

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### Site Location (proposed site in red outline)

Town of Hideout Planning Map



Planning map for the Town Of Hideout

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community | Utah AGRC



### Site Characteristics

Total Acres of Site: 112 Acres

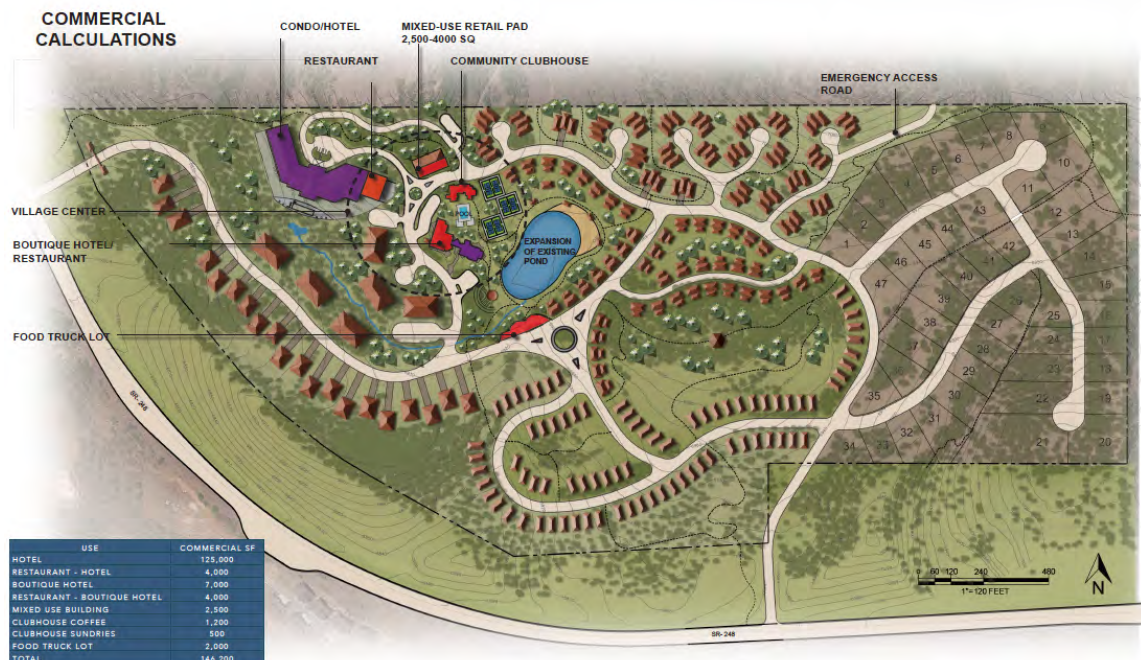
Current Zoning: Mountain (M)

Allowed Density: One (1) unit per acre or approximately 85 units after road infrastructure is built.

Concept Density: +/-610 Units (or 577 ERUs)  
5.35 units per acre

General Uses: The developers are proposing a development concept that includes a variety of residential building typologies, a bed-and-breakfast, a small retail pad, and a hotel.

### Concept Plan (dated 8 February 2022)



**BOULDERS AT HIDEOUT**  
MASTER PLAN

SKYHAWK  
DEVELOPMENT

02.08.22

**PEC**  
PERMIT ENGINEERING CONSULTANTS



## Planning Issues & Concerns for Discussion – Carried Over from the Planning Commission Meetings

Density: A 500%+ increase beyond existing allowances requires a thorough discussion of the 'gives and gets' associated with a conceptual up-zoning of such scale.

- This proposed Concept Plan will create +/-610 units (or 577 ERUs) which equates to 5.35 units/acre.
  - Of these units 150 will be in the hotel and 20 will be in the B&B leaving approximately 400 units of residential to be dispersed throughout the site.
- By way of comparison, the density of recent subdivision approvals:
  - Deer Springs: 97 acres, 248 Units (2.57 units/acre)
  - Lakeview: 22.4 acres, 69 units (3.08 units/acre)

### Planning Commission input:

- At the Planning Commission meetings, the Commissioners expressed concerns about the density. They recommended density reductions that would result in a calculation of residential units per acre approximately equivalent to the Deer Springs or Lakeview developments noted above.
- The developers indicated they could not do the project at those numbers and still make a fair profit.
- Subsequent discussion focused on residential density and the minimal amount of commercial square feet proposed for The Boulders development. The project proposes the following commercial development:
  - Hotel restaurant: 4,000 SF
  - B&B restaurant: 4,000 SF
  - Coffee shop (in clubhouse): 1,500 SF
  - Sundries (in clubhouse): 500 SF
- The Commissioners put forth the need for additional 'Town Center type' commercial development (citing the 2019 General Plan for the Town where the number one desire by residents was a 'Town Center' so that commercial amenities would be easily available for all residents within the Town's boundaries).





- There was discussion relative to the fact this is the last large parcel where the Town can plan for and accommodate commercial development.
- The Planning Commissioners discussed opportunities to integrate additional commercial square feet into the project area. The Commissioners considered a couple of options:
  - Incorporate +/-10,000 – 15,000 square feet of commercial space into the proposed 'big house condos' (the multi-unit structures proposed on the Concept Plan south of the proposed hotel and along the spine road).
  - Work with the developer to reserve a few acres near the hotel for future commercial development opportunities and partner with the Town to market this for future specialty or destination commercial (restaurants, bars, sports and recreation, entertainment, exercise, etc.) recognizing the land would likely have to practically be given away or leased to attract some desired end commercial users.
  - The Applicants conveyed the challenges associated with attracting specialty or destination commercial development to this area given the lack of rooftops to support it. After further discussion, the Applicants indicated a small amount of space reserved on the first floor of one or more of the 'big house condos' was preferable to a land dedication.



### Proposed Commercial Development and Square Feet

INDOOR AMENITIES	
RESTAURANT - HOTEL	4,000
SPA - HOTEL	2,500
RESTAURANT - BOUTIQUE HOTEL	4,000
CLUBHOUSE	
AEROBICS ROOM	2,000
FITNESS ROOM	2,000
COFFEE SHOP	1,500
SUNDRIES	500
OUTDOOR AMENITIES	
LAGOON & BEACH	NA
PICKLE BALL COURTS	NA
POOL & JACUZZI	NA
AMPHITHEATER	NA
FOOD TRUCK LOT	NA
TRAILS SYSTEM	NA

Connection to Town: The Planning Commission also discussed the fact that the Town is disconnected from east to west and north to south as a result of SR 248 – it creates a very real and dangerous barrier for pedestrian and bike connectivity in particular. A pedestrian and biking underpass could be part of this concept plan and truly provide easy access from east to west, particularly if located near North Hideout Trail Road. Ultimately, such a facility could be located further north as well and serve a larger percentage of the community's population.

- The Planning Commission discussed the 'gives and gets' for the proposed Concept Plan and Rezone Application and generally thought that the Applicant should have some responsibility for ensuring safety for the many pedestrians and bicyclists that would likely be associated with the proposed Boulders development project.



- The Town Engineer estimated the cost of a pedestrian underpass at around \$5mn. The Commissioners discussed the importance of ensuring a partnership approach to getting an underpass and was generally supportive of a 50/50 partnership approach.
- If the Town Council chose to pursue this type of partnership approach, a \$2.5mn commitment by the Developer could be paid annually at \$500K per year for five years. If the Applicant does a Public Infrastructure District (PID) [discussed in a later section of this report], there might be an opportunity to wrap this cost into that overall bond.

**Open Space/Buffers:** The final development plan should have clustered areas with very clearly labeled significant open space buffers providing park/trail opportunities. The Applicant submitted an updated site plan – entitled Open Space and Disturbed Areas Calculations. The calculations indicate 55% of the site will be disturbed; 45% will be preserved. The Applicant shall provide a detailed plan illustrating the areas that will be undisturbed by development, grading, infrastructure – the 45% shall be delineated on the plan. The Planning Commission strongly recommended that the 45% of undisturbed areas should maintain native vegetation and be protected during the construction period.

- The Town Engineer has begun an analysis to ensure the proposed development density, necessary road infrastructure, and parking can be constructed on the site's slopes while preserving 45% of the overall site as undisturbed. The Commissioners did not want to see the site significantly denuded of natural slopes and native vegetation.

#### **Proposed Disturbance / Non-Disturbance Areas**

Unit Type	TOTAL ACRES	DISTURBED AREA
VILLAS	14.10	12%
CASITAS	15.68	14%
LOGES	5.71	5%
TOWNHOMES-3-PLEX	8.57	7%
CONDOS AND MIXED-USE RETAIL PAD	4.11	4%
COPMMUNITY CLUBHOUSE	0.35	0%
EXISTING HOME-BOUTIQUE	0.60	1%
HOTEL/RESTAURANT		
CONDO/HOTEL	2.03	2%
SINGLE FAMILY HOMES	11.87	10%
<b>TOTAL</b>	<b>63.01</b>	<b>55%</b>



- The Storm Water Master Plan illustrates some of the retention basins in the UDOT right-of-way. These will have to be moved onsite. In addition, the stormwater retention basin located on the adjacent private property must be moved onto the Applicant's property unless an easement is provided by the adjacent property owner.

*Design:*

Recent developments within the Town of Hideout have been approved conditioned upon the creation of Design Standards and the establishment of a Design Review Committee or DRC (typically a PC member, a TC member, and the Town Planner) to review and approve all development. The Planning Commission was supportive of a DRC and recommended its establishment.

- No set of Design Guidelines has been created or submitted given the speed at which this project has been reviewed. If the Town Council is supportive of a DRC and Design Guidelines, they could include a condition of approval that requires the approval of Design Guidelines in conjunction with the Preliminary Plat for this Concept Plan.

*Infrastructure:*

Issues regarding water rights and availability must be addressed. The Applicant must provide all necessary water rights prior to any construction.

A Public Improvement District (PID) is proposed by the Applicants. A PID essentially allows the Developer to bond for the majority of infrastructure necessary to build the proposed number of residential and commercial units. A PID must be presented for a separate approval by the Town Council.

*Concept Plan:*

Per HTC 11.06.18, the Planning Commission reviewed the proposed Concept Plan and approved it at the February 17, 2022 meeting with the following conditions:

- Maximum density allowance: +/-610 Units (or +/-577 ERUs; only draft calculations currently available) or 5.35 units per acre proposed
- Undisturbed area requirements shall be 45% of the site
- A minimum square foot (or acreage allotment) for commercial development
- All roads must meet the Town Code standards
- All trails and open space must be approved by the POST Committee
- Design Standards and review process shall be included in a Development Agreement



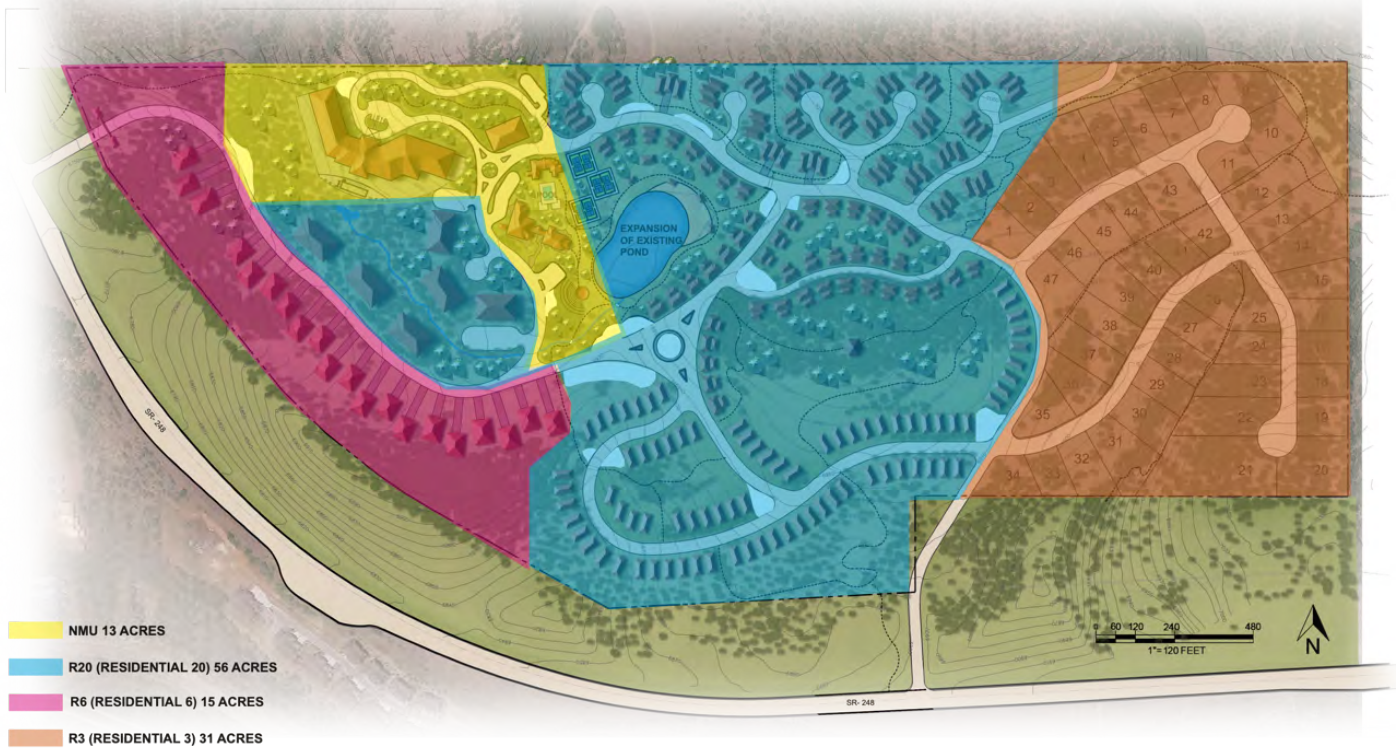
- Traffic analysis must be at a level B or higher for all areas of the proposed development
- Any updated zoning standards shall be applicable for the development
- An easement across The Boulders property to Golden Eagle to connect the two neighborhoods, for emergency access at a minimum
- Visitor parking shall be included to adequately address commercial, parks, trails and other users' needs



## Rezone Request

As part of the expedited review process for The Boulders project, the Applicant is requesting the following zoning district designations:

### ZONING DISTRICTS



**BOULDERS AT HIDEOUT**  
MASTER PLAN

SKYHAWK  
DEVELOPMENT

01.26.22

**PEC**  
PROPERTY ENGINEERING CONSULTANTS





The following is the proposed ERU table provided by the Applicant:

ERU CALCULATION						
<u>RESIDENTIAL</u>		TOTAL UNITS	SF RANGE		ERUS	TOTAL EURS
	TOWNHOMES	75	1,600	2,200	1.00	75
	CASITAS	80	2,600	3,200	1.00	80
	VILLAS	80	2,800	4,400	1.00	80
	LODGES	20	3,500	5,000	1.00	20
	SF LOTS	47	4,500	9,000	2.00	94
<u>RESORT RESIDENTIAL</u>						
	HOTEL	150	550	850	0.50	75
	BOUTIQUE HOTEL	20	550	850	0.50	10
	BIG HOUSE CONDOS	128	1,250	2,200	1.00	128
	MIXED-USE PAD SITE	10	850	1,500	0.75	7.5
<u>COMMERCIAL/AMENITIES</u>						
	RESTAURANT - HOTEL	0	4,000	2	0.75	1.5
	RESTAURANT - BOUTIQUE	0	4,000	2.00	0.75	1.5
	COFFEE/JUICE - CLUBHOUSE	0	1,200	1.00	0.75	0.75
	CLUBHOUSE	0	5,000	3	0.75	2.25
	SUNDRIES - CLUBHOUSE	0	500	0.5	0.75	0.38
	RETAIL - MIXED USE PAD SITE	0	2,500	1	0.75	0.75
	<b>TOTAL ERUS REQUIRED</b>	<b>610</b>				<b>576.63</b>

*\*Note: The proposed ERUs for the 'Sundries – Clubhouse' should be a total of 0.75 ERUs, not 0.38 ERUs (the Sundries – Clubhouse' will only use a portion of the 0.75 ERUs but the Code does not allow for a percent of a Commercial ERU). The total requested ERUs should be 577 ERUs.*



### Zoning Designations Requested

Residential 3 (R3)	Maximum Density = 3 units/acre Requested for 31 acres = <b>Possible density of 93 units total</b>
Residential 6 (R6)	Maximum Density = 6 units/acre Requested for 15 acres = <b>Possible density of 90 units total</b>
Residential 20 (R20)	Maximum Density = 20 units/acre Requested for 56 acres = <b>Possible density of 1,120 units total</b>
Neighborhood Mixed Use (NMU)	Maximum Density = 20 units/acre Requested for 31 acres = <b>Possible density of 620 units total</b>

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**Total Allowed Equivalent Residential Units (ERUs) Per Zoning = 1,923 ERUs**

The 'allowed density' per the requested rezoning is quite high at 1,923 ERUs. If the Planning Commission decides to move forward with the proposed rezoning request, it is strongly recommended that a maximum density for the overall project – The Boulders (112 acres) – is included in the resulting Master Development Agreement (MDA). The proposed zoning districts generally make sense in terms of allowing the developer the flexibility to cluster some residential development while preserving open space within the project area.

The Applicant should review the amount of Residential 20 (R20) proposed and see where reductions to the size of the area can be reduced. The area around the tri-plexes could be zoned Residential 3 (R3) or Residential 6 (R6). Staff is currently analyzing the proposed zoning requests in an effort to reduce the extent of the R20 and R6 in areas where it may not be necessary for the proposed Concept Plan.





## General Plan Analysis

Zoning requests can have significant impacts on the community. As such, they must conform to recommendations and requirements of the General Plan. The 2019 General Plan for Hideout includes the following Vision Statement:

### 2.1 Vision Statement

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

1  
preserve  
outstanding  
views

2.1.1 To Preserve  
Outstanding  
Views,

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

2  
cultivate  
an inviting  
neighborhood  
atmosphere

2.1.2 To Cultivate an  
Inviting Neighborhood  
Atmosphere,

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

3  
build a  
connected  
community

2.1.3 To Build  
a Connected  
Community,

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





The 2019 General Plan's Land Use Goals are:

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

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

The Town Council must review the Town of Hideout's General Plan and determine if the proposed rezone request meets the intent of the plan – connectivity and mixed land uses are part of the Vision Statements and Goals

### Recommendation

The Planning Commission reviewed the proposed changes - Neighborhood Mixed Use (NMU) combined with the residential zoning districts - and favorably recommended the Application to the Town Council with the following conditions:

- Ideally, the density for the entire Boulders Concept Plan should be reduced or, at a minimum, shall be capped at 577 ERUs and in approximately the same configuration as included in the Applicant's ERU calculation table included in this report.
  - \* The Applicant indicated a reduction of density in the 'big house condos' could be considered
- If infrastructure or site conditions limit or are not suitable to allow a density up to 577 ERUs, the Planning Commission and/or the Town Council may limit the maximum allowable ERUs



- A minimum of 45% (or 50 acres) of the proposed Boulders Concept Plan (112 acres) shall remain undisturbed – trees, vegetation, slope, etc. shall remain in a natural condition.
- The Boulders concept plan layout shall take precedent at time of Subdivision application when considering massing and building typology.
- Determine a minimum threshold for NMU commercial development – a minimum square feet dedicated to commercial uses.
- Consider finalizing (and reducing the breadth of) the zoning district boundary lines at time of subdivision application.
- Any approved rezoning approval would be contingent upon the Applicant successfully addressing all conditions (as incorporated into a Master Development Agreement) within one year. If any of the conditions of this Development Agreement aren't met by February 17, 2023, (one year) then the Rezone Ordinance (attached as Exhibit A) will no longer be effective and shall be repealed. The zoning for the full 112-acre site will revert back to the original Mountain (M) zoning designation.

Town Council should review the proposed Concept Plan and rezoning request (and Planning Commission recommendations) and provide direction to staff. The proposed rezoning request will be on the agenda for a vote at the Town Council's March 10, 2022 meeting.



## Exhibit A – Rezone Ordinance

ORDINANCE #2021 – O-\_\_\_\_\_

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE TOWN OF HIDEOUT FOR PARCELS 00-0020-8181, 00-0020-8182, 00-0020-8184, AND 00-0020-8185 FROM MOUNTAIN (M) ZONE TO NEIGHBORHOOD MIXED USE (NMU), RESIDENTIAL 20 (R20), RESIDENTIAL 6 (R6) AND RESIDENTIAL 3 (R3)

WHEREAS, Developers of a proposed project called the Boulders which consist of parcels 00-0020-8181, 00-0020-8182, 00-0020-8184, and 00-0020-8185 who have a contract to buy the property has petitioned the Town of Hideout for approval of a zoning map amendment;

WHEREAS, Developers is proposing a project which will include a hotel, restaurants, a bed and breakfast, an amphitheater and other amenities along with residential development;

WHEREAS, there is a Development Agreement being proposed;

WHEREAS, the approval of this zone amendment is contingent on the conditions of the Development Agreement being met;

WHEREAS, the Hideout Planning Commission held public hearing on February 17, 2022, and forwarded a recommendation to the Town Council;

WHEREAS, zoning amendments must comply with the General Plan;

WHEREAS, the Hideout Town Council held public hearings and reviewed the Zoning Map Amendment on March 3, 2022, and March 10, 2022.

WHEREAS, there is good cause and it is in the best interest of the Town of Hideout, Utah to approve the Amendment to the Zoning Map

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

SECTION I: Adopted. The Official Zoning Map for the Town of Hideout, as depicted in Exhibit A, is here by adopted.



SECTION II: Effective Date. This Ordinance shall take only take effect in 12 months, on March 10, 2023 and all the conditions of the Development Agreement is met.

SECTION III: Possibility of Repeal. If the conditions of the Development Agreement are not met, this Ordinance shall be repealed.

PASSED AND ADOPTED by the Town Council of Hideout, Utah, this \_\_\_\_ day of \_\_\_\_\_ in the year 2022.

TOWN OF HIDEOUT

\_\_\_\_\_  
Phil Rubin, Mayor

ATTEST:

\_\_\_\_\_  
Alicia Fairbourne, Town Clerk



## Exhibit B - Zoning District Allowances

### Residential 3 (R3) Zoning District – Requested Zoning for 31 Acres of the Site

#### Permitted Uses

Land Uses	
<b>Residential</b>	
Accessory Structure	
Affordable Housing Development	
Cluster Development	
Condominiums	
Condominium Hotel	
Multiple Family Unit	
Short-Term Rental (< 30 days)	
Single Family Attached (Townhome)	
Single Family Detached	P
Timeshare (Shared Ownership Facility)	
<b>Community</b>	
Amphitheatre	C
Church or Worship Center	C
Community Center	C



Private Residence Clubs	
Public Building	
Public Services Facility	
School	C
Swimming Pool / Bath House	
<b>Commercial</b>	
Big Box Retail	
Convenience Store	
Day Care Centers	
Equestrian Facilities	
Fitness / Wellness Center	
Gasoline, Retail	
Golf Course and Related Services	
Grocery	
Health Care Facility	
Hotel	
Kiosks and Street Vendors	
Maintenance Facility	
Meeting Facilities	



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

- *P = Permitted*
- *C = Conditional*
- *No label = Not a Permitted Use*

### Area and Bulk Standards

<b>Density</b>	
Maximum Density (ERU) per Acre	3
Minimum Open Space	25%
<b>Frontage / Lot Size</b>	
Minimum Lot Size	.33 Acre
Minimum Lot Frontage	85'





Minimum Lot Width	75'
Minimum Lot Depth	80'
Maximum Lot Coverage (in sq. ft.)	8,712
<b>Setbacks</b>	
Minimum Front Setback from road edge	25'
Minimum Front Setback from road edge (Major Road)	30'
Minimum Setback from Highway	50'
Minimum Rear Setback	20'
Minimum Side Setback	20'
Minimum Offsets (relative to roadway or neighboring Bldgs.)	15° or 5'
<b>Building</b>	
Maximum Building Height	35'
Maximum Units per Building	1
<b>Driveway / Garage</b>	
Minimum Parking (non-residential: per 1000 sqft)	Conditionally
Minimum Garage Parking (residential: per unit)	2
Minimum Driveway Length	25'
Minimum Driveway Width	20'
Maximum Driveway Width	26'



Shared Driveway Allowed	Conditionally
Conjoined Driveway Allowed (with adjacent property)	No
Maximum Driveways (per Frontage)	1
Permitted Driveway Materials	Concrete



## Residential 6 (R6) Zoning District – Requested Zoning for 15 Acres of the Site

### **Permitted Uses**

<b>Land Uses</b>	
<b>Residential</b>	
Accessory Structure	
Affordable Housing Development	
Cluster Development	C
Condominiums	
Condominium Hotel	
Multiple Family Unit	
Short-Term Rental (< 30 days)	
Single Family Attached (Townhome)	P
Single Family Detached	P
Timeshare (Shared Ownership Facility)	
<b>Community</b>	
Amphitheatre	C
Church or Worship Center	C
Community Center	C
Private Residence Clubs	C



Public Building	C
Public Services Facility	
School	C
Swimming Pool / Bath House	
<b>Commercial</b>	
Big Box Retail	
Convenience Store (no drive-through support)	C
Day Care Centers	
Equestrian Facilities	
Fitness / Wellness Center	
Gasoline, Retail	
Golf Course and Related Services	
Grocery	
Health Care Facility	
Hotel	
Kiosks and Street Vendors	
Maintenance Facility	
Meeting Facilities	
Office	



Personal Services	
Recreational Facilities	
Restaurant (with drive-through support)	
Restaurant	C
Retail	
Service Station	
Storage Facility	
Theater	

- *P = Permitted*
- *C = Conditional*
- *No label = Not a Permitted Use*

### Area and Bulk Standards

<b>Density</b>	
Maximum Density (ERU)	16 per acre
Minimum Open Space	30%
<b>Frontage / Lot Size</b>	
Minimum Lot Size (single family)	6000 sqft
Minimum Lot Frontage (single family)	55'
Minimum Lot Width (single family)	200'



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



Minimum Driveway Length	25'
Minimum Driveway Width	20'
Maximum Driveway Width	26'
Shared Driveway Allowed	No
Conjoined Driveway Allowed (with adjacent property)	No
Maximum Driveways (per Frontage)	4
Permitted Driveway Materials	Concrete



## Residential 20 (R20) Zoning District – Requested Zoning for 56 Acres of the Site

### **Permitted Uses**

<b>Land Uses</b>	
<b>Residential</b>	
Accessory Structure	
Affordable Housing Development	C
Cluster Development	C
Condominiums	C
Condominium Hotel	C
Multiple Family Unit	P
Short-Term Rental (< 30 days)	
Single Family Attached (Townhome)	C
Single Family Detached	
Timeshare (Shared Ownership Facility)	
<b>Community</b>	
Amphitheatre	C
Church or Worship Center	C
Community Center	C
Private Residence Clubs	P





Public Building	C
Public Services Facility	
School	C
Swimming Pool / Bath House	P
<b>Commercial</b>	
Big Box Retail	
Convenience Store (no drive-through support)	C
Day Care Centers	C
Equestrian Facilities	
Fitness / Wellness Center	P
Gasoline, Retail	
Golf Course and Related Services	
Grocery	
Health Care Facility	
Hotel	
Kiosks and Street Vendors	
Maintenance Facility	
Meeting Facilities	P
Office	P



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

- *P = Permitted*
- *C = Conditional*
- *No label = Not a Permitted Use*

### Area and Bulk Standards

<b>Density</b>	
Maximum Unit Density (ERU)	20 per acre
Minimum Open Space	30%
<b>Frontage / Lot Size</b>	
Minimum Lot Size	2 acres
Minimum Lot Frontage	300'
Minimum Lot Width	250'



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



Maximum Driveways (per Frontage)	2
Permitted Driveway/Parking Materials	Asphalt or Concrete



Neighborhood Mixed Use (NMU) Zoning District – Requested Zoning for 31 Acres of the Site

**Permitted Uses**

<b>Land Uses</b>	
<b>Residential</b>	
Accessory Structure	
Affordable Housing Development	C
Cluster Development	
Condominiums	P
Condominium Hotel	C
Multiple Family Unit	P
Short-Term Rental (< 30 days)	C
Single Family Attached (Townhome)	
Single Family Detached	
Timeshare (Shared Ownership Facility)	
<b>Community</b>	
Amphitheatre	C
Church or Worship Center	C
Community Center	P
Private Residence Clubs	P



Public Building	C
Public Services Facility	C
School	C
Swimming Pool / Bath House	
<b>Commercial</b>	
Big Box Retail	C
Convenience Store (no drive-through support)	P
Day Care Centers	P
Equestrian Facilities	C
Fitness / Wellness Center	C
Gasoline, Retail	C
Golf Course and Related Services	
Grocery	P
Health Care Facility	
Hotel	P
Kiosks and Street Vendors	
Maintenance Facility	P
Meeting Facilities	P
Office	C



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

- *P = Permitted*
- *C = Conditional*
- *No label = Not a Permitted Use*

### Area and Bulk Standards

<b>Density</b>	
Maximum Unit Density (ERU)	20
Minimum Open Space	20%
<b>Frontage / Lot Size</b>	
Minimum Lot Size	.25 Acre
Minimum Lot Frontage	100'
Minimum Lot Width	100'



Minimum Lot Depth	100'
Maximum Lot Coverage (percentage)	70%
<b>Setbacks</b>	
Minimum Front Setback from right of way	0'
Maximum Front Setback from right of way	10'
Minimum Front Setback from road edge (Major Road)	30'
Minimum Setback from Highway	50'
Minimum Rear Setback	30'
Minimum Side Setback	30'
Minimum Offsets (relative to roadway or neighboring Bldgs.)	n/a
<b>Building</b>	
Maximum Building Height (Commercial)	45'
Maximum Building Height (Residential)	40'
Maximum Building Height (Mixed Use)	52'
Maximum Units per Building	10
<b>Driveway / Garage</b>	
Minimum Parking (non-residential: per 1000 sq. ft)	2
Minimum Garage Parking (residential: per unit)	1.5
Minimum Driveway Length	n/a





Minimum Driveway Width	20'
Maximum Driveway Width	26'
Shared Driveway Allowed	Conditionally
Conjoined Driveway Allowed (with adjacent property)	Conditionally
Maximum Driveways (per Frontage)	2
Permitted Driveway/Parking Materials	Asphalt or Concrete



## **Exhibit C – Application Submittal and Concept Drawings**

Item # 2.

Item	Calculation
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# BOULDERS AT HIDEOUT

## MASTER PLAN

SKYHAWK  
DEVELOPMENT

02.08.22



Item # 2.

# COMMERCIAL CALCULATIONS

- CONDO/HOTEL
- MIXED-USE RETAIL PAD  
2,500-4,000 SQ
- RESTAURANT
- COMMUNITY CLUBHOUSE

EMERGENCY ACCESS ROAD



USE	COMMERCIAL SF
HOTEL	125,000
RESTAURANT - HOTEL	4,000
BOUTIQUE HOTEL	7,000
RESTAURANT - BOUTIQUE HOTEL	4,000
MIXED USE BUILDING	2,500
CLUBHOUSE COFFEE	1,200
CLUBHOUSE SUNDRIES	500
FOOD TRUCK LOT	2,000
TOTAL	146,200

## BOULDERS AT HIDEOUT MASTER PLAN

SKYHAWK DEVELOPMENT 02.08.22





Item # 2.

INDOOR & OUTDOOR AMENITIES

CONDO/HOTEL

RESTAURANT

COMMUNITY CLUBHOUSE

PICKLEBALL

BEACH

TRAILS

EMERGENCY ACCESS ROAD

VILLAGE CENTER

BOULDER HOTEL/  
RESTAURANT

FOOD TRUCK LOT

INDOOR AMENITIES	
RESTAURANT - HOTEL	4,000
SPA - HOTEL	2,500
RESTAURANT - BOUTIQUE HOTEL CLUBHOUSE	4,000
AEROBICS ROOM	2,000
FITNESS ROOM	2,000
COFFEE SHOP	1,500
SUNDRIES	500
OUTDOOR AMENITIES	
LAGOON & BEACH	NA
PICKLE BALL COURTS	NA
POOL & JACUZZI	NA
AMPHITHEATER	NA
FOOD TRUCK LOT	NA
TRAILS SYSTEM	NA



BOULDERS AT HIDEOUT  
MASTER PLAN

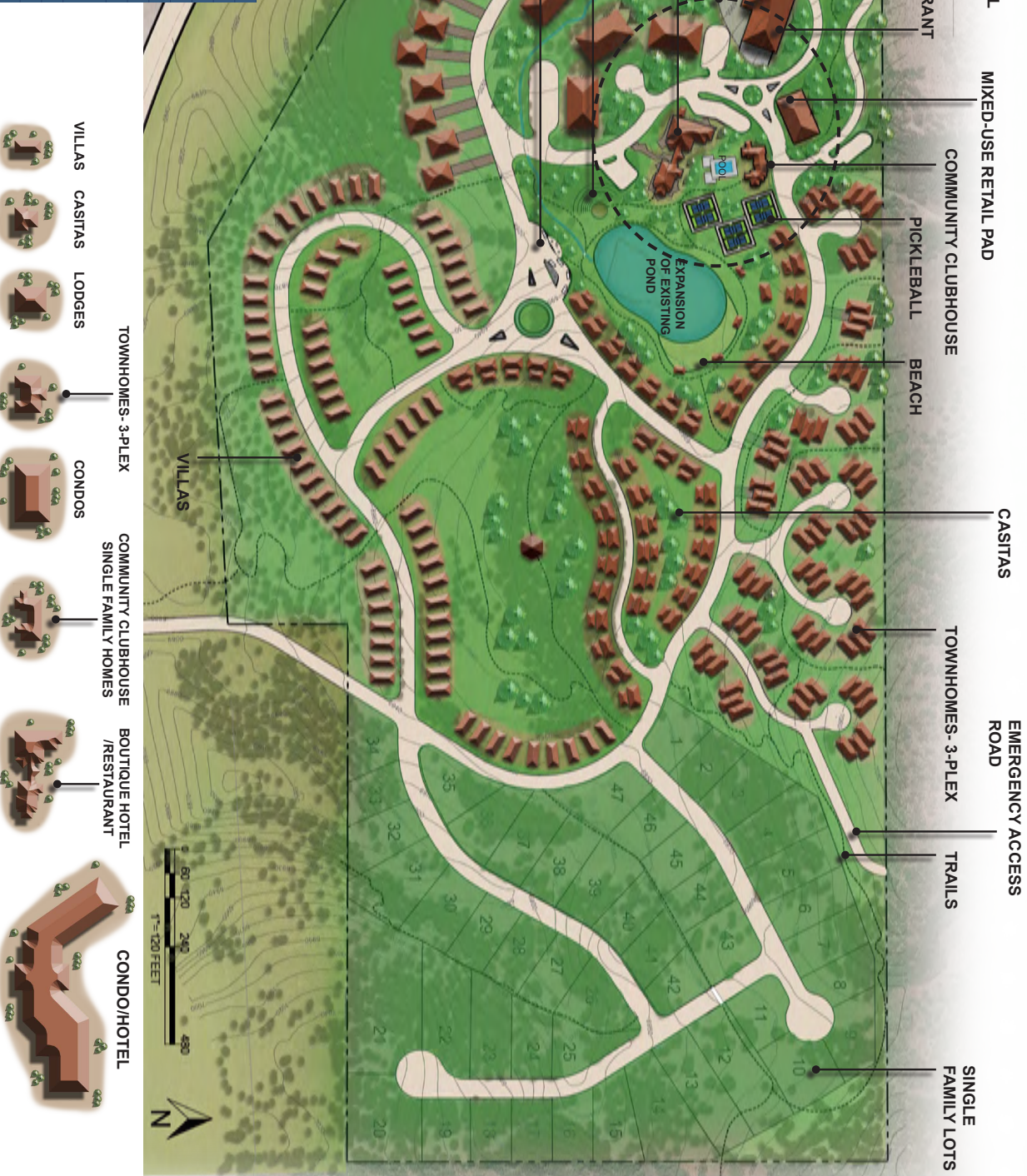
SKYHAWK  
DEVELOPMENT 02.08.22



Item # 2.

# SPACE AND DISTURBED AREAS CALCULATIONS

Unit Type	TOTAL ACRES DISTURBED AREA		
VILLAS	14.10	12%	
CASITAS	15.68	14%	
LOGES	5.71	5%	
TOWNHOMES-3-PLEX	8.57	7%	
CONDOS AND MIXED-USE RETAIL PAD	4.11	4%	
COMMUNITY CLUBHOUSE	0.35	0%	
EXISTING HOME-BOUTIQUE			
HOTEL/RESTAURANT	0.60	1%	
CONDO/HOTEL	2.03	2%	
SINGLE FAMILY HOMES	11.87	10%	
TOTAL	63.01	55%	



## BOULDERS AT HIDEOUT MASTER PLAN

SKYHAWK  
DEVELOPMENT

02.08.22





DRM WATER  
RETENTION

ENTRY MOUNDMENT

EMERGENCY ACCESS  
ROAD



All storm water must be on site (within property lines) or easements provided if off site. These locations for retention are not approved with this plan submission.

BOULDERS AT HIDEOUT  
MASTER PLAN

SKYHAWK  
DEVELOPMENT 02.08.22



W STORAGE  
AREAS

ENTRY MOUNMENT

EMERGENCY ACCESS  
ROAD



BOULDERS AT HIDEOUT  
MASTER PLAN

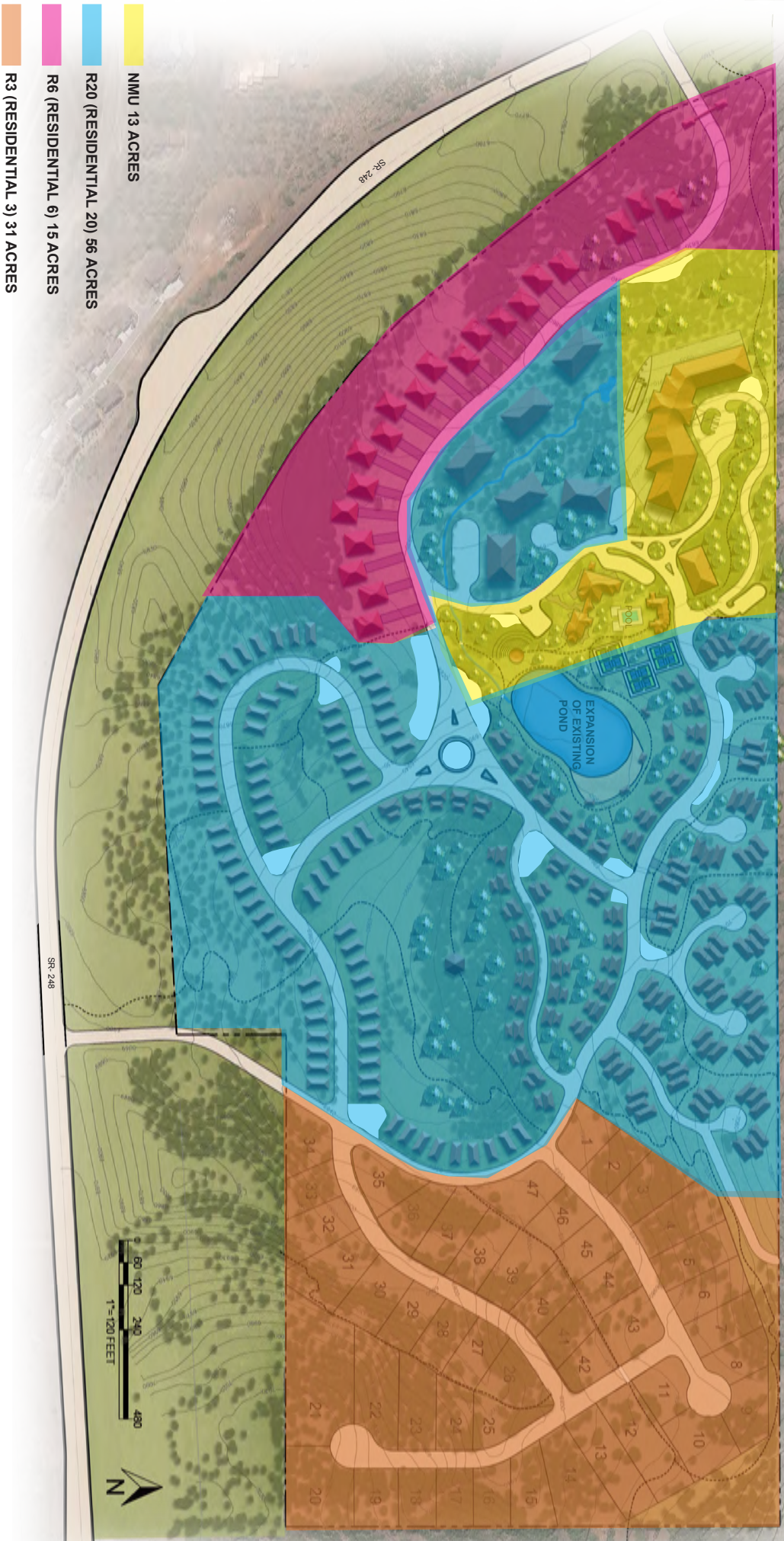
SKYHAWK  
DEVELOPMENT

02.08.22



ZONING DISTRICTS

Item # 2.



BOULDERS AT HIDEOUT  
MASTER PLAN

SKYHAWK  
DEVELOPMENT 01.26.22





ENTRANCES



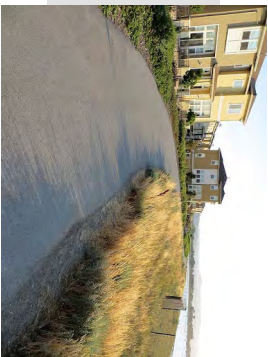
SIGNAGE



SITE AMENITIES



TRAILS





BIG HOUSE CONDOS & TOWNHOMES



CASITAS



VILLAS & SINGLE-FAMILY HOMES



LODGES



# BOULDERS AT HIDEOUT PRECEDENT IMAGES

SKYHAWK  
DEVELOPMENT 01.26.22





February 8, 2022

Mayor Phil Rubin  
Town of Hideout  
11275 N Normandy Way  
Highland, UT 84003

RE: DRAFT Salzman Property / Boulders at Hideout– Conceptual Master Plan

Mayor Rubin,

Town staff received documents showing a concept plan for the development of the Salzman property west of Golden Eagle off UT-248. The documents discussed in this letter dated 10<sup>th</sup>, 2022 were received by T-O in February. Based on Town code, the documents do not constitute a complete submittal for the concept phase of development. Therefore, a complete review was not possible, T-O does not recommend approval until a complete application has been reviewed and the items below addressed.

The following submittal documents were not reviewed:

- A conceptual level road design; as described in section 11.06.18.01, B, numbers 2-6
  - Include the locations of sidewalks
- A conceptual level landscape plan
- A conceptual level drainage control plan
- A conceptual level snow management plan

#### Roadway

- Provide UDOT approval to upgrade/add the accesses as shown. Sight line triangles at the proposed intersections should be analyzed and addressed. Access locations will need to be consistent the UDOT access agreement. It appears one of the access may utilize another parcel, if so, easement will be required.
- Standard road cross sections will be required. The town standard is 31' wide roads (26' of asphalt). The cul-de-sac will need to be 80' in diameter, per the town standards. It is very difficult to scale the provided images but the roads appear much narrow in places. Proper road design may limit the density of development. Without grading plans it is not possible to determine if the slopes & grades of the proposed roadway network will meet standards.
- Submit a traffic report reflecting the impact of the development.
- Wrangler Drive in the Golden Eagle development is stubbed to this property. There needs to be a connectivity at this point between developments. We strongly recommend that the Salzman development have 2 connection points to the Golden Eagle development and at least one to the east parcel.

- The “Y” intersection at the center of the development may not meet safety requirements. The information submitted does not provide adequate information to fully evaluate this at this time.

#### Environmental

- At least 1 drainage on the property appears to be listed as a river / stream, and may qualify as a water of the state. Provide a letter from the state engineers office or Army Corps office that no jurisdictional waterways are present. If the drainage(s) are determined to be waters of the state a 50' offset from the high water mark of the drainage where no building can occur will be required.

#### Grading

- There appears to be planned development on steep slopes. These should be considered for feasibility and code compliance based on Section 10.08 of the Town code.

#### Trails

- Show the type, size and grades of the proposed trails.
- Provide connections to adjoining properties.

#### Storm Drainage

- Lot 15-16 and 25-32 appear to be drawn over a natural drainage. The natural drainage will need to be preserved and the capacity of the channel maintained to avoid future flooding of the properties.
- The concept does not show any location for storm water detention. Detention basins may require a sizable amount of land and could affect the maximum density. Submit a conceptual level drainage plan with approximate detention sizing and location(s) for onsite detention.
- There are other smaller drainages entering the property where structures are planned. Existing condition flows from these drainages will need to be determined and managed to avoid a flooding risk. We highly recommend preserving existing drainages where possible.
- Classify the jurisdiction of the drainages on site. Water of the state requires additional setbacks & preservation.

#### Culinary water

- The applicant will need to furnish sufficient water rights, that are transferable to JSSD, for the proposed project. The quantity of water rights will be calculated using JSSD standard ERU tables and state code R309-510. The water rights should be determined and dedicated for the entire project prior to construction.

The application does not provide any volume calculations or water distribution. Based on the town's water model, connections from UT-248 will likely be insufficient to provide fire flows. It is recommended, and likely required, that piping connections be made from the west, north and with UT-248 to create a looped system. If possible, waterline connections should be located along the same alignments as roadways.

Sewer

- Provide a concept collection layout for the sewer collection showing any connection points to JSSD and any necessary lift station or other key infrastructure.
- Provide a letter from JSSD stating that the sewer main along UT-248 has sufficient capacity for the proposed development. The Town does not have adequate capacity through the Town's sanitary sewer system down-gradient from the proposed development to accommodate the proposed development.

We would be happy to discuss this letter in further detail and answer any questions you may have.

Sincerely,  
T-O Engineers

Ryan Taylor, P.E.  
Project Manager



February 15, 2022

Mayor Phil Rubin  
Town of Hideout  
11275 N Normandy Way  
Highland, UT 84003

RE: DRAFT Salzman Property / Boulders at Hideout– Additional information 2/11/22

Mayor Rubin,

Town staff received documents showing a concept plan for the development of the Salzman property west of Golden Eagle off UT-248. The documents discussed in this letter dated 10<sup>th</sup>, 2022 were received by T-O in February. On February 12<sup>th</sup> We received an updated drawing and additional water volume calculations.

The updated plans do show an “emergency” road now connecting to Golden Eagle, but this does not meet the connectivity requirements noted in the prior letter. The updated submittal also indicates possible stormwater ponds located off site with 2 in the UDOT ROW and one on an adjoining parcel. This does not meet the code to manage stormwater on site. The pond on private property maybe viable with proper easements.

We did receive calculations estimating the required volume of water the project may require.

- INDOOR
- 0.45 AF for indoor water use of the townhomes, Casitas, villas, lodges, SF lots is appropriate
- I understand the commercial was based on JSSD table, however, Utah division of drinking water 309-510 table 2 estimates hotel water use at 150 GPD/ unit. a 150 units @ 150 GPM/ day would require 25.2 AF. Approximately double what is provided in the applicants estimate
- Similarly the Boutique Hotel would require 3.36 AF
- Mixed use pad calculation is acceptable for the commercial use but does not include the .45 AF required for the “condo on top.” It is unclear if that is 12 units or more.
- The calculations for the restaurants (2) are unclear, based on 4000 square feet and 25 square feet per seat Table 1 would require 35 GPD/ seat or a total of 6.28 AF and 3.76 AF respectively
- The clubhouse and mixed use pads are consistent with JSSD table. But further evaluation will be required when the design and amenities in these structures is better understood.
- In total it appears as much as 26 AF of additional water maybe required for indoor use.
- OUTDOOR
- Without a landscaping plan with acreages presented it is difficult to evaluate outdoor water use properly. 0.45 per unit for most residents appear reasonable. 3 AF/acre should be assumed for commercial uses, it is unclear how or why “adjusted” columns are shown. It appears applicant



is planning on 36 irrigated acres of commercial or 108 AF of water. Plus the residential use of 102.75 and the pond etc. of 30AF for a total irrigation demand of 240 AF.

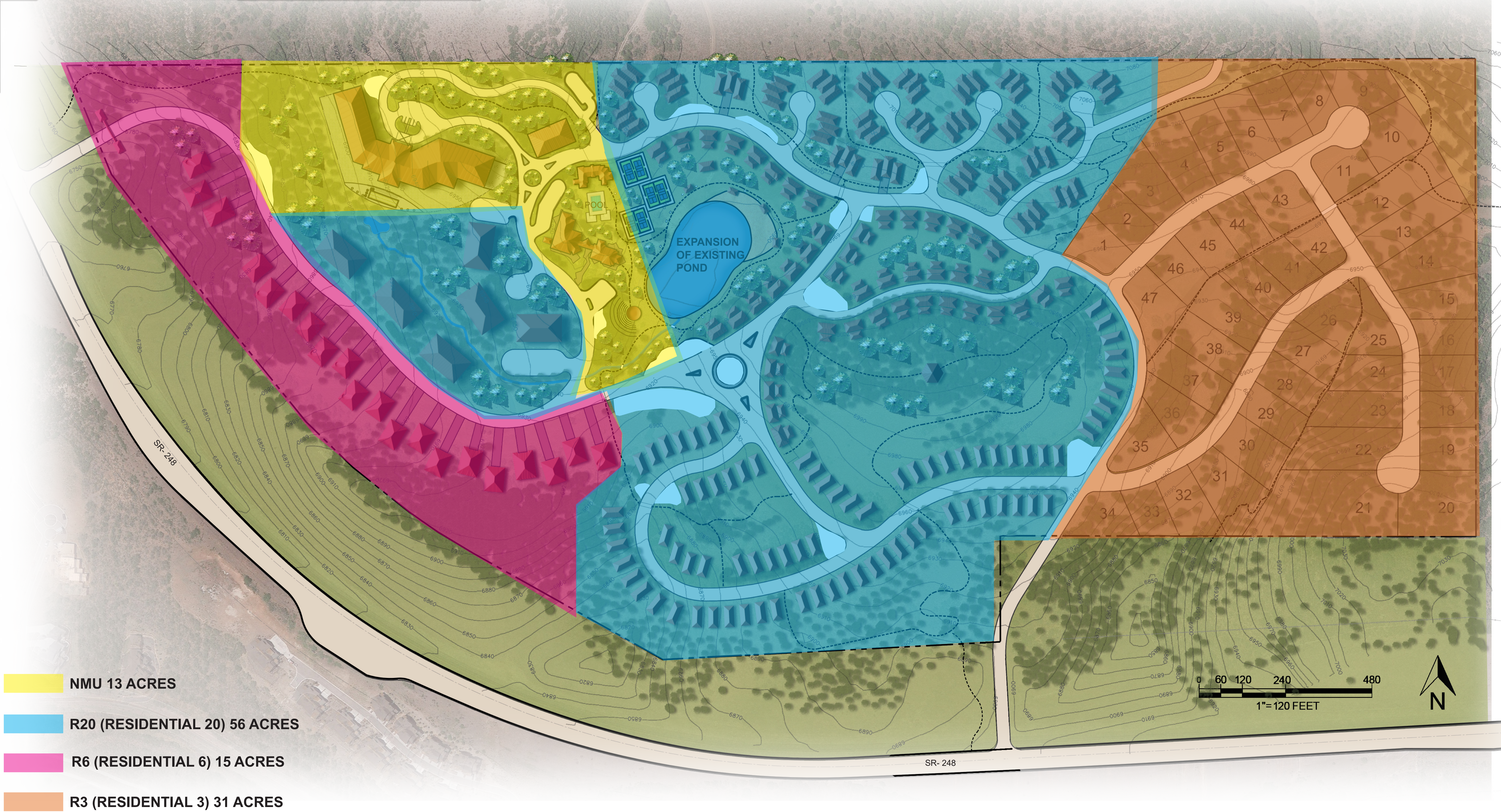
- Based on the information provided, water use could be high as 483 AF. A better understanding of the applicant's irrigation demands will be required to better determine the anticipated water volume more precisely.

We would be happy to discuss this letter in further detail and answer any questions you may have.

Sincerely,  
T-O Engineers

Ryan Taylor, P.E.  
Project Manager





**BOULDERS AT HIDEOUT**  
MASTER PLAN



## Hideout Commercial & Property Tax Projections

### 150 Key Hotel & Restaurant Operating Metrics

Assumptions	Construction	Year 1	Year 2	Year 3	Year 4	Year 5	
Number of Condo/Hotel Suites		150	150	150	150	150	
Occupancy (OCC)		60.00%	62.00%	65.00%	67.00%	69.00%	
Average Daily Rate (ADR)	\$	325.00	\$ 334.75	\$ 344.79	\$ 355.14	\$ 365.79	
RevPAR	\$	195.00	\$ 207.55	\$ 224.12	\$ 237.94	\$ 252.40	
Occupied Rooms		32,850	33,945	35,588	36,683	37,778	
Available Rooms		54,750	54,750	54,750	54,750	54,750	
<b>Revenues:</b>							
Rooms	\$ -	\$ 10,676,250	\$ 11,363,089	\$ 12,270,303	\$ 13,027,286	\$ 13,818,645	
Restaurant	\$ -	\$ 2,250,000	\$ 2,418,750	\$ 2,600,156	\$ 2,795,168	\$ 3,004,806	
Meeting Room	\$ -	\$ 192,173	\$ 204,536	\$ 220,865	\$ 234,491	\$ 248,736	
Other	\$ -	\$ 492,750	\$ 509,175	\$ 533,813	\$ 550,238	\$ 566,663	
Total Revenue	\$ -	\$ 13,611,173	\$ 14,495,549	\$ 15,625,137	\$ 16,607,183	\$ 17,638,849	
<b>Projected Tax Revenues</b>	0.01	\$ -	\$ 136,112	\$ 144,955	\$ 156,251	\$ 166,072	\$ 176,388

### 20 Key Boutique Hotel & Restaurant Operating Metrics

Assumptions		Construction	Year 1	Year 2	Year 3	Year 4	Year 5
Number of Condo Hotel Suites			20	20	20	20	20
Occupancy (OCC)			60.00%	62.00%	65.00%	67.00%	69.00%
Average Daily Rate (ADR)	\$		375.00	\$ 386.25	\$ 397.84	\$ 409.77	\$ 422.07
RevPAR	\$		225.00	\$ 239.48	\$ 258.59	\$ 274.55	\$ 291.23
Occupied Rooms			4,380	4,526	4,745	4,891	5,037
Available Rooms			7,300	7,300	7,300	7,300	7,300
<b>Revenues:</b>							
Rooms	\$ -	\$	1,642,500	\$ 1,748,168	\$ 1,887,739	\$ 2,004,198	\$ 2,125,945
Restaurant	\$ -	\$	2,250,000	\$ 2,418,750	\$ 2,600,156	\$ 2,795,168	\$ 3,004,806
Meeting Room	\$ -	\$	29,565	\$ 31,467	\$ 33,979	\$ 36,076	\$ 38,267
Other	\$ -	\$	65,700	\$ 67,890	\$ 71,175	\$ 73,365	\$ 75,555
Total Revenue	\$ -	\$	3,987,765	\$ 4,266,275	\$ 4,593,049	\$ 4,908,806	\$ 5,244,573
Projected Tax Revenues	0.01	\$ -	\$ 39,877.65	\$ 42,662.75	\$ 45,930.49	\$ 49,088.06	\$ 52,445.73

### Retail Operating Metrics

Assumptions	SF	Construction	Year 1	Year 2	Year 3	Year 4	Year 5
Coffe/Juice	1,500	\$ -	\$ 450,000	\$ 463,500	\$ 477,405	\$ 491,727	\$ 506,479
Sundries	500	\$ -	\$ 75,000	\$ 77,250	\$ 79,568	\$ 81,955	\$ 84,413
Mixed -Use Retail	10,000	\$ -	\$ 1,500,000	\$ 1,545,000	\$ 1,591,350	\$ 1,639,091	\$ 1,688,263
Total Retail Revenue	12,000	\$ -	\$ 2,025,000	\$ 2,085,750	\$ 2,148,323	\$ 2,212,772	\$ 2,279,155
<b>Projected Tax Increment</b>	0.01	\$ -	\$ 20,250	\$ 20,858	\$ 21,483	\$ 22,128	\$ 22,792

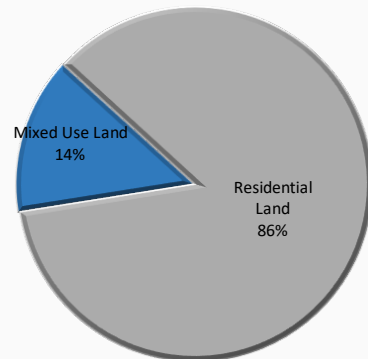
### Summary

Total Hotel & Restaurant		\$	-	\$	175,989	\$	187,618	\$	202,182	\$	215,160	\$	228,834
Retail Projections		\$	-	\$	20,250	\$	20,858	\$	21,483	\$	22,128	\$	22,792
Property Tax Projections	0.000823	\$	-	\$	772,172	\$	795,337	\$	819,197	\$	843,773	\$	869,086
<b>Total Stabilized Tax Increment</b>		\$	-	\$	968,411	\$	1,003,812	\$	1,042,862	\$	1,081,060	\$	1,120,712

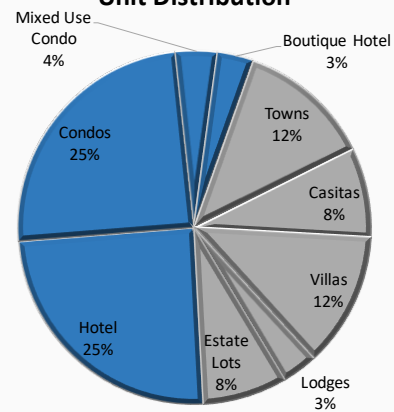
Representations: The information contained herein is provided for informational purposes only and does not constitute an offer, agreement or contract of any kind. Neither Skyhawk nor his representatives makes any warranty or representation as to accuracy or completeness of the projections, analysis or information contained in these materials. This information is provided to the recipient based on the understanding that it shall be held in the strictest of confidence and shall not be disclosed or distributed to any third party.

Preliminary - Subject to Change

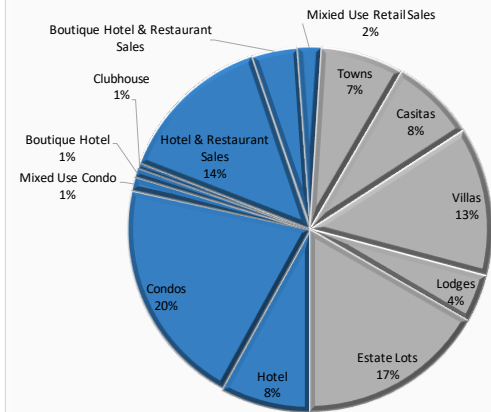
**Land Distribution  
In Acres**



**Unit Distribution**



**Income & Sales Tax Distribution**

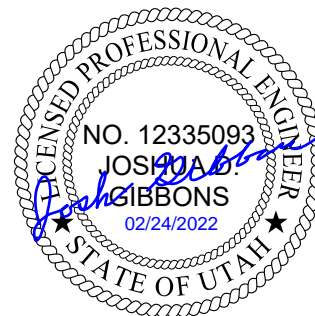


## MEMORANDUM

Date: February 24, 2022

To: Todd Amberry

From: Hales Engineering



Subject: Hideout - Boulders at Hideout Trip Generation Study

UT22-2131

### Introduction

This memorandum discusses the trip generation study completed for the proposed residential and hotel development in Hideout, Utah. A vicinity map of the proposed development is shown in Figure 1.

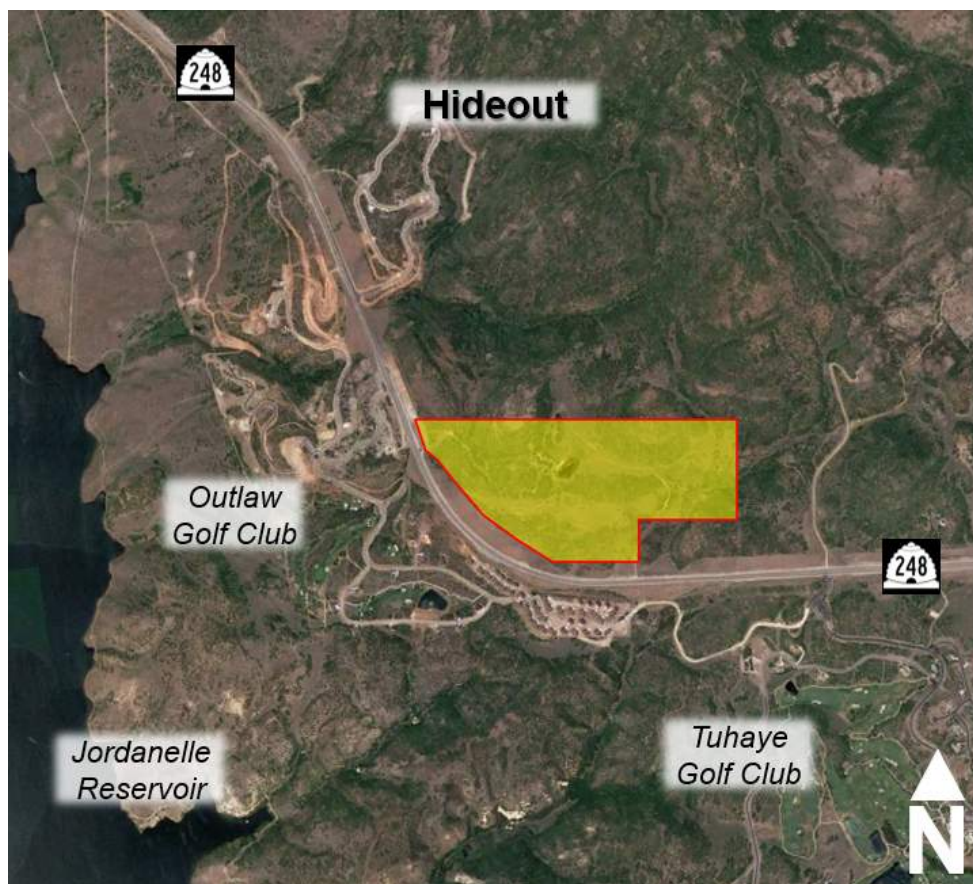


Figure 1: Vicinity map of the proposed development in Hideout, Utah

## Background

The proposed development is located on the northeast side of S.R. 248, near the Outlaw and Tuhaye Golf Clubs, in Hideout, Utah. The project includes single-family detached, single-family attached, condo units, and a hotel. A site plan for the proposed development is included in Appendix A.

The proposed land use for the development has been identified as follows:

- Single-family detached housing 247 units
- Townhomes 75 units
- Multi-family housing (low-rise) 144 units
- Hotel 144 rooms

## Trip Generation

Trip generation for the development was calculated using trip generation rates published in the Institute of Transportation Engineers (ITE) *Trip Generation (11<sup>th</sup> Edition, 2021)*. Trip generation for the proposed project is included in Table 1.

As shown in Table 1, it is anticipated that the proposed development will generate approximately 4,994 trips on an average weekday, including 338 trips during the morning peak hour, and 440 trips during the evening peak hour.

**Table 1: Trip Generation**

Trip Generation Boulders at Hideout								
Land Use <sup>1</sup>	# of Units	Unit Type	Trip Generation			New Trips		
			Total	% In	% Out	In	Out	Total
Weekday Daily								
Single-Family Detached Housing (210)	247	DU	2,320	50%	50%	1,160	1,160	2,320
Single-Family Attached Housing (215)	75	DU	522	50%	50%	261	261	522
Multifamily Housing (Low-Rise) (220)	144	DU	1,000	50%	50%	500	500	1,000
Hotel (310)	144	Rooms	1,152	50%	50%	576	576	1,152
TOTAL			4,994			2,497	2,497	4,994
AM Peak Hour								
Single-Family Detached Housing (210)	247	DU	170	26%	74%	44	126	170
Single-Family Attached Housing (215)	75	DU	34	31%	69%	11	23	34
Multifamily Housing (Low-Rise) (220)	144	DU	68	24%	76%	16	52	68
Hotel (310)	144	Rooms	66	56%	44%	37	29	66
TOTAL			338			108	230	338
PM Peak Hour								
Single-Family Detached Housing (210)	247	DU	234	63%	37%	147	87	234
Single-Family Attached Housing (215)	75	DU	42	57%	43%	24	18	42
Multifamily Housing (Low-Rise) (220)	144	DU	84	63%	37%	53	31	84
Hotel (310)	144	Rooms	80	51%	49%	41	39	80
TOTAL			440			265	175	440
1. Land Use Code from the Institute of Transportation Engineers (ITE) <i>Trip Generation</i> , 11th Edition, 2021. SOURCE: Hales Engineering, February 2022								

## Trip Distribution and Assignment

Project traffic is assigned to the roadway network based on the type of trip and the proximity of project access points to major streets, high population densities, and regional trip attractions. Existing travel patterns observed during data collection also provide helpful guidance to establishing these distribution percentages, especially near the site. The resulting distribution of project generated trips during the peak hour is shown in Table 2.

**Table 2: Trip Distribution**

Direction	% To/From Project
North via S.R. 248	85%
East via S.R. 248	15%

These trip distribution assumptions were used to assign the peak hour generated traffic at the study intersections to create trip assignment for the proposed development. Trip assignment for the development is shown in Figure 2.

## Auxiliary Lane Requirements

UDOT Administrative Rule R930-6 outlines minimum turn volumes (measured in vehicles per hour) to warrant auxiliary lanes. S.R. 248 is classified by UDOT access management standards as a "System Priority – Rural Importance" facility, or access category 2 roadway. The North Access may require a variance or need to be moved as an access category 2 roadway stipulates a minimum spacing between intersections of one-quarter mile (1,320 feet). This access is approximately 750 feet away from Hideout Trail. It is anticipated that auxiliary lanes are required for both accesses, as shown in Table 3 and Table 4.

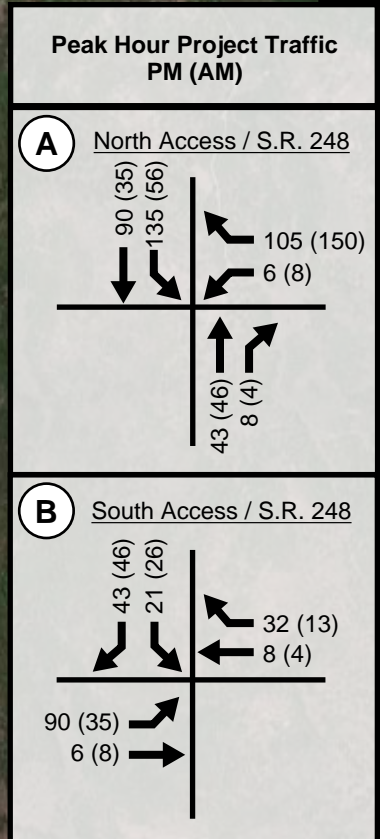
**Table 3: Auxiliary Lane Summary – North Access**

Auxiliary Lane Type		Minimum Requirement	Measure	Met?
Left turn	Deceleration (ingress)	5 vph	135 vph	Yes
	Acceleration (egress)	Safety Benefit?	-	No
Right turn	Deceleration (ingress)	10 vph	8 vph	No
	Acceleration (egress)	10 vph	150 vph	Yes

**Table 4: Auxiliary Lane Summary – South Access**

Auxiliary Lane Type		Minimum Requirement	Measure	Met?
Left turn	Deceleration (ingress)	5 vph	90 vph	Yes
	Acceleration (egress)	Safety Benefit?	-	No
Right turn	Deceleration (ingress)	10 vph	32 vph	Yes
	Acceleration (egress)	10 vph	46 vph	Yes





A



B



## Conclusions

The findings of this study are as follows:

- The proposed development includes single-family homes, townhomes, condos, and a hotel. It is anticipated that the project will have two accesses onto S.R. 248.
- It is anticipated that the proposed project will generate approximately 4,994 trips on an average weekday, including 338 trips during the morning peak hour, and 440 trips during the evening peak hour.
- The North Access may need a variance from UDOT as it does not meet spacing requirements
- It is likely that auxiliary lanes will be required at both project access points onto S.R. 248
  - North Access: left-turn deceleration lane and right-turn acceleration lane
  - South Access: left-turn deceleration lane and right-turn acceleration and deceleration lanes

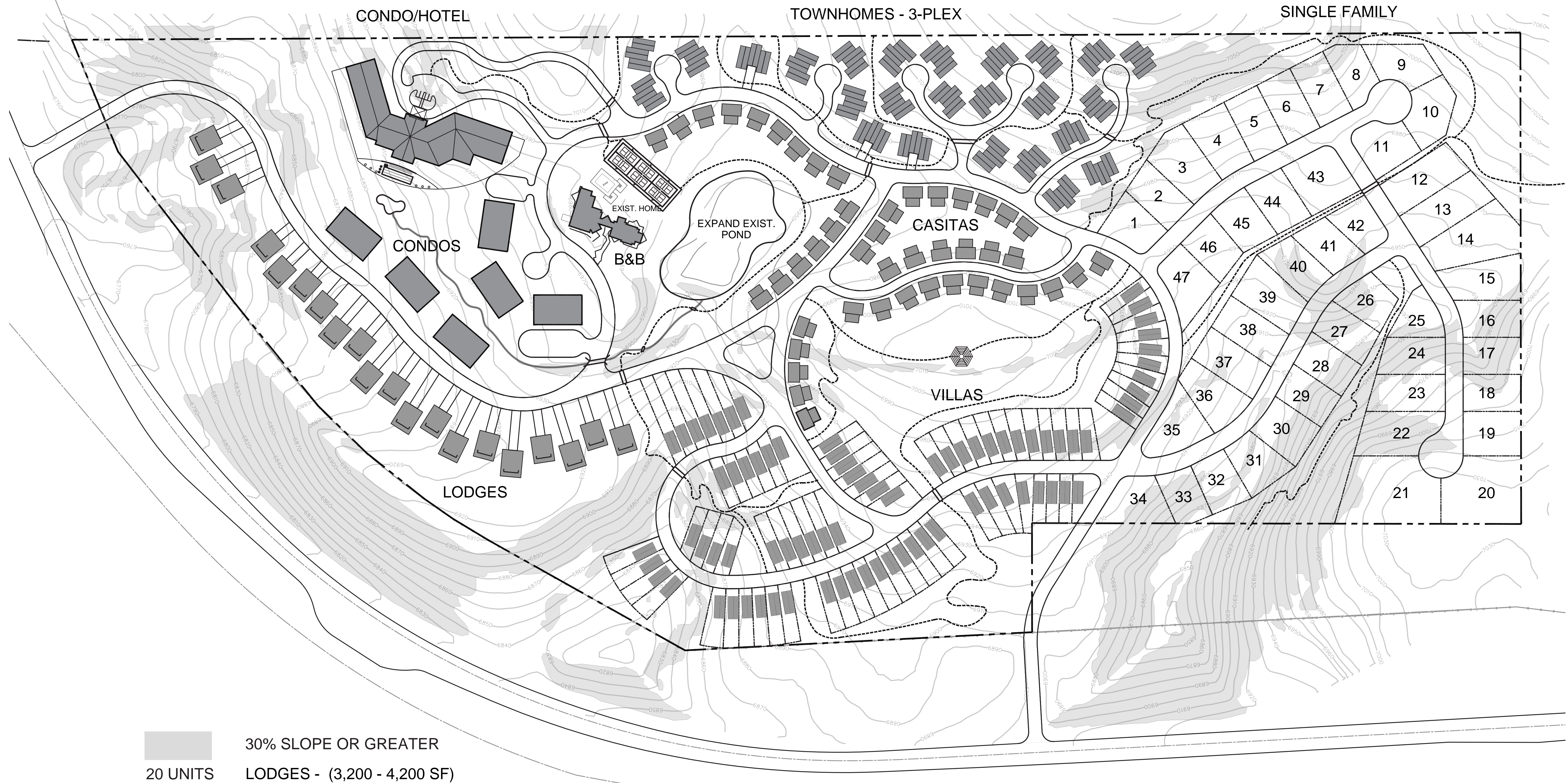
If you have any questions regarding this memorandum, please contact us at 801.766.4343.

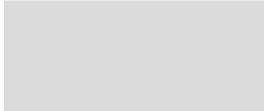


# APPENDIX A

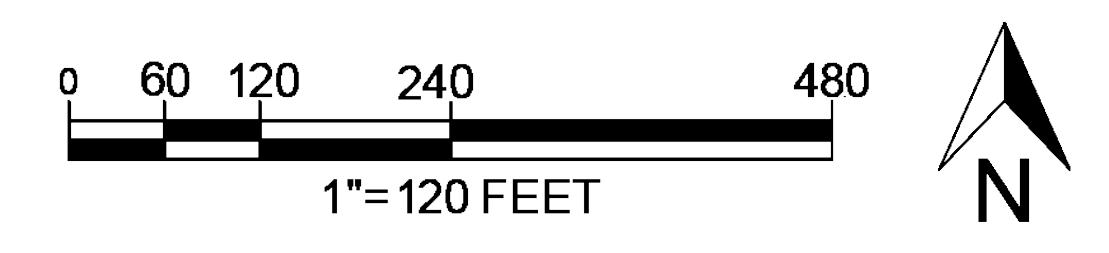
## Site Plan





	30% SLOPE OR GREATER
20 UNITS	LODGES - (3,200 - 4,200 SF)
75 UNITS	TOWNHOMES - 3-PLEX (1,800 - 2,400 SF)
80 LOTS	VILLAS (2,600 - 3,500 SF)
47 LOTS	SINGLE FAMILY (1/3 AC - 1/2 AC LOTS- 4500 SF)
144 UNITS	CONDO/HOTEL (650 - 1,250 SF)
144 UNITS	CONDOS
80 UNITS	CASITAS (2,200 SF - 2,800 SF)
20 UNITS	EXISTING HOME- B&B (11,400 SF)
610 UNITS	TOTAL

115 ACRES TOTAL  
 55 ACRES OPEN SPACE  
 48% OPEN SPACE



# BOULDERS AT HIDEOUT

## MASTER PLAN



**From:** Redacted

**Subject:** FW: Boulders Development  
**Date:** Monday, March 7, 2022 11:41:10 AM  
**Attachments:** [Golden Eagle Secondary Road Easement vs Boulders.pdf](#)

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Redacted

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**From:** Jared Fields Redacted  
**Sent:** Monday, March 7, 2022 11:30 AM  
**To:** Polly McLean <Redacted>; 'Thomas Eddington Jr.' Redacted  
**Cc:** 'Phil Rubin' Redacted >  
**Subject:** Boulders Development

Polly and Thomas,

I am writing to provide a few comments on the proposed Boulders development. I have been generally monitoring the progress of that development through the Town's processes, but until recently I hadn't closely reviewed the Boulders' site layout. Both the Planning Commission and the Council raised the question of potential access from the Boulders property over to the existing Golden Eagle Road, which would cross property we own and therefore prompted me to take a closer look. I will try to make contact with the Boulders developers to discuss that. But setting aside that issue, there are a few items that the Town should be aware of.

The Town is familiar with the fact that Mustang Development and its successors own an easement running south from Phase 2 of the Golden Eagle subdivision across parcel 20-8184 to access the highway. That easement is to be the location of the secondary emergency access road for the Golden Eagle subdivisions. Mustang and the Town entered into an agreement in March 2019 to that effect. The agreement is recorded in the Wasatch County records as Entry No. 461847. Mustang is preparing to commence construction on that road soon, as building should be getting going in Golden Eagle.

On the attached image, we have attempted to superimpose the Boulders proposed site plan against our easement. This drawing isn't perfect, but is accurate enough for discussion purposes. The easement appears to enter the proposed Boulders development from Golden Eagle where the Boulders is proposing to have their emergency access road. But the remainder of the easement

path cuts right through portions of the proposed development. It is certainly possible that we could have discussions with the Boulders developers about relocating that easement, and the Town could agree to modify the existing agreement for the secondary access. But for the moment, the easement exists in the depicted location. If the access road is constructed in that location, it will necessarily affect the layout for the Boulders development. The current site plan for the Boulders will not be possible with that road in place.

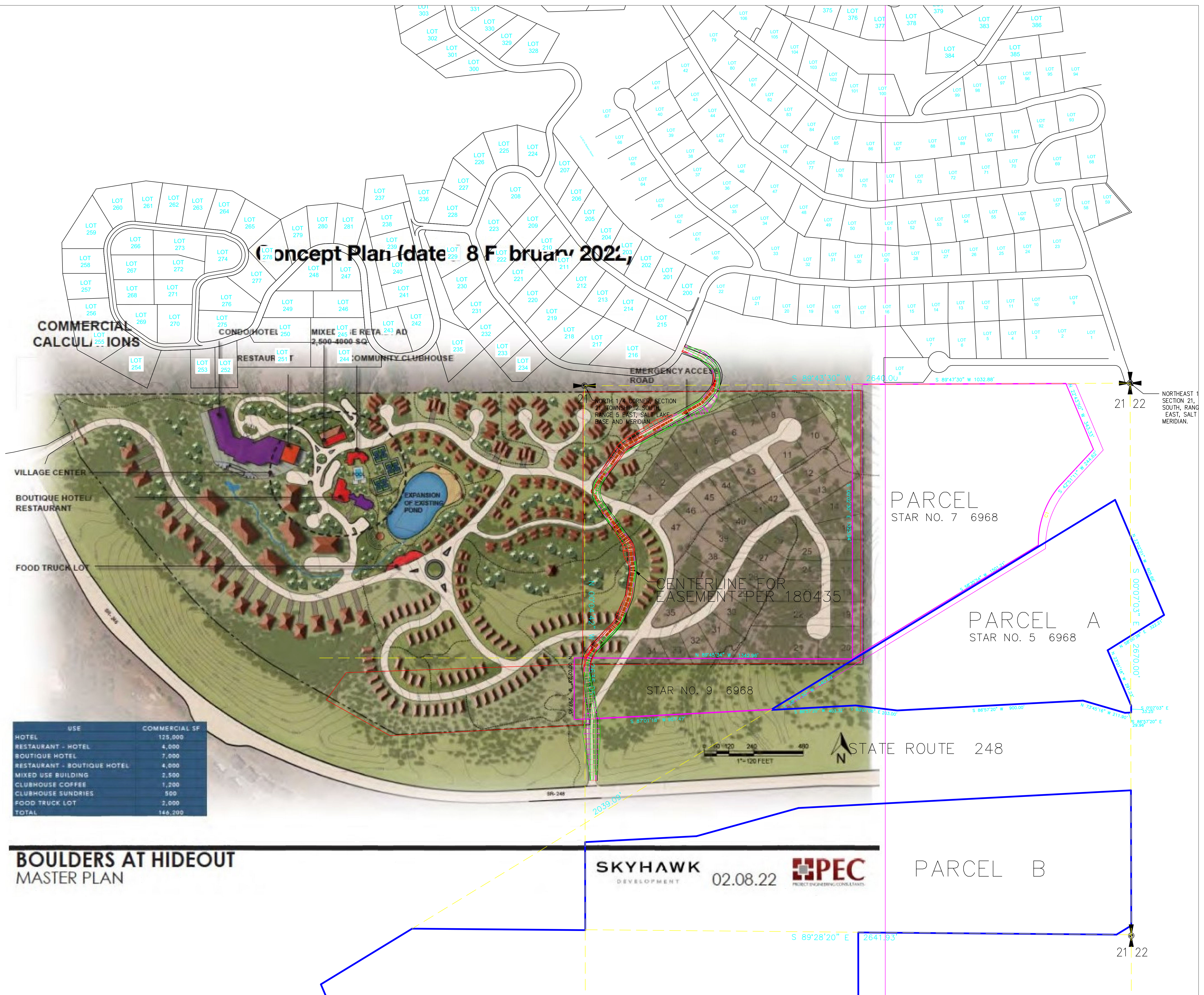
Additionally, the secondary access onto 248 shown on the Boulders site plan appears to cut across the Star No. 9 patented mining claim, which is owned by Mustang. I haven't exhaustively searched title records to see if the current owner (ADA LLC) has a recorded easement across that property, but I am not aware of one. That will be an issue the Town will have to address to determine if the Boulders developers can build their second access as depicted. Thank you for your attention to these matters.

Jared C. Fields  
Chief Legal Counsel  
Mustang Development

Redacted

Redacted







**From:** Redacted  
**To:** Redacted  
**Subject:** RE: Re zoning for The Boulders  
**Date:** Tuesday, March 29, 2022 9:56:27 AM

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**From:** Patricia Bidwill Redacted  
**Sent:** Monday, March 28, 2022 5:56 PM  
**To:** hideoututah <hideoututah@hideoututah.gov>  
**Subject:** Re zoning for The Boulders

Thank you in advance for reading and considering my email and list of concerns

I am a lot owner in Golden Eagle and am very concerned about the Town's consideration for a zoning change for proposed Boulders development.

I and others who have invested in the Town of Hideout have done so in large part due to the Town's stated vision and land use goals which include, preserving green space, viewsheds, managing the intensity of land use etc.

Our purchases in Golden Eagle are barely two years old and now there is a proposal to develop adjacent property increasing the density by 500% !

To consider building over 600 units for a town of 1500 people or less seems antithetical to the Town's stated goals and arguably undermines our confidence in the Town.

Minutes from meetings reveal that the Developer cannot provide the commercial space the Town wishes without the density requested. At what expense does the Town need the proposed commercial development? What would the net revenues from this type of development be with all of the required infrastructure needs?

The Town of Hideout is magnificent in part due to the Jordanelle Reservoir and the Town and the area have been suffering from a drought. What are the costs and consequences of the water usage requirements of such an intense development? Should water rights and the impact on the Jordanelle be extensively studied before such a development could be considered?

The Town of Hideout is a jewel, please do not move forward with such a drastic development that could significantly undermine the resources that make the Town so valuable.

Sincerely  
Patricia Bidwill